

State of Alaska
Board of Registration for Architects,
Engineers, and Land Surveyors

MISSION STATEMENT

The board's mission is to protect the public health, safety, and welfare through the regulation of the practice of architecture, engineering, land surveying, and landscape architecture by:

- ensuring that those entering these professions in this state meet minimum standards of competency, and maintain such standards during their practice; and**
- enforcing the licensure and competency requirements in a fair and uniform manner.**



Alaska Division of Corporations, Business and Professional Licensing

Virtual Meeting Code of Conduct

I understand that by participating in any virtual board meeting or event hosted by the Division of Corporations, Business and professional Licensing, **I am agreeing to the following code of conduct:**

Expected Behavior

- Because CBPL and its boards value a diversity of views and opinions, all board members, invited guests, members of the public, and division staff will be treated with respect.
- Be considerate, respectful, and collaborative with fellow participants.
- Demonstrate understanding that the board is following a business agenda and may reasonably change it to ensure meeting efficiency. Unless invited ahead of time to address the board, the chair may recognize members of the public to speak for a limited time during the public comment period.
- Recognize the chair has the authority to manage the meeting, and staff may intercede to assist, if needed.
- All participants are also subject to the laws applicable in the United States and Alaska.

Unacceptable Behavior

- Harassment, intimidation, stalking or discrimination in any form is considered unacceptable behavior and is prohibited.
- Physical, verbal or non-verbal abuse or threat of violence toward of any board member, invited guest, member of the public, division staff, or any other meeting guest/participant is prohibited.
- Disruption of any CBPL board meeting or hosted online session is prohibited.
- Examples of unacceptable behavior include:
 - Comments related to gender, gender identity or expression, age, sexual orientation, disability, physical appearance, body size, race, religion, national origin, political affiliation;
 - Inappropriate use of nudity and/or sexual images in presentations;
 - Use of music, noise, or background conversations as a disruption. While this may happen briefly or incidentally, prolonged or repeated incidents are prohibited.
 - Shouting, badgering, or continued talking over the speaker who has been recognized by the chair.

Reporting Unacceptable Behavior

If you or anyone else in the meeting is in immediate danger or threat of danger at any time, please contact local law enforcement by calling 911. All other reports should be made to a member of the senior management team.

Consequences

If the director of the division determines that a person has violated any part of this code of conduct, CBPL management in its sole discretion may take any of the following actions:

- Issue a verbal or written warning;
- Expel a participant from the meeting;
- Suspend attendance at a future meeting – both virtual and in-person;
- Prohibit attendance at any future CBPL event – both virtual and in-person;
- Report conduct to an appropriate state entity/organization;
- Report conduct to local law enforcement.



ALASKA STATE BOARD OF REGISTRATION FOR
ARCHITECTS, ENGINEERS, AND LAND SURVEYORS
TENTATIVE AGENDA

FEBRUARY 15TH, 2022 (DAY 1)

Zoom link:

<https://us02web.zoom.us/j/84473795266?pwd=UWMYUUEyYm94VVNIQGNvS0hLbjFJQT09>

Teleconference: 253-215-8782

Meeting ID: 844 7379 5266 **Password:** 332514

Board Members:

Elizabeth Johnston
*Electrical/Mechanical
(Chair)*

Catherine Fritz
Architect (Vice Chair)

Jennifer Anderson
*Civil/Environmental
Engineer
(Secretary)*

Robert (Bob) Bell
Land Surveyor

Jeffrey Garness
*Civil/Environmental
Engineer*

Loren Leman
Civil Engineer

Edward Leonetti
Landscape Architect

Jake Maxwell
Land Surveyor

Randall Rozier
Architect

Fred Wallis
Mining Engineer

Vacant
Public Member

Meeting Details

Meeting Start Time: 9:00 a.m.

Meeting Start Date: 2/15/2022

Meeting End Time: 5:00 p.m.

Meeting End Date: 2/16/2022

Meeting Location: State Office Bldg, 9th Floor, Conference Room C – Juneau, AK

Agenda

1. 9:00 am - Call to Order/Roll Call
2. 9:02 am - Mission Statement
3. 9:03 am - Virtual Meeting Code of Conduct
4. 9:05 am - Review/Amend/Approve Agenda
5. 9:15 am - Review/Approve Minutes from November 15-16th, 2021
Board Meeting
6. 9:20 am - Ethics Reporting
7. 9:25 am - Licensing Examiner Report

8. 9:35 am – Correspondence
 - A. Incoming
 1. Using title of engineer
 - B. Outgoing
 1. Expiration date of sealed plans
 2. Metallurgical experience under mechanical engineer
 3. House Finance: HB61
9. 9:45 am – Division Update
 - A. FY 2022 1st Qtr Update
 - B. HB277
10. 10:20 am - Break
11. 10:30 am – Executive Session
12. 11:00 am – Old Business
 - A. Status of 2019 regulation project
 - B. Review draft regulation for military licensure
 1. Motion for approval of regulation
 - C. Regulation project to review 12AAC 36.180 – Seals
 1. Motion for approval of regulation
13. 11:30 am – Public Comment
14. 12:00 pm – Lunch
12. 1:00 pm – Old Business – continued
 - D. Staff approval of applications 12AAC 36.110
 1. Motion for regulation project and approval of regulation
 - E. Legal updates:
 1. Legal response to “direct supervisory control”
 2. Joint Venture
 3. Add limited partnership to statute 08.48.241
 - F. Guidance Manual Committee
 1. Calculation sealing
 2. “Work of Minor Importance”
 - a. Motion to approve

Board Staff:

Sara Neal
*Executive
Administrator*

Heather Noe
Licensing Examiner

**Upcoming
Meetings:**

May 10-11, 2022
August 23-24, 2022
November 2022

3. Update By-laws
4. Definition of “design” in regulation
5. Definition of “responsible charge” in statute
6. CE Regulation 12AAC36.520(5) – calendar year
7. Board service CEU definition
15. 2:00 pm – New Business
 - A. Continuing education extension/exemption
 - B. Possible registrant communication platforms
16. 2:30 pm – Break
15. 2:40 pm – New Business Cont.
 - C. 2022 Strategic Plan (Fritz, Leonetti)
17. 3:30 pm – Application Review
18. 5:00 pm – Recess for the day



ALASKA STATE BOARD OF REGISTRATION FOR
ARCHITECTS, ENGINEERS, AND LAND SURVEYORS
TENTATIVE AGENDA

FEBRUARY 16TH, 2022 (DAY 2)

Zoom link:

<https://us02web.zoom.us/j/87894224413?pwd=OURNTnFlcEh1VlJqbW9ybVRMYndlZz09>

Teleconference: 253-215-8782

Meeting ID: 878 9422 4413 Password: 006214

Board Members:

Elizabeth Johnston
*Electrical/Mechanical
(Chair)*

Catherine Fritz
Architect (Vice Chair)

Jennifer Anderson
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Engineer
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Robert (Bob) Bell
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Civil Engineer

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Randall Rozier
Architect

Fred Wallis
Mining Engineer

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Meeting Details

Meeting Start Time: 9:00 a.m.

Meeting Start Date: 2/15/2022

Meeting End Time: 5:00 p.m.

Meeting End Date: 2/16/2022

Meeting Location: State Office Bldg, 9th Floor, Conference Room C – Juneau, AK

Agenda

19. 9:00 am - Reconvene Meeting/Roll Call
20. 9:05 am – Elect / Vote 2022 Board Officers
 - A. Motion for Chair
 - B. Motion for Vice Chair
 - C. Motion for Secretary
21. 9:20 am – Investigative Report
22. 9:40 am – Full Board Application Reviews
23. 10:00 am – Statute Focus Group Update
 - A. Board Composition – Anderson / Maxwell / Rozier
24. 10:20 am – Break

Board Staff:

Sara Neal
*Executive
Administrator*

Heather Noe
Licensing Examiner

**Upcoming
Meetings:**

May 10-11, 2022
August 23-24, 2022
November 2022

25. 10:30 am – Statute Working Group
26. 12:00 pm – Lunch
27. 1:00 pm – Committee Updates
 - A. Continuing Education Committee- (Johnston, Bell, Garness, Anderson, Leonetti)
 1. Survey results
 - B. Legislative Liaison Committee - (Bell, Fritz, Garness, Leman, Leonetti)
 1. HB61
 - C. Guidance Manual Committee (Leonetti, Maxwell, Rozier)
 - D. Licensure Mobility (Johnston, Leman)
28. 2:15 pm - Break
29. 2:25 pm – Review Action Item List
 - A. Set date for AKLS
 - B. Assign Annual Report / Travel Plan
30. 2:40 pm – New AELS Board Chair – Committee Assignments
31. 3:30 pm – National Organization Updates / Upcoming Meeting Dates
 - A. NCARB
 1. 2022 NCARB Regional Summit – March 4-5th
 2. 2022 NCARB ABM Austin, TX– June 2nd-4th
 - a. Motion for funded delegates (2 design professional board members & 1 public board member)
 - B. NCEES
 1. 2022 Western Zone Interim Meeting – May 19-20th
 2. 2022 NCEES ABM Carlsbad, CA – August 23rd-26th
 - a. Motion for funded delegates
 - C. CLARB
 1. Uniform Standard Vote – April 20th
 - a. Motion for voting delegate
 2. 2022 CLARB ABM Atlanta, GA – Sept 2022
 - a. Motion for funded delegate

D. AELS May Board Meeting – May 10-11th, 2022 Anchorage

E. AELS August Board Meeting – August 23rd-24th, 2022 Fairbanks

Need to change date as it overlaps with NCEES ABM

32. 3:50 pm - Read Applications into the Record
33. 4:10 pm - Board Member Comments
34. 4:30 pm - Adjourn Meeting

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
BOARD OF REGISTRATION FOR ARCHITECTS,
ENGINEERS AND LAND
SURVEYORS

MINUTES OF THE MEETING
November 15-16th, 2021

These are DRAFT minutes prepared by staff of the Division of Corporations, Business and Professional Licensing. They have not been reviewed or approved by the Board.

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Registration for Architects, Engineers and Land Surveyors was held in person and virtually on November 15th and 16th, 2021.

1. Call to Order/Roll Call

The meeting was called to order at 9:50 a.m. (Late start due to technical difficulties)

Board members present, constituting a quorum:

Jennifer Anderson, PE Civil Engineer, Environmental Engineer (Secretary)
Bob Bell, Land Surveyor
Catherine Fritz, Architect (Vice Chair)
Jeffrey Garness, PE Civil Engineer, Environmental Engineer
Elizabeth Johnston, PE, Electrical Engineer, Fire Protection Engineer (Chair)
Loren Leman, PE, Civil Engineer
Ed Leonetti, PLA, Landscape Architect
Jake Maxwell, PLS, Land Surveyor
Randall Rozier, Architect
Fred Wallis, PE, Mining Engineer

Attending from the Division of Corporations, Business, and Professional Licensing were:

Sara Neal, Executive Administrator
Sara Chambers, Director
Erika Prieksat, Investigator
Patrick Kase, Investigator

Attending from the public: Chris Miller, Colin Maynard, Zachary Druga-CLARB,

Neal read the state Zoom policy: Please note that this meeting is being recorded. The audience may not participate in the meeting with the exception of public comment. If the board enters into executive session, all public attendees will be placed in the waiting room until the executive session concludes and the board returns to the record. Please note that if an attendee disrupts the meeting and does not allow the board to conduct the business

scheduled on the agenda, that attendee may be removed from the meeting.

2. **Mission Statement –**

The board's mission is to protect the public health, safety, and welfare through the regulation of the practice of architecture, engineering, land surveying, and landscape architecture by:

- *Ensuring that those entering these professions in this state meet minimum standards of competency, and maintain such standards during their practice; and*
- *Enforcing the licensure and competency requirements in a fair and uniform manner.*

3. **Strategic Plan**

Fritz shared the strategic plan consists of two objectives directly from the mission statement. The strategic plan will be revisited during the February 2022 meeting.

4. **Virtual Meeting Code of Conduct**

5. **Review/Amend/Approve Agenda**

On a Motion duly made by Catherine Fritz, seconded by Fred Wallis and approved unanimously, it was RESOLVED to approve the agenda.

6. **Review/Approve Minutes from August 11-12th, 2021 Board Meeting Edits**

On a Motion duly made by Catherine Fritz, seconded by Loren Leman and approved unanimously, it was RESOLVED to approve the Aug 11-12th, 2021 meeting minutes, with minor edits as suggested.

7. **Division Update**

Chambers explained the 4th Quarter report. Chambers shared that the division had done a study a few years back on the value of the high dollar national organization membership fees that AELS pays. Findings pointed to the fact that the services the national organizations offer AELS far outweighs the cost and without them more staff would have to be hired. Staff expenses were lower than normal since AELS has been understaffed since April of 2021. Because of the biennial renewal, AELS starts the even year with a large amount of surplus that covers the costs of the odd year. AELS ended FY21 with about \$500k of surplus. While it is good to have extra for the unforeseen issues that could come up, it also raises a red flag where licensing is concerned. The licensing fees need to be review and could possibly be reduced. Bell inquired the last time fees were changed to which Johnston stated that had been two years. The fees were lowered as revenue was generated by adding a late fee and a CE postponement fee. Bell asked if AELS had considered having different fees for residents and nonresidents. The AELS board has not considered that and only two boards have that fee structure which is written into their statutes. Chambers said that would be something the board would discuss and bring to her if they wanted to do that. Bell suggested that AELS raise comity application fees since most comity applicants are nonresidents. Chambers said that these points should be raised during the fee analysis this next year. Fritz pointed out that despite Covid, AELS's budget has held strong. Leonetti asked what the division's suggested amount of surplus should be to which Chambers responded that the recommended amount is

a year's worth of expenditures. It is not in regulation, but rather a recommendation. Johnston inquired whether or not the fee waiver for military could be considered in the fee analysis. Chambers stated that she would prefer to keep all programs as similar as possible to reduce confusion.

Chambers went on to walk the board through the draft military temporary license regulation language that she, Neal and Johnston worked on. The proposed language is for a general temporary license so it can apply to all comity applicants. She pointed out that this would not apply to land surveyors as they have to pass the AKLS before being licensed. Included in this regulation is the permissiveness the board has been wanting for the executive secretary or its designee to review temporary licensing. If an applicant meets the model law requirements that the national organization for that profession has set forth, then the executive secretary or its designee, could approve the temporary license. A temporary license would restrict a person from accepting the role of person in responsible charge since most like the person would not have taken the arctic course yet. The draft regulation also offers an extension to the 180-day language. Chambers stated that this is an amazing opportunity for the board to make licensing faster without reducing public protection and also reduced the amount of time spent reviewing applications. Fritz shared that there are two options for an architect by comity; one is with an NCARB record and the other is with two letters of reference in addition to the necessary verifications and transcripts. Fritz asked how the latter option would be handled under this proposed regulation and shared that she did not feel comfortable with staff reviewing an application under the latter option. Johnston stated that that was not the intent. Bell asked if a temporary license registrant had to work under the direct supervision of a registered professional engineer how are they different than an EIT. Leman said that it probably had to do with a pay differential. Johnston commented that the language which said a temporary license holder could not hold the position of person in responsible charge had to do with firms and the certificate of authorizations (COA). If a temporary license holder worked for a firm, they would need to work under the person in responsible charge for that discipline. If a temporary license holder was a sole practitioner, which is not required to have a COA, then they would have to hire someone to supervise their work. Questions were raised regarding the ability to stamp documents as some interpreted the draft language to infer that a temporary license holder could not stamp. Johnston stated to make it more clear the language of (e) should be changed to read "cannot be in responsible charge of a corporation." Chambers suggested referring to the regulation or statute that addressed the COAs.

Fritz clarified that this language would allow temporary license holders to stamp things without having passed a Northern Design course or the Jurisprudence Questionnaire. Johnston said that the Northern Design course and the Jurisprudence Questionnaire could be included in the requirements to be temporarily licensed. Chambers responded by saying the requirements for temporary licensure are set by what the board interprets as "substantially equivalent." Under SB21, the law states that if an applicant comes to Alaska with a background that is "substantially equivalent" to what Alaska requires, Alaska must issue them a temporary license. Chamber said "The debate is how can the board find a way to get people to work, who qualify for this military duty, military pathway without just requiring what you require now, if they are safely able to practice in another state. Is there a pathway?" The board can say that there is no pathway and then take it to legal to see if it would hold up

in court if someone was to sue the board over it. The board could say that a restricted temporary license could be issued because it does not feel that a person could safely practice if they do not have the northern design course. Chamber does think that the requirement for meeting the exact education and coursework regulation and the Jurisprudence Questionnaire would not be allowed under SB21.

Leonetti questioned why AELS would allow someone to work without the northern design course for six months to which Johnston replied that the six months came from the language in SB21. Leman suggesting have a somewhat limited temporary license which excludes practicing in areas that involve regional issues until they have taken a northern design course. Johnston summarized the discussion on temporary licensure by noting that AELS can either restrict the availability of the license through the “substantially equivalent” portion of the law and require the arctic course to obtain a temporary license with no restrictions, however the licensing process would be quicker, or offer a restricted temporary license which limits a registrant to only certain areas of practice. Chambers said that most boards have a restriction in their statutes and regulations that limit registrants to only practice in the area they are educated or trained to practice in. Before Chambers left the meeting, Leman thanked her for a job well done and for her competence and extraordinary communication skills.

8. Investigator’s Report

Erika Prieksat introduced the new AELS investigator Patrick Kase and presented the investigator’s report. There are 16 open matters and between July 29th and November 3rd five cases were closed. Kase will be following up with board members who are assigned to open cases. Leman encouraged Kase to contact the board member with the issue early on during the investigative process as that would alleviate some of the investigative work or possibly avoid it altogether. Fritz asked Kase to share a bit about his background to which he replied that he had been with child support services for ten years where he had been doing formal hearings and presenting cases to the administrative law judges. Prieksat pointed out that Kase will be relying on the board for its guidance as he is not an expert in the fields of practice that the board licenses. Bell asked if there was a statute of limitation on the open cases to which Prieksat answered that there was not. Due to multiple vacancies, cases have been slower to close that Prieksat would have liked. Prieksat said she did find a disciplinary matrix from 2009 for the board to build on so that it can track decisions that were made with regards to closed investigative cases.

9. Board Orientation

a. AELS Board By-Laws

The Board By-Laws have not been changed in seven years. Johnston suggested the following three options: 1. Make a motion to readopt them. 2. Leave them with the old date of May 2014. Or 3. Undertake a project to change them as language especially with regards to landscape architects. Johnston talked through the by-laws section by section. She pointed out that the board follows Robert’s Rules of Order for Small Boards, but the By-Laws refer only to Robert’s Rules of Order. The By-Laws state that the landscape architect may not vote, however, since May of 2014 the landscape architect became a permanent member of the board and has voting privileges. Fritz suggesting assigning this project to a committee for them to review and bring back to the board proposed changes. Fritz suggested that the committee check to see how a

board changes its by-laws. Johnston said the references at the end need to be checked to see if they are still relevant and in use. She then assigned the project of reviewing the by-laws to the Guidance Manual Committee.

10. Public Comment

Chris Miller thanked the board for having a public comment time and for sending out the CE survey. He thought it was concise and had an ample amount of space to write comments. Miller read with interest Leman's write-up on the board make-up and was not able to come up with a solution either. He encouraged the board to provide more clarity for continuing education with regards to those who hold multiple licenses when the board reviews the CE regulations. An example Miller gave was the carry forward hours and how it applies to each individual license. Miller also commented on the proposed regulation change to allow for Landscape Architects to test right out of school. His opinion was that the professional license test should stay separate from college graduation. The board could possibly allow for the test after three quarters of the experience had been gained. He does not think that testing immediately following graduation fulfills the mission of the three-legged stool (education, experience and exams). Miller also spoke to the topic concerning the CE regulation 12AAC36.520 that states "Continuing education credit is computed as follows: (7) for serving as an officer or actively participating in a committee of professional and technical societies, up to eight professional development hours per year may be claimed for each professional or technical society." He believes this to be a valuable credit as it encourages registrants to be involved in the professional societies, however, he does not think that a person should have to wait a year before earning credits for CEs if they are offering valuable services to the society they are serving. Miller stated that while he understands high bar the SE-16 hour exam sets, he does not think that it needs to be post-civil registration as many structural engineers only do structural engineering and should not be made to have to get their civil license before their structural. He thinks it should have a similar path as other professional licenses.

Colin Maynard urged the board to not allow for temporary licensure without the arctic engineering course. Even if the responsible charge stipulation was in the language, that would only apply to those who worked for firms. It would not stop someone from working on their own. It could also appeal to those that are coming up to do one job for a chain store or hotel. He pointed to the problems on the military bases where projects were designed by professionals who do not know about the arctic conditions. Maynard also spoke to the SE issue since Miller brought it up. The reason the board decided to make it a post-civil license was two-fold. One, every other west coast state does it that way so it makes comity application easier for Alaska's registrants to the west coast states since that is most likely registrants would move to or work on projects in. The second reason it because they wanted a higher requirement as the 16-hour SE exam is not a PE exam. While it has depth, it does not have breadth. It only covers structural engineering. It was designed to be the test for those states that require 16 hours which is the west coast states and Illinois.

Because of Maynard's previous AELS board service, Johnston asked him his opinion regarding the proposed temporary licensure whether the board should require the arctic or restrict practice. Maynard said that requiring the arctic would be easiest on the board as writing the regulation for restricting practice would be near impossible. Johnston also asked Maynard to expound on the SE-16 hour exam not being considered PE exam in the state of

Alaska, because in many jurisdictions it is. Maynard shared that when the board first looked into expanding from its six licensed engineering discipline, it was just considering adding environmental, fire protection and structural. The Structural Engineer Association of Alaska told the board to make the SE a post PE. The board at that time did not want to create a different kind of license so they just added eight disciplines. It was after that that the board changed it to a post PE and required it for large building and tall buildings. Maynard estimated that 95% of the projects in Alaska do not require a SE license. The SE license is only for the major projects when there is a large risk to public health and safety. Bell asked Maynard if the board considered adding sanitary engineers when it decided to expand. Maynard replied saying that there is no NCEES exam for a sanitary engineer, however, they did add an environmental engineer. Maynard then said that because Jennifer Anderson is not going to serve a second term on the board he wrote the governor's office and asked to not have another environmental engineer on the board as it already has several and could benefit from having other disciplines represented. Johnston said that we are limited to only offering licensure to the disciplines that there are NCEES exams for, excluding architectural engineering. That being said, Johnston did point out to Bell that Alaska could join in with the other states that are asking for an NCEES exam to be developed for sanitary engineering. Sterling Strait joined the meeting during public comment but was just listening in and did not have a comment for the board.

11. Ethics Reporting

Fritz shared that she has been working with AIA to develop a presentation for their annual conference that speaks to the health, safety and welfare issues around HB61. She has been asked to be a co-presenter with others on the team on November 18th, 2021. There is no financial issues and Fritz stated that she will not be advocating for the passage or the defeat of HB61. Leman asked if he could virtually attend the presentation. Fritz said that she would check with AIA. Both Johnston and Maxwell attended the annual meeting for NCEES. There were no financial costs to the state and the report is in the board packet. Fritz attended a WCARB executive meeting at no financial costs to the state. Leonetti attended the CLARB annual meeting with the state paying the registration fee for both him and Neal to attend. Maxwell went to an APDC meeting on September 2nd.

12. Licensing Examiner Report

Neal pointed out that she had changed the dates in the renewal section of the report to accommodate renewal opening on October 5th. 1600 individuals and 92 firms have renewed thus far.

13. Old Business

- a. Regulation Project FAQs** – Neal shared with the board the list of outstanding FAQs that need to be completed before the regulation project can be public noticed. Fritz, Anderson and Maxwell all assisted in the review of the completed FAQs.

b. Regulation 12AAC 36.068(2)(i)

On a Motion duly made by Ed Leonetti, seconded by Catherine Fritz and approved unanimously, it was RESOLVED to approve the changes to 12 AAC 36.068(2)(i) as presented below. Motion passed through roll call vote.

12 AAC 36.068. ELIGIBILITY FOR LANDSCAPE ARCHITECT REGISTRATION BY EXAMINATION.

(2)(i) Upon submission of evidence of graduation from an LAAB accredited curriculum in landscape architecture, an applicant for examination as a landscape architect may sit for **the examination as early as can be scheduled after graduation.** [SECTIONS 1 AND 2 OF THE EXAMINATION AS EARLY AS CAN BE SCHEDULED AFTER GRADUATION. AUTHORIZATION TO SIT FOR THE REMAINING PORTIONS OF THE EXAMINATION WILL NOT BE GRANTED UNTIL SATISFACTORY EVIDENCE THAT THE APPLICANT'S EDUCATION AND WORK EXPERIENCE REQUIREMENTS SET OUT IN THE TABLE OF EDUCATION AND WORK EXPERIENCE FOR PROFESSIONAL LANDSCAPE ARCHITECT IN (A)(2) OF THIS SECTION HAVE ALL BEEN SATISFIED.]

Fritz expressed her support of this motion stating that this is the way architects approach the exam. The examinations are just one leg of the three-legged stool and taking it closer to when you have graduated and the information is still fresh is a good thing.

c. Regulation 12AAC 36.180

Before changing the language, Garness wanted to discuss it with the board. Currently, for the engineer seal, it says Registered Professional Engineer across the bottom of the circle with no discipline. The board agreed that this should not change. The discipline is identified by the two-letter designator in front of the license number. Architects, landscape architects and land surveyors do not need a two-letter designator as there is no unique identifier needed. Garness inquired whether or not the diagram of the structural engineer needed the two-letter designator as the name is written across the bottom as Registered Structural Engineer. It was agreed that the designator SE would be removed. For the professional engineer stamps, the diagram in the regulation should be changed by removing "No." before the license number and instead signify that the two-letter designation for the discipline would go there followed by only the numeric portion of the license number. There is confusion surrounding how the license numbers need to be represented on the seal because of the old license numbers that included a four-letter alpha prefix. Garness was thinking of having two examples of engineer seals: one that had the four-letter prefix and number for old licenses and the other having a two-letter discipline designator and number for the newer licenses.

A motion was made by Jeff Garness, seconded by Jennifer Anderson, to approve a regulation project to change the graphics in 12AAC 36.180 to more clearly clarify the appropriate design for a seal.

When Johnson opened it up for discussion, Fritz asked if the graphics were going to show out-of-date information by showing old license numbers. Johnston assured her

that there are registrants who have these old license numbers that these graphics would apply to. Garness questioned why SEs have their own separate stamp and do not just use the two-letter identifier like the other engineering disciplines. Fritz said it was because NCEES does recognize it as a discipline of professional engineering but rather a totally separate type of engineering. Johnston pointed out that the guidance manual differs from the regulation. It says that a structural engineer stamp should have an SE before the number on a Professional Engineer Stamp. The guidance manual also states that the two-letter designator must come before the license number which for those old license numbers that include alpha characters would be quite cumbersome. To allow change to more than just the graphics Jeff Garness amended the motion.

An amendment to the motion was made by Jeff Garness, seconded by Jennifer Anderson, and approved unanimously, it was RESOLVED to approve a regulation project to change 12AAC 36.180 to provide clarity and consistency for the design of the seals.

14. New Business

- a. **CLARB Uniform Standard** – Zachary Druga joined the meeting to discuss the proposed uniform standard. He shared that CLARB’s legal team found that for Alaska to adopt CLARB’s uniform standard only regulation changes would be required. Leonetti pointed out that CLARB has been working on this project for 3-4 years and are recommending these standards for all jurisdictions. CLARB is now asking for boards’ thoughts and comments. CLARB is recommending two paths forward for Landscape Architects. One is a LAAB accredited degree with two years of experience and passing the LARE or the alternative path which is education through practical experience which would require eight years of experience and passing the LARE. The biggest difference between CLARB’s uniform standards and the current AELS LA regulations is the years of experience. Through the uniform standard CLARB is also offering a path for those that do not have a LA degree. Druga went on to say that in Alaska it would be a reduction of the years required to get a license. He explained that while CLARB was evaluating the Uniform Standards they kept health, safety and welfare at the top of the list so reduction in years required would not endanger the public. Garness expressed concern that the path which required practical experience only would compromise health, safety and welfare because the person’s ability is compromised without a formal education. Leonetti said that the passing of the LARE would show they had gained the skills needed through the experience. The reason for this path, Leonetti went on to say, was to get more people licensed, who do not have a college degree and how does that happen with the public safety in mind. To address the education concerns of CLARB’s members, Druga said CLARB spelled out in more detail what kind of experience would qualify to give better guidance. With the Diversity, Equity and Inclusion (DEI) initiatives trying to increase pathways to licensure and increase access to the profession, 92% still go the accredited degree path. This alternate path opens up the pathway to licensure for the other 8%. Fritz expressed concern about taking away one of the legs of the three-legged stool of one of the professions that the AELS board is responsible for. Current AELS regulations have three options with as little as one year of coursework which Fritz thinks should stay in place. Druga clarified that if a person had

any post-secondary degree they would need six years of experience and no degree they would need eight years. Fritz stated that a person would need coursework in landscape architecture to do licensed landscape work. Druga replied by saying that the experience only pathway is not missing the education leg of the stool; those applicants are getting their education leg through experience. Maxwell pointed out that the land surveyors had a similar discussion in 2012 which resulted in requiring a four-year degree and requiring land surveying coursework. Fritz asked if the education requirement was a barrier to licensure in Alaska to which Leonetti responded affirmatively. Leonetti said that many people have their degree but because education is open to interpretation in the AELS regulations the years of experience required is open for debate. CLARB's model law makes the requirements clear. Garness asked if the LARE would weed out people that do not know the profession. Druga said that the LARE is intense and a good test of knowledge. The Licensure Mobility committee will meet to discuss where AELS stands on the issue of CLARB's Uniform Standard so that when it goes to a vote in April Leonetti can vote in a way that represents AELS's position. 3:07.53

b. CE Regulation 12AAC 36.520 (a)(5) – “one full year of service”

The regulation states (a)(5) *“credit for participating in professional and technical societies may be claimed for a year of service as an officer or in active participation in a committee of the society, based on one professional development hour for every two hours of service or participation; professional development hour credits under this paragraph are earned at the end of each full year of service or participation.”* Colin Maynard had been invited to the meeting to speak to this issue with regards to what the board had done in the past. Maynard stated that he had not been audited, but did say that this regulation is confusing and should be changed to say, “are earned for each calendar year of service” so that it is clear that no matter when a person started in the year they could earn CEUs for their service. Maynard went on to say that the reason AELS has the requirement for CEs was because after two separate legislative audits, AELS was asked why they did not have this requirement. AELS decided to adopt regulations for CEUs so that the legislature would not make them do it. After the legislature gave them the power to set the regulation in 2003 or 2004, the CE regulations were set in place and have not changed much since that time. At that time, it was a national trend with 46 of the 50 states having requirements for CEs. It was decided that the requirement would be 24 hours because that was the common requirement for architects and the board did not want different requirements for different professions it regulated. Leman asked Maynard his understanding on the AELS Board being considered a “professional society” so therefore board members would earn one hour for every two hours served. Maynard confirmed that that was correct with a maximum of 8 hours per year. Bell then asked about earning CE hours for the AELS committee meetings that board members attend and prepare for. Maynard pointed out that it says “or” not “and” so a board member could count the actual board meeting or the committee hours, but not both. Maynard shared that he is an officer in two different societies which earns him all of his required 24 CEUs so he does not have to take any classes and went on to ask if that is what the board intends with this regulation. Fritz suggested putting in the Guidance Manual that the board means “one calendar year of service” with regards to this regulation and do the regulation change at

a later date. Johnston assigned this task to the Guidance Manual Committee.

c. CE Audit – Retire License 03:24:42

A registrant who was selected for the random audit for the renewal period 2020-2021 has requested to retire his license as opposed to complying with the audit. This registrant's audit was never given to investigations. The board made a motion in the May 2021 board meeting to allow for another registrant, whose case had been given to investigations, to do this. After reviewing this case, Marilyn Zimmerman recommended to the board that they allow this individual to retire as well to keep decision made during this audit consistent. After this audit cycle is complete, investigations does not want this to be allowed for registrants who fail their audit. To be continued after Director Chambers speaks to the next topic.

11. b. Military Spouse Regulation continued

Johnston gave a recap that the two options before the board on this regulation is to say that a temporary license applicant must have the arctic course or that temporary license holder will be restricted to certain areas of engineering until they pass the arctic course. Garness cautioned considering the second option saying that a person would not know what they do not know. Without the arctic course, a person would not know how the arctic environment effects different engineering issues. He said that possible options might be to offer an accelerated arctic course that could be taken in a weekend. Leman said that his position is that a temporary license should be issued but restricted where the individual cannot independently practice in areas of cold region engineering or architecture. The temporary license holder would need to self-regulate. Fritz voiced concerns of how the board would regulate the restricted license holder. She talked about possibly having an online northern design (arctic) exam developed and available so that it is not a barrier to licensure. Another suggestion Fritz had, is to strike the extra 180 days that was added on to the existing 180 days and limit the temporary license to six months only. When a person applies for temporary licensure, they must show that they are registered for and will complete a northern design course within those six months. Bell asked if this issue could be resolved with requiring a temporary license holder to have a peer review done on their work by a registered professional engineer who has sat for the northern design course. Wallis agreed with Bell's idea adding that it would also keep temporary license holders from setting up an independent practice. Johnston inquired of Chambers whether the 180 days with the extension of the 180 days was what was written into law. Chambers said that it was by the extension is worded in a way that gave boards discretion as to whether or not to grant it. Johnston asked if there was a way to tell in the license database whether or not a license was temporary to which Chamber responded that there was and if there were restrictions they would be noted on that license for anyone searching to see. Leonetti inquired as to whether or not municipalities would accept this temporary license on submitted plans. Chambers did not know if municipalities were aware of this upcoming change yet. Leonetti also brought up that the temporary license holders' stamps would need to be different and that there was a possibility that someone could be temporarily licensed without ever seeking permanent licensure. Chambers said the intent of this law is to give military families a pathway to get a temporary license that would allow them to start working right after moving here while they are finishing up Alaska requirements to receive a permanent license. Garness asked about

restricting the temporary license holder to working for an engineering firm but not allowing them to seal any documents until they have completed the northern design course. Fritz said to uncomplicate the issue this temporary license should only be offered to military families only. Military families want to be in Alaska and will most likely be here for a few years, where a developer in Florida might receive a temporary license to do just one job, not intend to take the northern design course, and never apply for a permanent license. Garness stated that he agreed that it should be only offered to military families, that it only be good for six months, there should be a restriction on duties they can perform and that there needs to be a more accessible, time sensitive northern design course available. Johnston said that she wanted this regulation to be proposed so that staff would have the ability to review applications and issue licenses for model law applicants who submitted an NCARB, CLARB or NCEES record and had their northern design and jurisprudence questionnaire completed. She thought that by including everyone but land surveyors in this regulation and not make it just for military it would create that opportunity. It was not her intention to get applicants without the northern design course licensed. Johnston proposed to keep the regulation for all and not just military but require all who apply for the temporary license to have completed a northern design course. She said that a person without the northern design course does not have a license that is substantially equivalent to an Alaska issued license. She does think that northern design courses need to be more readily available. Neal pointed out that Director Chambers also drafted new language for 12AAC 36.010 that would give the Executive Secretary the ability to approve model law applicants. It is included under new business for this meeting. Fritz thanked Johnston for pursuing a way for staff to be able to issue licenses to model law comity applicants but does not think that it should be done with the temporary license regulation. She supports a temporary license where the northern design course is required. Johnston restated the board's position that a northern design course will be a temporary license requirement because if any applicant does not have that their license is not substantially equivalent. Chambers asked for clarification with regards to whether the board intended the temporary license to be available to all model law comity applicants or just military and their spouses. Johnston said that the board wants it to be for military and military spouse only but adding on the requirement for northern design. With regards to the 180-day extension, the board would like 12 AAC 36.XXX (f) to be reworded to say *"A temporary certificate is valid for 180 days and may be extended **with the completion of the Jurisprudence Questionnaire (12 AAC 36.103, 105, 109)** at the discretion of the executive secretary, or its designee for an additional 180-day period by applying on a form provided by the department and submitting the temporary license fees established in 12 AAC 02.105."* Leman suggested giving two options, the one just stated being the gold standard, but also the restricted license that only allows practice for work that does not require cold region engineering knowledge. Neither option would allow for the 180-day extension. Johnston questioned how the restricted option would be regulated. Garness asked if the board could request UAA and UW to design an on demand northern design course.

14. New Business – continued

e. Draft regulations for application approval by staff

12AAC 36.010 – The terminology “by the board” has been broadened to include “the executive secretary of the board, or its designee.” This would allow for board staff to

approve comity applicants who submit a model law NCEES, NCARB or CLARB record. Added to the regulation is (j) which states “Notwithstanding any other regulation, the executive secretary of the board or its designee may approve an applicant for licensure by comity only if credentials are submitted by NCEES, NCARB, or CLARB record.” All alternate paths of licensure would still go the board for review and it does not waive the northern design course or the Jurisprudence Questionnaire. Fritz pointed out that it should say NCARB certificate and not record. Fritz asked how this interfaced with the answer legal gave when asked what would be required for staff to approve applications. Johnston stated that the answer was not altogether clear and that legal said statute changes would not be necessary for staff to do some reviewing of applications. Director Chambers suggested making a motion for a regulation project for both this regulation and the military spouse temporary license regulation so that it will move to the regulation specialist who will work on the language of them and bring them back to the board for approval and public comment. Johnston said that when they see the revised draft language for these regulations, a motion would be made to move it forward as a regulation project

15. Application Review

(Maxwell, Wallis, Bell, and Garness had finished their application reviews and left meeting)

5pm Recessed for the day

November 16th, 9am – Reconvene Meeting/Roll Call

Jennifer Anderson
Bob Bell
Catherine Fritz
Jeffrey Garness
Elizabeth Johnston
Loren Leman
Ed Leonetti
Jake Maxwell
Randall Rozier
Fred Wallis

Attending from the Division of Corporations, Business, and Professional Licensing were:
Sara Neal, Licensing Examiner

Attending from the public:
Mike Armstrong, Josh Batkin, Caitlin Stromberg

16. NCARB Presentation – Mike Armstrong, CEO, Josh Batkin, VP for Council Relations and Caitlin Stromberg, Assistant VP for Member Board Relations from NCARB joined the meeting to update the board and answer any questions it may have regarding NCARB. Armstrong thanked Fritz for her many years of volunteering with NCARB and encouraged Rozier to volunteer when the call goes out in January. Armstrong and Batkin had met with

Neal and the Alaska chapter of AIA so it would be aware of what the professional society is hearing and thinking about the role of regulation and keep the information and communication lines open. Armstrong shared that NCARB along with NCEES, CLARB and CIDQ as members of ICOR (Interorganizational Council on Regulation) is in its second year of a collaborative task force on incidental practice. It is looking at the overlap of disciplines in a way that is legally appropriate so that the public is not endangered. Within the next few years, NCARB would like to have model regulatory language to give guidance to licensing boards on how to monitor this and ensure that professionals are not doing something on a regular basis that is outside of their legal scope. Another task force is working on the definition of responsible charge or responsible control. Larger firms are more comfortable with their responsible charges delegating day to day responsibilities to their competent, qualified staff. The responsible charge checks in at key moments in the project and then signs and seals the document. Smaller firms disagree with that approach and argue that there needs to be more regular engagement on the project for one to sign and seal documents. This creates an enforcement dilemma for regulatory boards. The task force is trying to come up with new language that acknowledges the evolution of architectural practice.

Armstrong brought greetings from the current NCARB president Alfred Vidaurri. Vidaurri announced at the beginning of his term as president that he had the following two goals: 1) How member boards can fully embrace goals around diversity, equity and inclusion (DEI) and how those goals might be manifested in a more visibly diverse board of directors at a future date. 2) Take a fresh look at the way competency, on which licensure is based, is measured.

To reach the first goal, Vidaurri has had listening sessions inviting all member boards to talk in small focus groups about their perspectives, their issues, their biases, and how that contributes to the body as the whole. The NCARB board of directors is undergoing a multi-meeting journey regarding working with the diversity consultants around root causes and educating each other on how every point of view matters, every perspective is valuable and how collectively that perspective and help reshape the volunteer profile of the organization.

In addressing the second goal, Vidaurri is looking at the long-standing guidelines for licensure. Currently, licensure is based on the three e's – education, exams and experience. NCARB uses its architectural experience program (AXP) to track experience, used the architectural registration exams (ARE) for exam and has an education standard that mirrors the National Architecture Account Accreditation Board (NAAB). These constructs have been in place for many decades. However, Vidaurri is asking if these constructs are being too tightly held onto and keeping underrepresented groups that could qualify as architects, but find the pathway inaccessible, out of the profession. NCARB has offered alternative pathways to licensure through its certificate programs that allows for experience to count in lieu of education. NCARB has modified its experience program to allow for an option to submit a portfolio of work rather than reporting hours. It offers accommodations to people taking the exam who have a variety of impediments that put them on an unequal footing. It has an ongoing fairness and licensure initiative that is auditing the exam questions as well as the alignment between its experience and examination program to ensure that there are no unconscious biases in the way these programs are designed and delivered. NCARB recently

released results on the disparate pass rates of the exam. There is a gap between the success rate of white males and all others taking the exam. It is continuing to sift through the information and look for ways that it can keep refining and tightening its approach in a way that is most equitable for anyone who aspires to be an architect.

NCARB has been working with jurisdiction to stave off undermining of regulation the keeps in place the core requirements of licensure. It has helped prepare people to have informed conversations with elected officials about how mobility of licensure across state boundaries it is not an issue for architecture.

Remote proctoring had been being researched for years at NCARB, but due to Covid it expedited the issue. For over a year now, the AREs have been available to take online through remote proctoring. Today roughly one quarter of all examination candidates are taking the exam online. NCARB is not seeing any real disparities between the online results versus the test center results.

NCARB is on the brink of releasing its first Analysis of Practice in 10 years. This data collection effort is designed to get a snapshot in time regarding how the profession is conducting itself and where the profession is going. It can then do a gap analysis between what the profession is telling NCARB versus what its programs are requiring. NCARB then adjusts its programs to meet the current state of the profession. The last time this was done its experience program evolved from IDP to AXP and the exams changed from ARE 4.0 to ARE 5.0. The third phase of this analysis will roll out this next year in the form of a survey.

Armstrong opened it up for questions to which Loren replied that he appreciated Armstrong's ability to communicate the issues NCARB is dealing with and how they are trying to make architecture relevant to as many people as possible so that they will enter the profession to replace those that are aging out. Armstrong commented that NCARB is looking for ways for people who are interested in architecture, but do not have a way to obtain a NAAB accredited degree, to have a pathway for education that will lead to licensure. Possible pathways could include community college or experience in lieu of education and would hopefully lead to more people entering the profession. Leonetti inquired of Armstrong how NCARB is demonstrating education through other paths as CLARB is also focusing on DEI and developing the Uniform Standard. With the first leg of the three-legged stool being education, how do these professions include a pathway for those that might not have opportunity to get an accredited degree. Leonetti's main concern is getting more indigenous people to the table, specifically Alaska Natives. Armstrong shared about how the NCARB Certificate program allows for multiple ways to earn education for those already licensed, whether it be through experience or some schooling or a combination of both. Armstrong went on to say that Alaska requires for initial licensure an applicant graduate from a NAAB accredited program. However, if someone applies by comity with an NCARB Certificate where the person does not have a NAAB accredited degree, Alaska will license that person. He said that it is inconsistent to have one standard for initial licensure and a different standard for comity licensure when licensure is licensure. He encouraged the board to review its statutes and regulations to see if it can adjust the requirements it has for initial licensure. This requirement seems like a barrier to licensure. The states that have the most

licensed architects, California, New York and Texas, do not require initial applicants to have a NAAB accredited degree. Fritz responded by saying how she appreciated NCARB's work on the alternative education pathways. She said the reason the AELS board had decided to have the requirement for a NAAB accredited degree for initial licensure was because it was too hard for the reviewing board members to determine degree equivalency. It created such inconsistencies that the board determined the best course of action was to have someone do the vetting for them. Fritz said at that time there was an alternative path for comity that was taken advantage of and created an unfair situation for initial applicants. Fritz and Jeff Koonce both advocated for the board to accept NCARB standards for both initial and comity applicants. Fritz and Koonce encouraged NCARB to look at an alternative pathway for initial licensure as well so that the AELS board could have confidence that the vetting has been done in a legal, fair and robust way and could be accepted as an alternate pathway. Armstrong spoke to the fact that all three professions, engineering, architecture and landscape architecture have a lack of diversity and opening up a pathway for alternate education would take down a barrier for those that did not have the same advantages as those that took the traditional path to licensure. Bell added that at one time his company offered a surveyor school in Kotzebue, Alaska. Out of that program came the first Alaska native licensed woman land surveyor which confirms that offering alternative pathways does work. Garness asked Armstrong to address the concept of direct supervisory control and how it relates to responsible charge. In Alaska, to be an independent contractor means no one has direct supervisory control over that person. If a person in responsible charge seals a document that an independent contractor worked on, how can they by definition have direct supervisory control. Armstrong said that there is not clarity on this issue yet and it is an issue that the task force is working on. He said the task force is listening to people from different disciplines and different sized firms to talk about how much knowledge and day to day familiarity should the signing and sealing party have with the work and what is realistic with today's firm with today's workload and today's technology.

Josh Batkin ended the discussion with reminding the board that NCARB collaborates with boards to reinforce the view on the importance of licensure. It is part of an alliance known as the Alliance for Responsible Professional Licensing (ARPL) that is made up of the regulatory and professional societies for architects, engineers, landscape architects and accountants. ARPL has done public opinion polling along with economic research to build the argument that licensure is valuable, and the role regulatory board have is important in ensuring competent professionals are overseeing the work. NCARB uses this information to help support regulatory boards push back on the deregulatory proposals that are coming to them.

14. New Business Continued

b. Renewal Request for Medical Exemption

Registrant James Rice, whose license lapsed on 12/31/2017, submitted a medical exemption for CEs on the 2022-2023 renewal application. He included a medical evaluation. He has not shown evidence of completing any CEUs since 2010 due to this medical issue.

On a Motion duly made by Loren Leman, seconded by Catherine Fritz and approved unanimously, it was RESOLVED to approve to waive CE requirements for the 2022-2023 registration period for registrant James Rice with license number AELC4558.

c. Retire License from CE Audit - continued

Continuing the conversation from yesterday, Johnston recapped by saying that this situation is one where Christopher Hawe did not complete his CEUs, however, he checked the box that he did on his renewal application. When selected for the audit Hawe did not provide evidence that he had completed his CEUs. He has not been turned over to investigations due to communication with prior board staff and is now requesting to retire his license. In its May 2021 board meeting, the board made a motion to allow for another registrant, who was also under the CE audit, to retire his license. This person had been sent to investigations. In an email from Marilyn Zimmerman to Neal, she suggested that the board handle the case of Hawe in the same manner since it is the same audit cycle, however, from this point on the board should not handle failed audits by allowing the registrant to retire their license but instead they should be sent to investigations. Johnston stated that the board could refer this case to Zimmerman, have him go through the consent agreement process, but waive the fee as to be fair because of the previous case yet there would still be a license action. Another option would be to make a motion to retire his license and not refer it to Zimmerman. Leonetti asked what the purpose would be in sending him to investigations if he has not been working for 10 years. Fritz brought up the fact that he might not have been working in Alaska for these past 10 years; however, he might be registered in other states. His explanation lets the board know that Alaska is safe as he has not been practicing without completing his CEUs but procedurally he checked the box on his renewal form that said he had done his 24 CEUs. Fritz asked what it was legal for the board to do, what is its responsibility in these cases and is concerned about consistency in making these decisions.

A Motion was duly made by Loren Leman, seconded by Catherine Fritz that in the matter of Christopher J. Hawe, Professional Civil Engineer registration #AELC9958, it be approved to allow for the retirement of his license effective immediately

Johnston opened it up for comment to which Bell asked what would happen if Hawe wanted to reinstate his license at a later point. Johnston referred to statute 08.48.215 that states to reinstate a retired license “the board may require the applicant to meet reasonable criteria as determined under regulations of the board. The criteria may include submission of continuing education credits and reexamination requirements.” If Hawe did want to reinstate, all of this information would be in his record and the board at that time would have to decide if they wanted to impose “reasonable criteria.” Bell said that he was concerned that Hawe could complete 24 CEUs, reinstate and not be held accountable for his actions. Leman suggested leaving a note in his record as to what this board recommends for future action, whether it be making up those CEUs and/or some sort of community service, if he was ever to try and reinstate. Bell asked

why Hawe would get this special treatment when others would have a license action. Leman said that in the effort to be consistent with this year's audit findings let Hawe retire as an investigation is not worth the cost to the board. Garness agreed that to investigate these types of issues is not worth the cost, but on the flip side he could retire in Alaska, but keep working in the other states in which he is licensed. Leman made the following amendment to his motion:

A Motion was duly made and amended by Loren Leman, seconded by Catherine Fritz that in the matter of Christopher J. Hawe, Professional Civil Engineer registration #AELC9958, it be approved to allow for the retirement of his license effective immediately with the following stipulations: that he makes up his CEUs upon future renewal or reinstatement, makes an acknowledgement of his wrongdoing that is acceptable to the board, and if other states contact Alaska for the reason for the retirement, this issue will be disclosed.

When Johnston opened it up for comment, Bell wondered why the board was not having Hawe voluntarily surrender his license instead of allowing him to retire.

With Anderson, Fritz, Leman and Leonetti voting YES and Bell, Garness, Johnston, Maxwell, Rozier and Wallis voting NO, the motion failed.

On a Motion duly made by Bob Bell, seconded by Jeff Garness and approved unanimously, it was RESOLVED to approve to refer the matter of Christopher J. Hawe, Professional Civil Engineer #AELC9958, to investigations for a voluntary surrender of his license or investigation as appropriate. Motion passed with roll call vote.

Before the above motion was voted on, Johnston opened it up for comment. Leman suggested amending it to include the following three stipulations: that he makes up his CEUs upon future renewal or reinstatement, makes an acknowledgement of his wrongdoing that is acceptable to the board, and if other states contact Alaska for the reason for the retirement, this issue will be disclosed. Garness did not see the need for the amendment in that a voluntary surrender would fulfill much of what the stipulations are trying to do. If there was a license action, then a future board would review any request for renewal or reinstatement. Leonetti referred to Sec 08.48.111 that says the board has the power to revoke, suspend, or reissue certificate. However, Bell pointed out that if Hawe voluntarily surrenders his license this statute does not apply, but if he does not this statute will apply. Fritz stated that the board does not have in statute the ability to make investigations do a voluntary surrender but the board would support that if that was the finding of investigations. It was decided that no amendment was needed.

d. Draft Regulations for 36.010 and Military Spouse

In looking at (c) the temporary license regulation, Johnston expressed concern that is using military orders as a required document since military orders are issued for any assignment that is over 30 days. She suggested that language "current active duty military orders exceeding some timeframe." Also, in (d) it needs to read "a land

surveyor.” Fritz noted that the northern design requirement had been added. If this is just for military, Leonetti inquired why the military language was at the end. He also pointed out that the language used does not limit it to just military. Fritz suggested that the title read “Temporary Registration for Military” as well as adding “For military spouse or member of the military,” to the beginning of (a). Johnston said that the changes would be submitted and then reviewed during the February meeting.

e. Subprofessional Definition

Johnston is proposing a change to the definition of “subprofessional experience” so as to create clarity for exam applicants. The definition should also help the board make consistent decisions on whether or not an applicant’s experience qualifies as subprofessional experience. The proposed change is as follows:

(22)"subprofessional work" means time spent working as a rodman, chainman, recorder, draftsman, clerk of works, instrument man, inspector, work as a tradesperson such as an electrician or plumber, or similar work where personal responsibility and technical knowledge are slight

Leman and Maxwell pointed out that this definition used antiquated terms. Rozier shared that NCARB uses the language “working in design or construction related employment.”

“subprofessional work” means time spent working in design or construction related employment. The board will evaluate the relevance of the requested subprofessional work.

f. Sealing

Because many letters have been sent out regarding this topic, Johnston thought it best to make a change to the Guidance Manual. The issue is related to the sealing of as built or record drawings on building or utility projects. Many letters have been sent by the board stating that if an engineer or architect did not observe or supervise the construction, they should not be sealing. Johnston proposes adding to the Sealing Professional Work Section in the Guidance Manual a statement that gives guidance to registrants on this topic. Garness shared a situation where an engineer did a sewer system inspection, did some red lines, and gave it to the contractor who put together record drawings that the engineer signed and sealed. All the engineer signed were red line notes from the contractor. Garness felt as if there should be a disclaimer by the seal or possibly not even be sealed by the engineer. Leonetti pointed out that on page 24 and 25 of the Guidance Manual it has a section on record drawings that states “record drawings should not have a new signed and dated stamp, unless the changes in construction have been directly overseen by the licensed professional.” Fritz suggested adding a note to reference the regulation 12AAC 36.185 – Use of Seals. Garness said that utility companies and even sometimes the state wants record drawing to be signed and sealed. Leonetti said the term “signed and sealed” needs to be clarified. To engineers it means the engineer of record stamps it at the completion of the project, but what they might be meaning is a statement that is signed by the

engineer that says, “these record drawings are a reflection of what was built during construction.” Johnston stated that record drawings are signed for identification purposes and the department responsible might place a seal on it that is signed and dated. An engineer might get record drawings from a contractor that are signed by the contractor to say that they had been completed. Garness said that what actually happens many times is that the contractor gives the engineer a set of red lines and the engineer puts all the notes and changes on the drawings. The utility company or state then wants to see those records drawing signed and sealed by the engineer. Leonetti said that it should not be restamped, but it could be signed saying that the product being produced reflects construction to the best of the engineer’s knowledge. According to AELS’s regulations and Guidance Manual record drawings should not be signed and sealed. Leman shared that his standard statement he issues on record drawings is as follows: “This is based on information provided by others, I believe that to be accurate and complete to the best of my knowledge.” Fritz said that it would be legal to sign and seal if the design professional was on site supervising the work. Johnston said that Texas’s design professionals have both a seal for final work products and an identity stamp for the purpose of identifying a person in responsible charge on a project. Fritz read from 12AAC 36.185 (3) *seal only final drawing surveys reports and required construction documents, for which the registrant is qualified to seal for which they're registered claims responsibility*. Johnston also brought up the idea of dual stamping, where the design professional only stamps the parts of the drawings they are responsible for. Both Fritz and Rozier said that architects in general prepare a final document that incorporates the red lines, but do not stamp it. Rozier went on to say that the architecture community does not place their professional stamp on as built drawings because they are not produced by the architects and they recommend that the engineers do not stamp them either. Once an explanation has been written, Garness volunteered to make a presentation to DEC and building officials so that a consensus can be reached on how to approach this issue.

g. Calculations

The Guidance Manual has a statement saying “Drawings, specifications, and calculations must have a signed and dated seal...” Johnston tasked the Guidance Manual Committee with removing the words “specifications, and calculations.” Fritz suggested adding a note in this section of the Guidance Manual thanking the regulators who are trying to do the right thing in requiring stamping and sealing of documents.

15. Correspondence Received

a. Expiration of Engineering Records

A City and Borough of Sitka Building Department official wrote the AELS board asking if engineering reports that are signed and sealed appropriately by an Alaska licensed professional expire after a certain amount of time. He cited two examples. One was a report that was created over 30 months ago resulting from a licensed civil engineer’s assessment of an existing 30 plus year-old dwelling foundation. The original structure was damaged in fire and removed down to the foundation around 15 years ago. The other example is an engineer designed a single-family dwelling (not standard light-frame construction). The engineer is still licensed in AK but the

expiration on the signed seal on the drawings has lapsed. Fritz started the conversation by saying that both of these items are non-conventional so the building official can require more information. The age of the report is not as important as the condition of the foundation and what it is being planned on being used for. Because single-family dwellings fall under the AELS exemptions for licensure, Fritz suggested they use their own discretion. Johnston pointed out that the original question was asking if reports that are signed and sealed expire and remembered sending DOT a letter that stated if a licensee was deceased or no longer licensed then their drawings should not be used. Rozier spoke to the topic by saying the statute of limitations can be used. If whoever generated the reports is no longer liable for the reports, then the reports are no longer reliable. Rozier believes that the statute of limitations is 10 years so drawings that are over 10 years are no longer reliable from the legal standpoint. If there was an extenuating circumstance within those 10 years then that could cause a report to be unreliable. Garness said that the Municipality of Anchorage accepts signed and sealed records even if the licensee has deceased. However, they reserve the right, if they think there has been a change to the site conditions or something as happened to make the initial report invalid, to not accept the drawings. Bell agreed by saying that if the engineer did proper due diligence and nothing has happened between when the report was done and now, then the report should be valid. Bell spoke to the second example given in that if the engineer's license was active when he did the drawings then he or she is responsible for that work. Johnston suggested giving the guidance that new plans should conform to the requirements of the jurisdictions they are in since the AELS statutes and regulations do not speak to this topic. Garness will prepare the written response.

Fritz brought up incidental practice as it relates to the first example and said that it could apply in that a civil engineer might not be able to stamp it like he or she could have 30 years ago. Using current regulations, the drawings might now require a structural engineer to sign and seal.

b. Metallurgical Gain Experience under a Mechanical Engineer

There are currently five metallurgical engineers that are registered in the state of Alaska which makes it burdensome for a metallurgical engineer applicant to gain responsible charge experience under a professional engineer in their discipline. This individual is asking in advance if they can get their responsible charge experience under a mechanical engineer since it is a similar discipline or if they need to go the mentorship program route. The regulations state that the board will evaluate out of discipline experience at its discretion. In the Board Policies, metallurgical and mechanical are not equivalent degrees, but Johnston said that it is the most similar discipline. Garness observed that if there are only five of this discipline in the state then it would be a service to the general public if the board created a pathway for more to enter the profession as long as it does not compromise public health and safety. Leonetti thought that the mentorship program seems to be the answer in that the information given to the board does not prove that the mechanical and metallurgical are parallel. Leman felt that if it was the right mechanical engineer they would have the ability to verify metallurgical experience so both options should be given to the individual. Fritz agreed by saying that if Alaska is going to license metallurgical engineers then the board needs

to make a viable path for them to become licensed. Wallis shared that he has had several metallurgical engineers come and work at the mine and from what he observed the work is very similar to a mechanical engineer. Anderson stated that if this application had come in after the experience was verified under a mechanical engineer the board would have accepted the experience and have done so in similar circumstances many times. If there are concerns, then the board has called the supervisor to ask questions or ask for additional information as to why the discipline is similar. Rozier said he want to have more information about the mechanical engineer that will be verifying the responsible charge experience. Johnston proposed responding with “the board considered your request and is genuinely interested in giving you clarification. Please provide us with the following information: education background and verifier background. Johnston volunteered to write the response.

16. Applications – Full Board Review

a. Hannah Sponseller

She had work verifications submitted by military non- PEs. Garness said the job duties listed did not appear to be engineering related. Because she is military, she does not have a choice about what job she gets assigned to. The description she put in her application versus what was in the verification are not the same and it is mostly likely because the verifier does not know what the board is looking for. The verified experience sent in by Lynch did not seem to be related to engineering in Garness’s opinion. Because Sponseller had met her required 24 months of responsible charge, it was agreed that she would be conditionally approved based on providing an updated verification from Lynch that provided more information that Garness and Wallis would review.

b. Alyson Mathers

A non-PE provided a verification that did verify engineering related sub-professional work. Because it was a non-PE, Garness wanted the full board to review it. Because Mathers has both her bachelors and masters in discipline, and has 36 months of verified experience by a PE, she does not actually need the non-PE verification so it was decided to conditionally approve her to sit for the PE exam.

Break for Lunch 12pm

Reconvened at 1pm

17. Status Focus Groups

a. Definitions – Fritz and Anderson

Fritz and Anderson looked at the definitions in both the statute 08.48.341 and regulation 12 AAC 36.990. Working from the statute mark up from 2019, a suggested change then was to the board name in #2 – changing it from State Board of Registration for Architects, Engineers and Land Surveyors to State Board of Design Professions. Suggested changes were also made to 12, 13, 14 and 15, the definitions for the professions, to omit phrases that are hard to regulate Johnston asked about the issues surrounding “may by the regulation of the board” that was highlighted in #12, 13, 14, and 15. Fritz responded by stating that these phrases might not be a problem, however,

with the issue of incidental practice, they need to be addressed in regulation. Definition 15 for Landscape Architecture had the most amount of suggested changes to make it consistent with the other profession definitions. In thinking of board discussions regarding the term “direct supervisory control”, there might also be changes the board would want to make to the definition for #20 for responsible charge. Fritz’s suggested change was to make the definition more broad by removing the word “personal” and instead say “direct control and supervision of work.” More detail to the term “responsible charge” could be spelled out in the regulations. Because a design professional does not “supervise” contractors, a suggestion was to have the definition read “direct control of work.” Johnston asked to wait until legal responded to the board’s question regarding “direct supervisory control” before changing the definition for “responsible charge.” For now, the task to look into a better definition was assigned to the Guidance Manual Committee. Lastly #21 the phrase “but does not include final drawings” was highlighted for the board’s consideration in the definition for “shop drawings” or “field drawings” as there are times when shop drawings happen to be the final drawings. The board agreed to have definition #21 end after construction document and delete “but does not include...” to the end of the sentence. Fritz pointed out that statutory definitions are more broad and the more detailed definitions are in regulations as they are easier to change.

Fritz and Anderson also reviewed the definitions in regulation 12AAC 36.990. Highlighted in the definition of #1 “advanced courses” is the phrase “beyond the academic year” as this might not be a relevant term anymore. The term “advanced courses” was not found in either statutes or regulations in a search done by Johnston so it was agreed to delete this definition from the regulation. The second definition is for the name of the board and changes it to the “State Board of Registration for Design Professions.” Leman suggested changing it from “Professions” to “Professionals” since it is a board about people doing work in the design professions. The definition of “design” in #5 currently incorporates words that do not capture the essence of the word design such as “basic” and “original” as it pertains to the design professions. Johnston assigned drafting a better definition for “design” to the Guidance Manual Committee. Fritz and Anderson looked into definitions for the different engineering disciplines, however, NCEES does not have them defined. Johnston pointed out that ABET does have them defined. Also in question, was all the disciplines of engineering the board regulates that are listed in #17. In 2012, the board decided to adopt the NCEES standards of the multiple branches of engineering which added several disciplines. With efficiency in mind, Fritz and Anderson reviewed the number of licensees in each discipline and are making the proposal to remove agricultural and nuclear engineering since neither have ever had anyone ever be licensed in that discipline. They also suggest removing naval architecture and marine engineering since there are so few. Another suggestion is to remove structural engineering from the discipline list as it is a distinct branch of engineering itself and should not be a subcategory. Removing it from the discipline list would make the discipline list consistent with NCEES. Garness asked the question of what would be done with the few that are licensed in the disciplines suggested for removal and Wallis asked what harm it was to leave these discipline in. Johnston shared that she is on the NCEES Exam Policy and Procedure

Committee and they are looking into this matter as far as how many individuals sit for a certain discipline and does that number make it worth it to maintain the exam for the discipline. Agricultural engineering as well as other disciplines are up for a sunset review so Johnston suggested waiting until the review was completed before making the change to the AELS regulations. However, the removal of structural engineering as a branch of engineering was agreed upon. The definitions in regulation for “responsible charge” – numbers 19, 20 and 30 and the definition for “subprofessional work” #22 were highlighted for change, but have already been discussed previously during this meeting. The board agreed to remove definition #33 for “Landscape Architect” as it is redundant to what is already in statute. Two new definitions were added to the list of definitions #46 “progressive structural experience” and #47 “mentoring program.” #46 has been added since progressive structural experience is required in 12AAC36.063, but, up to this point, was not defined in regulation. It was decided to remove “the branch of professional engineering” from definition #42 for structural engineering.

b. Exemptions – Fritz, Garness, and Maxwell

Maxwell talked the board through the exemption statute – 08.48.331 – focus group’s suggested changes. The first change was to add to (2) the phrase “*unless those duties are defined in 08.48.341 as the practice of architecture, engineering, land surveying, or landscape architecture*” at the end of the sentence to ensure that those that (2) refers to are not exempt if they are practicing architecture, engineering, land surveying, or landscape architecture. The focus group also added “*land surveying*” into exemption (9) for those that teach post-secondary courses. It was also suggested to delete (11) and (12) from the exemptions as both of these exemptions go into too much specificity as to what determines the practice of landscape architecture. The question was asked of the board if the reference to “Department of Public Safety” in (14) was still relevant to which Johnston replied that it was.

c. Board Composition – Leman, Bell, Leonetti, and Wallis

The focus group met twice but did not come up with an obvious answer. Part of the motivation to look into this is with HB 61 on the horizon and its proposal to enlarge the board by two members, the board should come to a decision as to what they want the composition of the board to look like should that bill pass. HB 61 proposes having an electrical engineer and a mechanical engineer and adding an interior designer. Since electrical and mechanical are second to civils in numbers of registrants, it does make sense to have both on the board. It would also add value to the board to have structural engineering represented in a board seat. The designated mining seat needs to remain to represent the mining industry in Alaska. The focus group also want to keep the seat that is for any other discipline to allow all disciplines to at one point sit on the board. The easiest way to accomplish these proposals would be to increase the board size from 11 to 13. There were options that decreased the size of the board, however, decreasing the board would meet resistance in the legislature. The consensus of the group was to only suggest board composition changes if other statute changes are being recommended as well. They looked at options such as reducing a land surveyor or architect seat but both of the professions are different enough from engineering that it

really is not in the best interest of the board to do that. Johnston referred to the 2019 statute change proposal which added a structural engineer and a mechanical engineer and specified that the “another branch” be clarified by adding “otherwise not represented on the board.” The 2019 proposed change also added that if an electrical or mechanical board appointee could not be found then a control systems or fire protection engineer could be appointed. Bell encouraged the board to think about a couple of options for board composition in the event that the board has to reconfigure. Bell said the board should think about what it does and what criteria it would use for board configuration and how it translates to seats on the board. He pointed out that several state boards have less members than the AELS board. Johnston replied that the boards, Bell referred to, all represent one profession where AELS represents several and to adequately serve a discipline of engineering there needs to be representation of that discipline on the board. Johnston does not think that decreasing the board would be in the best interest of protecting the public. Fritz brought up the previous discussion on the definitions in regulations and the possibility of eliminating engineering discipline where Alaska has little to no registrants. If AELS is regulating all 14 disciplines, the board has to be able to serve all of the discipline types. Fritz also referred to what was discussed in 2019 and said a possibility would be to change to wording in the statute from “*one engineer from another branch of engineering*” to “*one engineer from any branch of engineering.*” That could result in having an electrical and a mechanical engineer on the board at the same time. It would keep the board at 11 members and the “any” seat could possibly be a structural engineer as well. Per this suggestion, Sec 08.48.11 (b) would read “*The board consists of two civil engineers, two land surveyors, one mining engineer, one electrical or mechanical engineer, one engineer from any branch of the profession of engineering not otherwise represented on the board, two architects, one landscape architect, and one public member.*” If there are vacancies on the board, she suggested informing the governor of what disciplines are represented on the board at the time and where the board needs diversity. Fritz reminded the board that this statute change proposal would not go before the board by itself, but would go with the whole statute clean-up project that was started in 2019 after being asked to look at the efficiencies of this board. Leman did say that he thought some of the proposals that the focus group came up with might work. One was changing the two civil seats to one civil engineer and the other civil seat allow for a civil, environmental, or structural. Bell added that the group also thought of possibly having categories for board seats. The first category would be primary disciplines which would include civil, environmental, structural, mining, agricultural and petroleum. One of the two civil seats would be a civil and the other could be one from the primary category. Another category for a board seat would be architects and under that would be architects, landscape architects and naval architect and marine engineers. The electrical seat could possibly be electrical, fire protection or control systems and under mechanical would be mechanical, chemical, metallurgical and industrial. Johnston concluded that the board was not ready to take action on this. Fritz recommended that it go back to the focus group to minimize the changes and address the biggest concerns without changing the board member number of 11. Leonetti encouraged the board to think of this in terms of health, safety and welfare. Numbers of registrants do not matter regarding representation on the board as the board’s job is protect the health, safety and welfare

of Alaska. Johnston shared that the reason she does feel the configuration of the board needs to change is because of the investigative caseload she bears as the electrical engineer. Electrical, fire protection, control systems and mechanical cases all come to her. She can provide expert testimony on the electrical drawings but cannot on the mechanical drawings and it is for that very reason she thinks about the health, safety and welfare of the public and not the number of registrants in the mechanical discipline with regards to a seat on the board. Johnston voiced her desire to see the board composition be changed. Garness said he does think it is about the number of registrants in a discipline because of the number of investigative caseloads that directly correlate to it.

Fritz referred to a letter from Director Chamber that was written on July 26, 2019 that stated *“Commissioner Anderson...Tasks our division partner boards, with the following immediate focus: 1) consider whether our occupational licensing requirements are reasonable responses to actual potential harm rather than hypothetical harm, 2)review statutes and regulations to ensure any licensing requirement is necessary and tailored to fulfill legitimate public health, safety and welfare objectives, and 3) review the licensed application process with the goal of substantially reducing the time required to review applications and issue licenses.”* Fritz pointed out that this letter gives the board an open invitation to review the statutes and regulations and propose changes that it needs to take advantage of.

Johnston assigned a new focus group to consider new possibilities for board composition. Anderson, Maxwell and Rozier were assigned to the new focus group and tasked with reporting their suggestions at the February 2022 meeting.

18. Committee Updates

a. Continuing Education

A continuing education survey was sent out via listserv on November 4th and will close on December 15th. It is Johnston’s intention to extend the survey if it is found that there is no way to email all opted-in registrants. Bell requested that a statement be added to the Guidance Manual in addition the explanation of “one calendar year” that states “Service on an AELS (or any qualifying board) committee would meet the requirements of 12AAC 36.520 (5).” Johnston added that service as used in that statement would need to be defined in the Guidance Manual as well. There is a newly revised CEU form for approval in the board packet. In the continuing education regulations, there are specific requirements for documentation as well what records a registrant has to maintain and how long the records must be maintained. The CEU form is not in regulation but is a tool the registrant can use if selected for the random audit. 12AAC36.540 states that the registrant must maintain *“(1) a log showing the course or activity claimed, the sponsoring organization, the location and duration of the course or activity, the name of the speaker or instructor, and the unit of credit or number of professional development hours earned.”* After discussing what the regulations require to be submitted with the log, it was decided to title it *“Continuing Education Log”* followed with a paragraph stating *“All activities must be relevant to the practice of architecture, engineering, land surveying, or landscape architecture and*

relevant to promoting the public health, safety, and welfare (HSW) within Alaska. Indicate the relevance of the activity to protecting public HSW by providing a brief description. The activities may include technical, ethical, or managerial content. This form may be duplicated if necessary. The Board may request additional verification records in accordance with 12AAC 36.540.”

b. Legislative Liaison Committee

Leman shared that the committee met on October 28, 2021, to discuss AELS’s response to HB61. In the last legislative session, it moved from the house labor and commerce committee to the finance committee so AELS needs to be prepared to offer testimony. Fritz had prepared a written testimony for the labor and commerce committee in April 2021 that was comprised of four points. During the committee meeting a fifth point was added on which states “*HB 61 establishes licensure for interior designers through a practice act, requiring that all persons practicing interior design would be required to comply with the education, examination, and experience laid out in HB61. The most common framework for regulating interior design in the US is through voluntary certifications (approximately 27 states) while only a few states regulate interior design through practice acts (Nevada, Louisiana, and North Carolina), and the District of Columbia. There are significant differences in regulated responsibilities and authorities in each state, making it difficult to compare HB 61 to the laws in other jurisdictions. If HB 61 was modified to certify interior designers through a title act, individuals who wished to use the title of Interior Designer could be recognized through a voluntary process without being charged with health, safety, and welfare responsibilities in the AELS statute.*” This addition is meant to help legislators understand the difference between a title act versus a practice act. This testimony will now need to be submitted to the legislative Finance Committee. Fritz explained that between testimony provided by interior designers during the Labor and Commerce Committee meeting and meetings held by the APDC, there is a common misunderstanding that this bill creates a voluntary process where people can decide whether or not they want to become a licensed interior designer or not. This is not true because HB 61 is a practice act which requires anyone practicing interior design will now be required to be registered. If the people practicing interior design currently do not meet the qualifications of the regulations that will be put into place, they will not be able to become licensed. Fritz also pointed out that the committee did not want to do a detailed editing of the bill because it might be construed as support of the bill. Leman suggested that this be sent after the legislative session has started in January 2022 and the schedule of bill hearings has been established by the House Finance Committee. There are five days between bill posting to bill hearing. Johnston recommended cc’ing Representative Claman. Bell said that, while the board should stay as neutral as possible, individual board members, as long as it is made known that they are not representing the board, can call House Finance Committee members to let them know their individual opinion. Johnston cautioned the board, that while it is their individual right to contact state representatives, board meeting time should not be used to discuss it. Fritz reminded the board that when Rep. Claman came to the February 2021 board meeting, he did not answer the questions the board had for him and did not invite the board to strategize with him by asking the board what its concerns were and how the

board might suggest solving those concerns. It was clear that the Labor and Commerce Committee did not want to hear from the AELS board and how it would be impacted by HB61. Fritz is concerned that if the board begins having detailed outside discussions regarding the five concerns that the Legislative Liaison Committee addressed it would have the appearance that the board supports the bill. Fritz suggested staying neutral on the topic of licensure, but not neutral on how this bill will impact the AELS board. Fritz recommended not submitting this as testimony per se, but instead submit it late January 2022 and let the Finance Committee know that the board is meeting in Juneau on February 15-16th if they would be interested in discussing the bill with the board. She also thought that this submission to the Finance Committee should include a letter from the board chair that states, "The AELS board's Legislative Liaison Committee has reviewed this bill and included are questions that they addressed previously. They would appreciate being given the opportunity to work with you more as you consider this bill."

19. Statute Working Group

The board discussed the statute mark-up document that was done in 2019 by going through and reviewing each suggested change. A change in 08.48.241 to add limited partnerships to the list of entities that need a Certificate of Authorization has not been looked into yet. Fritz suggested that a group look into that and the statute clean-up project does not move forward until all changes that the board wants are in it. Fritz suggested possibly changing 08.48.021(c)(1) that states that a board member who has served two successive terms cannot be reappointed until four years have lapsed. She thought that the four-year lapse might be too long of time period. Leman said a one-year lapse seemed adequate. Bell said that he felt the break in service was good to allow new people to serve on the board. Leonetti pointed out that if we do a two year lapse it would be more in sync with the current AELS board rotation schedule. After taking a straw poll, 4 board members voted for one year lapse and 5 board members voted for a two-year lapse. Fritz asked if the goal was to have the document done and ready to give to Director Chambers by the end of the February 2022 meeting. Johnston answered that between meetings the board composition focus group would meet and another group would review legal's response to the questions regarding limited partnership and joint ventures. Those changes would be reviewed by the full board and hopefully the document would be ready to move forward.

The board also discussed the regulation clean-up project from 2019 as well.

On a Motion duly made by Catherine Fritz seconded by Jennifer Anderson and passed unanimously, it was RESOLVED to create a regulation project to address updates of definitions for 12AAC 36.990 in Article 6.

On a Motion duly made by Ed Leonetti seconded by Jennifer Anderson and passed unanimously, it was RESOLVED to approve changes to 12AAC 36.990 Definitions and have it be added to the 2019 regulation project for public notice.

20. Read Applications Into the Record.

On a motion duly made by Bob Bell, seconded by Jennifer Anderson and passed unanimously, it was RESOLVED to approve the following list of applicants for registration by comity and by examination with the stipulation that the information in the applicants' files will take precedence over the information in the minutes.

FIRST NAME	LAST NAME	TYPE OF LICENSE	NOV DECISION
Blake	Carlson	Architect	Approved
Michael	Corbin	Architect	Approved
Janna	Ferguson	Architect	Approved
John	Frank	Architect	Approved
Robert	Pyatt	Architect	Approved
Michael	Werner	Architect	Approved
Patrick	Barrick	Civil	Approved
Zachary	Canody	Civil	Approved
Mary	Dempsey	Civil	Approved
Fred	Doran	Civil	Approved
Adele	Hoople	Civil	Approved
Thomas	Hudgings	Civil	Approved
Matthew	LaCome	Civil	Approved
Brian	Mapel	Civil	Approved
Mark	Merklein	Civil	Approved
Dick	Nelson	Civil	Approved
Nicholas	Sarata	Civil	Approved
David	Campbell	Electrical	Approved
Susan	Ronning	Electrical	Approved
Dakota	Keene	Landscape Architect	Approved
John	Crawford	Mechanical	Approved
Evan	Hall	Mechanical	Approved
Kevin	Jones	Mechanical	Approved
Daniel	Moore	Mechanical	Approved
Ellyssa	Boyd	Structural	Approved
Mitch	Okeson	Structural	Approved
Kimberly	Pacheco	Structural	Approved
Brad	Wallace	Structural	Approved

On a motion duly made by Loren Leman, seconded by Jeff Garness and passed unanimously, it was RESOLVED to conditionally approve the following list of applicants for registration by comity and by examination with the stipulation that the information in the applicants' files will take precedence over the information in the minutes.

FIRST NAME	LAST NAME	TYPE OF LICENSE	NOV DECISION
Gladys	Makabenta	Architect	Conditional
Richard	Van Diepen	Architect	Conditional
Shaminder	Ratti	Civil	Conditional
Malek	Smadi	Civil	Conditional
Summer	Garvey	Civil	Conditional
Brittany	Luchini	Civil	Conditional
Alyson	Mathers	Civil	Conditional
Karlee	Miller	Civil	Conditional
Hannah	Sponseller	Civil	Conditional
Mitchell	Titus	Civil	Conditional
Venkata	Grandhi	Civil	Conditional
Estaban	Linares	Electrical	Conditional
Stephen	Wilder	Electrical	Conditional
Derek	Boyce	Electrical	Conditional
Cooper	Gale	Electrical	Conditional
Kasey	Privett	Electrical	Conditional
Jared	Tee	Electrical	Conditional
Mikkel	Foltmar	Environmental	Conditional
Michael	Luketic	Land Surveyor	Conditional
Stephen	Williams	Land Surveyor	Conditional
Owen	Dicks	Land Surveyor	Conditional
John	Goodman	Mechanical	Conditional
Robert	Jewett	Mechanical	Conditional
Matthew	Malecha	Mechanical	Conditional
Jake	Stephl	Mechanical	Conditional
Gregory	Dunn	Structural	Conditional

On a motion duly made by Catherine Fritz, seconded by Jake Maxwell and passed unanimously, it was RESOLVED to find the following list of applicants for registration by comity and by examination incomplete with the stipulation that the information in the applicants' files will take precedence over the information in the minutes

FIRST NAME	LAST NAME	TYPE OF LICENSE	NOV DECISION
Rebecca	Wolfe	Architect	Incomplete
Alec	Venechuk	Land Surveyor	Incomplete

21. Upcoming Meeting Dates

- a. **Fire Marshall Meeting – February 13th, 2022**

On a Motion duly made by Loren Leman seconded by Catherine Fritz and passed unanimously, it was RESOLVED to send Elizabeth Johnson or chair appointed delegate to the 2022 Fire Marshall meeting.

- b. **February 15th-16th, 2022 – AELS Board Meeting, Juneau**
- c. **March 3-5th, 2022 – NCARB Regional Meeting**
- d. **May 10-11th, 2022 – AELS Board Meeting, Anchorage**
- e. **May 19-21st, 2022 – NCEES Western Zone Meeting**
- f. **August 23-24th, 2022 – AELS Board Meeting (Tentative)**

22. Review of Action Items

Action items from this meeting will be sent to individuals and committees for completion. Fritz also said the Planning and Implementation Committee needs to meet to discuss the Strategic Plan for the upcoming year so that it can be presented in the February 2022 board meeting.

23. Board Member Comments

Leman felt the meeting was productive and enjoyed the meeting. Fritz thanked Johnston and Neal for their work in putting the meeting together and mentioned that she highly valued the benefits of the in-person meeting. Leonetti appreciated the good dialogue amongst the board members. Wallis thanked Johnston for her hard work. Maxwell expressed how he is still learning all the different disciplines and is thankful for everyone’s effort. Garness and Anderson also made mention to the hard work that went in to planning the meeting. Rozier was glad to see the regulation project moving forward. Johnston thanked everyone for the extra meetings, thoughtful conversations and taking on the extra workloads. While there are outstanding action items, many action items have been completed and Johnston is appreciative.

Adjourn Meeting – 4:30pm

Respectfully submitted:

Sara Neal, Executive Administrator

Approved:

Elizabeth T. Johnston, PE Chair
Alaska Board of Registration for Architects,
Engineers, and Land Surveyors

Date: _____

EXAMINERS REPORT- FEBRUARY 15-16, 2022

APPLICATIONS TO BE REVIEWED:

FIELDS OF PRACTICE/DISCIPLINE	COMITY		EXAM		FIELDS OF PRACTICE/DISCIPLINE	COMITY		EXAM	
	2021	2022	2021	2022		2021	2022	2021	2022
AGRICULTURAL	0	0	0	0	METALURGICAL & MATERIALS	0	0	0	0
CHEMICAL	0	0	0	0	MINING & MINERAL	0	0	0	0
CIVIL	29	22	4	15	NAVAL ARCHITECTURE & MARINE	0	3	0	0
CONTROL SYSTEMS	0	0	0	0	NUCLEAR	0	0	0	0
ELECTRICAL	3	4	2	4	PETROLEUM	0	0	0	0
ENVIRONMENTAL	0	1	0	1	STRUCTURAL	1	4	0	1
FIRE PROTECTION	0	0	0	0	ARCHITECT	3	6	0	3
INDUSTRIAL	0	0	0	0	LANDSCAPE ARCHITECT	0	3	0	0
MECHANICAL	2	3	7	4	LAND SURVEYOR	0	1	3	5
TOTAL						38	47	16	33

REGISTRATIONS AND RENEWALS:

(September- December 31, 2021)

REGISTRATIONS	TOTAL	REGISTRATIONS	TOTAL
ARCHITECT	9	CORPORATIONS	7
LANDSCAPE ARCHITECT	2	LIMITED LIABILITY	14
LAND SURVEYOR	2	LIMITED PARTNERSHIP	0
ENGINEERS	53		

RENEWALS/REINSTATEMENTS/RETIRED	FIRM	INDIVIDUAL
RENEWALS RECEIVED BEFORE 9/30/2021	2	1
RENEWALS RECEIVED ON/AFTER 10/05/2021	1176	11475
REINSTATEMENTS RECEIVED	N/A	N/A
RETIRED REGISTRATIONS-1/1/2022	N/A	167

EXAM RESULTS:

EXAM	PASS	FAIL	NO SHOW	EXAM	PASS	FAIL	NO SHOW	EXAM	PASS	FAIL	NO SHOW
FE	13	14	0	PE	8	4	0	AKLS	0	0	
FS	3	1	0	PS	1	1	0	SE	0	0	

LICENSE VERIFICATIONS:	65
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Ronald P Pearson
2071 Tudor Hills Dr
Anchorage, AK 99507

Members of the Board,

I am writing in regards to seek to protect the title "Engineer" in the same way the title "Doctor" is protected. When I worked in oil and gas at BP as a contractor there was a very clear distinction between engineers and operations/technicians and a very clear distinction between rolls and responsibilities of these groups.

When I transitioned to telecommunications, first with GCI and then with ACS, I noticed that there were numerous individuals with the title engineer who I knew were not PE's and it was questionable if they even held an ABET accredited degree. While telecommunications is not as dangerous as oil and gas we still dealt with medium and low voltage equipment between the satellite and networking gear.

Two individuals in particular that I deal with in particular were John Buettner (GCI) and Dana Raffaniello (ACS) who were in senior rolls as defined by their respective companies. I am pretty certain that these people were not PE's nor did they have ABET accredited engineering degrees. These people were involved with the design and implementation of systems that involved low to medium voltage and radiation. This was also not exclusive to these individuals, I noticed numerous people with engineering titles who I was pretty sure were not.

In addition to the public health issues, licensed engineers work hard for the title of engineer. This title should carry social weight in addition to public perception of health and safety. I have read that people going into the engineering disciplines is dwindling and social status in the work place has relevance when people are deciding what they want to work hard at. I also think that certain scopes of work should be restricted to only engineers in the same way it is for licensed electricians, etc. to prevent companies from side stepping engineers. Otherwise, what's the point of licensing if it does not provide any leverage in the market?

While the board may focus on health and safety, I can guarantee individual engineers are looking at the market leverage the license provides. As a friend of mine once said if you want to put food on the table do something that requires a license that way its harder to flood that market.

Thank you for your time and consideration,
State of Alaska registered Professional Chemical Engineer (AELH12453)
State of Alaska registered Professional Electrical Engineer (Electronics, Controls and Communications) (EE112595)

Ron Pearson



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community,
and Economic Development

BOARD OF REGISTRATION FOR ARCHITECTS,
ENGINEERS, AND LAND SURVEYORS

P.O. Box 110806
Juneau, Alaska 99801-0806
Main: 907.465.1676
Toll free fax: 907.465.2974

January 11, 2022

Pat Swedeen
Building Official / Fire Marshal
City and Borough of Sitka Building Department
100 Lincoln St.
Sitka, AK 99835

RE: Expiration of Engineering Records

Dear Pat:

First, single-family dwellings fall under an AELS exemption regarding licensure of the design professional. In short, signed/sealed drawings are not required by the AELS Statutes or Regulations for such structures. With that said, there is nothing in AELS Statutes or Regulations that would negate the validity of a set of design documents, based solely on the age of the sealed documents; however, there are situations for which the age of the sealed documents may negate the suitability/validity of the subject design documents. Several examples are as follows:

1. Federal/State/Local code and/or other regulatory changes have occurred that would invalidate the suitability of the plans/specifications for the proposed construction.
2. An act of God has occurred that would change the site conditions or impact the suitability of existing structure to be modified (if applicable) such that subject plans are unsuitable for proposed construction.
3. If the sealed documents are old enough such that the "Statute of Limitations" or "Statute of Repose" shields the design professional from liability.

There are other cases that may apply. If you have further questions, please email aelsboard@alaska.gov.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth Johnston".

Elizabeth T.B. Johnston, PE, FPE, Chair
Alaska State Board of Architects, Engineer and Land Surveyors
aelsboard@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

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Juneau, Alaska 99801-0806
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Toll free fax: 907.465.2974

January 26, 2022

Nick Maynes
VFDA

RE: Metallurgy and Materials Experience

Dear Nick,

The board considered your request at its November 2021 meeting and are genuinely interested in giving you clarification. When obtaining experience under an out-of-discipline engineer the board evaluates its equivalency at the time of your application.

More information regarding the mechanical engineer that is supervising your work will need to be provided for the board to better predict if your experience will be deemed equivalent. By submitting both your verifier's educational and work background, the board may be able to answer your question.

An alternative would be to enter into a mentoring agreement with one of the few metallurgical engineers in the state to obtain your experience requirement.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth Johnston".

Elizabeth T.B. Johnston, PE, FPE, Chair
Alaska State Board of Architects, Engineer and Land Surveyors
aelsboard@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

BOARD OF REGISTRATION FOR ARCHITECTS,
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Juneau, Alaska 99801-0806
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January 26, 2022

The Honorable Neal Foster and the Honorable Kelly Merrick
Co-Chairs, House Finance Committee
Alaska State Capitol, Rooms 505 & 511
Juneau, Alaska, 99801

RE: HB 61 - Register Commercial Interior Designers

To the Honorable Representatives of the House Finance Committee:

The Alaska State Board of Registration for Architects, Engineers, and Land Surveyors is continuing to monitor the progress of HB 61. Our Legislative Liaison Committee met in October to review the legislation. A report from that meeting is attached. We continue to remain available as a resource to the Legislature and are happy to attend any hearings on this or other bills affecting licensure of design professionals in the State of Alaska. We are grateful for the opportunity to serve you and the State of Alaska and hope you consider our input valuable.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth Johnston".

Elizabeth T.B. Johnston, PE, FPE, Chair
Alaska State Board of Architects, Engineer and Land Surveyors
aelsboard@alaska.gov

Enclosure: AELS October 2021 Legislative Liaison Committee Report

October 28, 2021

Legislative Committee Report

At our committee meeting on October 28 we agreed to recommend monitoring HB61 and if it gets scheduled for a hearing, submit testimony to House Finance Committee, the next committee of referral. In our opinion, House Labor & Commerce Committee did not do its job, but instead reported the bill from committee without addressing serious issues we raised.

The first four points in this testimony are the same as what Catherine Fritz presented previously on April 26, representing the Board. In addition, today we added a new fifth point to counter information we understand is being shared with legislators. We believe it misrepresents what the bill does.

Testimony from the Board of Registration for Architects, Engineers & Land Surveyors on HB61

We held a special meeting of the Board on April 14 to review and discuss HB61. One of our members, Catherine Fritz, subsequently testified to the House Labor & Commerce Committee, expressing our concerns. At the time we believed HB61 needed more review, discussion with the bill's supporters so we could understand its full implications and relate our concerns to legislators. We shared the first four concerns listed on this paper with the Labor & Commerce Committee, but none of these were incorporated in a bill mark-up. We believe this should have been done before the bill was reported from that committee. We have since added a fifth point to clarify what we believe is misinformation that is being shared suggesting that registration under a practice act is voluntary. In all of the other professions regulated by our Board, professional registration is required as defined in Alaska Statutes and the Alaska Administrative Code.

1. The definition of Scope of Practice is excessively broad and incorporates activities that are outside the scope of Health, Safety, and Welfare. Interior design will overlap with architectural practice, as well as incidental practice of some engineering professions. It is essential that the definition of interior design be clear to minimize confusion and reduce enforcement issues.
2. There are many passages within the bill that are not aligned with existing statutory language for other design disciplines. The Board has worked very hard to build consistency, and requests that interior design language be similarly integrated.
3. We are greatly concerned about the workload and impacts of adding a new design discipline and two members to the Board. We have had extensive turnover in staff in the past two years, both in operations and enforcement. The complexities of our multi-discipline board (with a myriad of details within each discipline) are already substantial, and we are very concerned about adding a new discipline without thoroughly understanding its impacts.
4. HB61 relies heavily on an organization called The Council for Interior Design Qualification (CIDQ) to determine the adequacy of a candidate's Education, Experience, and Examination. The Board currently has three national organizations that it relies upon to continually assess the adequacy of this 3-legged stool. Each has

robust systems in place that include writing and administering exams, developing standards for practice, and evaluating educational adequacy. CIDQ would become a fourth. Does CIDQ appropriately align with Alaska Statutes, and is it similarly rigorous and collaborative? An example of potential concern is exam eligibility. Alaska Statutes require the Board to review and approve candidates before examination. We understand that CIDQ's approval for a candidate's exam is granted without regard to the Board. Can CIDQ change this practice? We don't yet know.

5. It is important to understand that HB61 establishes licensure for interior designers through what is known as a "practice act," requiring that anyone practicing interior design would be required to comply with the education, examination, and experience defined in statute and regulation. The most common framework for regulating interior design in the U.S. is through voluntary certification (approximately 27 states) while only four jurisdictions regulate interior design through practice acts (Nevada, Louisiana, North Carolina, and the District of Columbia.) There are significant differences in regulated responsibility and authority in each state, making it difficult to compare HB 61 to the laws in other jurisdictions. If HB 61 were modified to certify interior designers through what is known as a "title act," individuals who wished to use the title Interior Designer could be recognized through a voluntary process without being charged with health, safety, and welfare responsibilities in the current AELS statute and regulations subsequently adopted by the Board.

We recommend that the full Board consider and approve submittal of this testimony at our next meetings on November 15 and 16.

Submitted by Loren Leman, Chairman
Legislative Committee

Other members participating: Catherine Fritz, Bob Bell, Ed Leonetti

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

Board of Architects, Engineers, and Land Surveyors	FY 16	FY 17	Biennium	FY 18	FY 19	Biennium	FY 20	FY 21	Biennium	FY 22 1st & 2nd QTR
	Revenue									
Revenue from License Fees	\$ 1,312,092	\$ 201,239	\$ 1,513,331	\$ 909,305	\$ 161,305	\$ 1,070,610	\$ 932,985	\$ 146,310	\$ 1,079,295	\$ 692,960
General Fund Received								\$ -	-	\$ -
Allowable Third Party Reimbursements	6,302	13,376	19,678	13,692	10,892	24,584	\$ 4,143	\$ -	4,143	\$ -
TOTAL REVENUE	\$ 1,318,394	\$ 214,615	\$ 1,533,009	\$ 922,997	\$ 172,197	\$ 1,095,194	\$ 937,128	\$ 146,310	\$ 1,083,438	\$ 692,960
Expenditures										
Non Investigation Expenditures										
1000 - Personal Services	230,912	151,062	381,974	179,399	201,499	380,898	173,287	159,806	333,093	51,483
2000 - Travel	35,307	32,347	67,654	29,385	26,313	55,698	15,812	2,110	17,922	5,266
3000 - Services	70,609	38,839	109,448	45,487	59,467	104,954	35,084	43,162	78,246	15,342
4000 - Commodities	1,221	631	1,852	499	27	526	30	-	30	-
5000 - Capital Outlay	-	-	-	-	-	-	-	-	-	-
Total Non-Investigation Expenditures	338,049	222,879	560,928	254,770	287,306	542,076	224,213	205,078	429,291	72,091
Investigation Expenditures										
1000-Personal Services	94,056	136,643	230,699	110,690	121,182	231,872	71,024	75,160	146,184	17,056
2000 - Travel	-	-	-	-	-	-	-	-	-	-
3023 - Expert Witness	-	-	-	-	-	-	-	-	-	-
3088 - Inter-Agency Legal	-	-	-	-	-	-	-	1,996	1,996	-
3094 - Inter-Agency Hearing/Mediation	-	134	134	58	-	58	-	-	-	-
3000 - Services other	-	-	-	-	670	670	208	429	637	-
4000 - Commodities	-	-	-	-	-	-	-	-	-	-
Total Investigation Expenditures	94,056	136,777	230,833	110,748	121,852	232,600	71,232	77,585	148,817	17,056
Total Direct Expenditures	432,105	359,656	791,761	365,518	409,158	774,676	295,445	282,663	578,108	89,147
Indirect Expenditures										
Internal Administrative Costs	216,777	183,444	400,221	190,072	176,749	366,821	187,122	160,058	347,180	80,029
Departmental Costs	68,567	103,670	172,237	95,712	96,635	192,347	66,632	61,722	128,354	30,861
Statewide Costs	19,550	33,286	52,836	32,420	32,978	65,398	32,186	32,250	64,436	16,125
Total Indirect Expenditures	304,894	320,400	625,294	318,204	306,362	624,566	285,940	254,030	539,970	127,015
TOTAL EXPENDITURES	\$ 736,999	\$ 680,056	\$ 1,417,055	\$ 683,722	\$ 715,520	\$ 1,399,242	\$ 581,385	\$ 536,693	\$ 1,118,078	\$ 216,162
Cumulative Surplus (Deficit)										
Beginning Cumulative Surplus (Deficit)	\$ 743,460	\$ 1,324,855		\$ 859,414	\$ 1,098,689		\$ 555,366	\$ 911,109		\$ 520,726
Annual Increase/(Decrease)	581,395	(465,441)		239,275	(543,323)		355,743	(390,383)		476,798
Ending Cumulative Surplus (Deficit)	\$ 1,324,855	\$ 859,414		\$ 1,098,689	555,366		\$ 911,109	\$ 520,726		\$ 997,524
Statistical Information										
Number of Licenses for Indirect calculation	8,785	7,847		8,152	7,331		7,488	7,386		
Additional information:	<ul style="list-style-type: none"> • Fee analysis required if the cumulative is less than zero; fee analysis recommended when the cumulative is less than current year expenditures; no fee increases needed if cumulative is over the current year expenses * • Most recent fee change: New fee added FY20 • Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and progr 									

Appropriation Name (Ex)	(All)
Sub Unit	(All)
PL Task Code	AEL1

Sum of Budgetary Expenditures Object Name (Ex)	Object Type Name (Ex)			Grand Total
	1000 - Personal Services	2000 - Travel	3000 - Services	
1011 - Regular Compensation	36,805.04			36,805.04
1014 - Overtime	457.62			457.62
1023 - Leave Taken	3,322.72			3,322.72
1028 - Alaska Supplemental Benefit	2,490.51			2,490.51
1029 - Public Employee's Retirement System Defined Benefits	185.17			185.17
1030 - Public Employee's Retirement System Defined Contribution	2,091.91			2,091.91
1034 - Public Employee's Retirement System Defined Cont Health Reim	1,316.77			1,316.77
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	420.88			420.88
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	8,024.87			8,024.87
1039 - Unemployment Insurance	131.30			131.30
1040 - Group Health Insurance	11,033.94			11,033.94
1041 - Basic Life and Travel	20.72			20.72
1042 - Worker's Compensation Insurance	367.70			367.70
1047 - Leave Cash In Employer Charge	686.16			686.16
1048 - Terminal Leave Employer Charge	561.69			561.69
1053 - Medicare Tax	566.54			566.54
1077 - ASEA Legal Trust	28.93			28.93
1079 - ASEA Injury Leave Usage	9.00			9.00
1080 - SU Legal Trst	11.21			11.21
2007 - In-State Non-Employee Lodging		978.00		978.00
2008 - In-State Non-Employee Meals and Incidentals		900.00		900.00
2010 - In-State Non-Employee Non-Taxable Reimbursement		365.96		365.96
3000 - Training/Conferences			1,220.00	1,220.00
3001 - Test Monitor/Proctor			-	-
3002 - Memberships			13,925.00	13,925.00
3044 - Courier			7.10	7.10
3046 - Advertising			191.11	191.11
1016 - Other Premium Pay	4.56			4.56
2000 - In-State Employee Airfare		727.80		727.80
2001 - In-State Employee Surface Transportation		92.50		92.50
2002 - In-State Employee Lodging		696.00		696.00
2003 - In-State Employee Meals and Incidentals		360.00		360.00
2005 - In-State Non-Employee Airfare		641.52		641.52
2009 - In-State Non-Employee Taxable Per Diem		224.00		224.00
2006 - In-State Non-Employee Surface Transportation		280.53		280.53
Grand Total	68,537.24	5,266.31	15,343.21	89,146.76

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

Board of Architects, Engineers, and Land Surveyors	FY 16	FY 17	Biennium	FY 18	FY 19	Biennium	FY 20	FY 21	Biennium	FY 22 1st QTR
Revenue										
Revenue from License Fees	\$ 1,312,092	\$ 201,239	\$ 1,513,331	\$ 909,305	\$ 161,305	\$ 1,070,610	\$ 932,985	\$ 146,310	\$ 1,079,295	\$ 24,590
General Fund Received							\$ -	\$ -	\$ -	\$ -
Allowable Third Party Reimbursements	6,302	13,376	19,678	13,692	10,892	24,584	\$ 4,143	\$ -	4,143	\$ -
TOTAL REVENUE	\$ 1,318,394	\$ 214,615	\$ 1,533,009	\$ 922,997	\$ 172,197	\$ 1,095,194	\$ 937,128	\$ 146,310	\$ 1,083,438	\$ 24,590
Expenditures										
Non Investigation Expenditures										
1000 - Personal Services	230,912	151,062	381,974	179,399	201,499	380,898	173,287	159,806	333,093	21,801
2000 - Travel	35,307	32,347	67,654	29,385	26,313	55,698	15,812	2,110	17,922	1,536
3000 - Services	70,609	38,839	109,448	45,487	59,467	104,954	35,084	43,162	78,246	5,003
4000 - Commodities	1,221	631	1,852	499	27	526	30	-	30	-
5000 - Capital Outlay	-	-	-	-	-	-	-	-	-	-
Total Non-Investigation Expenditures	338,049	222,879	560,928	254,770	287,306	542,076	224,213	205,078	429,291	28,340
Investigation Expenditures										
1000-Personal Services	94,056	136,643	230,699	110,690	121,182	231,872	71,024	75,160	146,184	7,166
2000 - Travel	-	-	-	-	-	-	-	-	-	-
3023 - Expert Witness	-	-	-	-	-	-	-	-	-	-
3088 - Inter-Agency Legal	-	-	-	-	-	-	-	1,996	1,996	-
3094 - Inter-Agency Hearing/Mediation	-	134	134	58	-	58	-	-	-	-
3000 - Services other	-	-	-	-	670	670	208	429	637	-
4000 - Commodities	-	-	-	-	-	-	-	-	-	-
Total Investigation Expenditures	94,056	136,777	230,833	110,748	121,852	232,600	71,232	77,585	148,817	7,166
Total Direct Expenditures	432,105	359,656	791,761	365,518	409,158	774,676	295,445	282,663	578,108	35,506
Indirect Expenditures										
Internal Administrative Costs	216,777	183,444	400,221	190,072	176,749	366,821	187,122	160,058	347,180	40,015
Departmental Costs	68,567	103,670	172,237	95,712	96,635	192,347	66,632	61,722	128,354	15,431
Statewide Costs	19,550	33,286	52,836	32,420	32,978	65,398	32,186	32,250	64,436	8,063
Total Indirect Expenditures	304,894	320,400	625,294	318,204	306,362	624,566	285,940	254,030	539,970	63,509
TOTAL EXPENDITURES	\$ 736,999	\$ 680,056	\$ 1,417,055	\$ 683,722	\$ 715,520	\$ 1,399,242	\$ 581,385	\$ 536,693	\$ 1,118,078	\$ 99,015
Cumulative Surplus (Deficit)										
Beginning Cumulative Surplus (Deficit)	\$ 743,460	\$ 1,324,855		\$ 859,414	\$ 1,098,689		\$ 555,366	\$ 911,109		\$ 520,726
Annual Increase/(Decrease)	581,395	(465,441)		239,275	(543,323)		355,743	(390,383)		(74,425)
Ending Cumulative Surplus (Deficit)	\$ 1,324,855	\$ 859,414		\$ 1,098,689	555,366		\$ 911,109	\$ 520,726		\$ 446,301
Statistical Information										
Number of Licenses for Indirect calculation	8,785	7,847		8,152	7,331		7,488	7,386		

Additional information:

- Fee analysis required if the cumulative is less than zero; fee analysis recommended when the cumulative is less than current year expenditures; no fee increases needed if cumulative is over the current year expenses *
- Most recent fee change: New fee added FY20
- Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and program ch

Appropriation Name (Ex)	(All)
Sub Unit	(All)
PL Task Code	AEL1

Sum of Budgetary Expenditures Object Name (Ex)	Object Type Name (Ex)			Grand Total
	1000 - Personal Services	2000 - Travel	3000 - Services	
1011 - Regular Compensation	15,234.18			15,234.18
1014 - Overtime	378.86			378.86
1023 - Leave Taken	1,844.62			1,844.62
1028 - Alaska Supplemental Benefit	1,072.10			1,072.10
1029 - Public Employee's Retirement System Defined Benefits	81.99			81.99
1030 - Public Employee's Retirement System Defined Contribution	913.97			913.97
1034 - Public Employee's Retirement System Defined Cont Health Reim	612.00			612.00
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	183.87			183.87
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	3,465.90			3,465.90
1039 - Unemployment Insurance	56.40			56.40
1040 - Group Health Insurance	4,135.43			4,135.43
1041 - Basic Life and Travel	7.54			7.54
1042 - Worker's Compensation Insurance	162.64			162.64
1047 - Leave Cash In Employer Charge	291.93			291.93
1048 - Terminal Leave Employer Charge	239.24			239.24
1053 - Medicare Tax	246.16			246.16
1077 - ASEA Legal Trust	20.66			20.66
1079 - ASEA Injury Leave Usage	9.00			9.00
1080 - SU Legal Trst	6.14			6.14
2007 - In-State Non-Employee Lodging			-	-
2008 - In-State Non-Employee Meals and Incidentals			-	-
2010 - In-State Non-Employee Non-Taxable Reimbursement			-	-
3001 - Test Monitor/Proctor			-	-
3002 - Memberships			5,000.00	5,000.00
3044 - Courier			3.55	3.55
1016 - Other Premium Pay	4.56			4.56
2000 - In-State Employee Airfare			543.70	543.70
2001 - In-State Employee Surface Transportation			10.00	10.00
2002 - In-State Employee Lodging			-	-
2005 - In-State Non-Employee Airfare			949.91	949.91
2009 - In-State Non-Employee Taxable Per Diem			32.00	32.00
Grand Total	28,967.19	1,535.61	5,003.55	35,506.35

HOUSE BILL NO. 277

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE MCCARTY

Introduced: 1/18/22

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the renewal of occupational licenses."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 08.01.100(b) is amended to read:

4 (b) [A LICENSE SUBJECT TO RENEWAL SHALL BE RENEWED ON OR
5 BEFORE THE DATE SET BY THE DEPARTMENT.] If a [THE] license **subject to**
6 **renewal** is not renewed by the date set by the department, the license lapses. **A**
7 **licensee shall submit an application for renewal of a license at least 60 days**
8 **before the date the license lapses. If a licensee submits the renewal application**
9 **less than 60 days before the date the license lapses, the licensee shall pay an**
10 **additional \$250 processing fee to the department.** In addition to renewal fees
11 required for reinstatement of a [THE] lapsed license, the department may impose a
12 delayed renewal penalty, established by regulation, that shall be paid before a license
13 that has been lapsed for more than 60 days may be renewed. The department may
14 adopt a delayed renewal penalty only with the concurrence of the appropriate board.

12 AAC 36.XXX TEMPORARY MILITARY CERTIFICATE OF REGISTRATION

(a) The executive secretary or its designee shall issue a temporary certificate of registration to practice architecture, engineering, or landscape architecture under AS 08.01.063 who is a military spouse or member of the military who submits

- (1) an application for registration on a form provided by the department, including the applicable fees established in 12 AAC 02.105;
- (2) verification of a current, unencumbered registration to practice architecture, engineering, or landscape architecture in a state, territory, or possession of the United States, the District of Columbia, or a foreign country that is based on education, experience, and examination requirements that the board determines were at least equivalent to the requirements of AS 08.48 and this chapter at the time the applicant's out-of-state registration was issued; and
- (3) documentation that the applicant has completed the requirements of 12 AAC 36.110.

(b) A temporary certificate is valid for 180 days and may be extended at the discretion of the executive secretary, or its designee for an additional 180-day period by

- (1) applying on a form provided by the department; and
- (2) demonstrating successful completion of a jurisprudence questionnaire prepared by the board covering the provisions of AS 08.48 and this chapter.

(c) An application for temporary certification by a military spouse or member of the military under AS 08.01.063 shall submit a copy of the applicant's military dependent identification card and a copy of the spouse's current active duty military orders showing assignment to a duty station in this state; a temporary license issued under this subsection shall be issued within 30 days after the department or appropriate board receives the person's completed application for the temporary certification.

(d) A temporary certificate for a land surveyor shall not be issued.

Commented [NSJ(1)]: Military fee established in Centralized Regs. Temporary fee is set at \$100 If change is wanted, AELS must pay for a reg project

Commented [NSJ(2)]: Look at template from Sara C to incorporate standardized language

**Chapter 36. State Board of Registration for Architects,
Engineers, and Land Surveyors.**

12 AAC 36 is amended by adding a new section to read:

12 AAC 36.112. Temporary military courtesy certificate of registration. (a) The board shall issue a temporary military courtesy certificate of registration to an active duty military member or spouse of an active duty military member of the armed forces of the United States to practice architecture, engineering, or landscape architecture who meets the requirements of

AS 08.01.063 and this section within 30 days after the board receives a completed application.

(b) An applicant for a temporary military courtesy certificate of registration under this section must

- (1) submit a completed application on a form provided by the department;
- (2) pay the temporary license application and license fees set out under

12 AAC 02.105;

(3) submit a copy of the applicant's military identification or military dependent identification card and a copy of current active duty military orders showing assignment to a duty station in this state;

(4) submit verification of a current, unencumbered registration to practice architecture, engineering, or landscape architecture in a state, territory, or possession of the United States, the District of Columbia, or a foreign country that was based upon education, experience, and examination requirements that, in the opinion of the board, were at least equivalent to the requirements of AS 08.48 and this chapter at the time the applicant's out-of-state registration was issued or at least equivalent to current requirements;

(5) submit documentation that the applicant has completed the requirements of 12 AAC 36.110; and

(6) not have been convicted of a felony or another crime that affects the applicant's ability to practice architecture, engineering, or landscape architecture competently and safely.

(c) A temporary military courtesy certificate of registration to active duty military personnel or spouse of military personnel under this section will be issued for a period of 180 days and may be extended at the discretion of the board for an additional 180-day period by

(1) applying on a form provided by the department; and

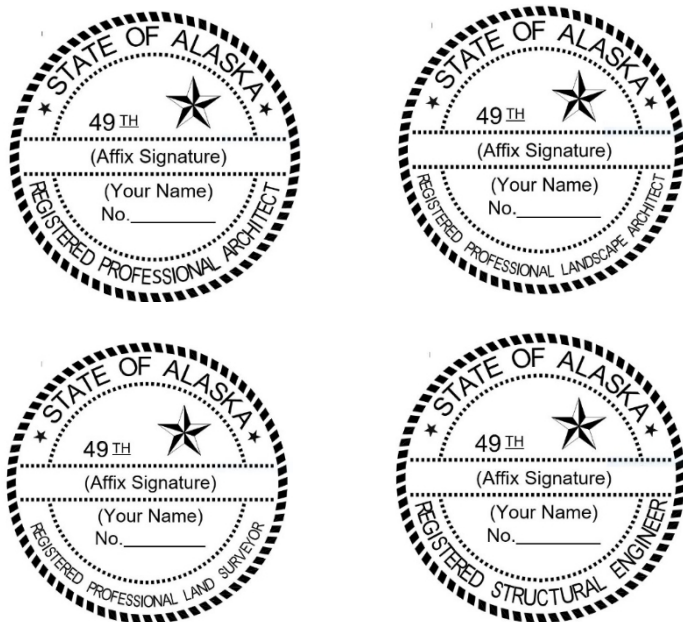
(2) demonstrating successful completion of a jurisprudence questionnaire prepared by the board covering the provisions of AS 08.48 and this chapter.

(d) While practicing under a temporary military courtesy certificate of registration issued under this section, the holder of the temporary military courtesy certificate of registration must comply with the standards of practice set out in AS 08.48 and this chapter.

(e) The board may refuse to issue a temporary military courtesy certificate of registration for the same reasons that it may deny, suspend, or revoke a certificate of registration under AS 08.48.111 (Eff. ____/____/_____, Register _____)

Authority:	AS 08.01.062	AS 08.48.101	AS 08.48.171
	AS 08.01.063	AS 08.48.111	AS 08.48.191

12 AAC 36.180. SEAL. (a) The seal authorized for use by professional aArchitects, Landscape Architects, Land Surveyors, and Structural Engineers shall be of the following designs [DESIGN] or a substantially similar electronic or digital representation of the designs [DESIGN]. The license number noted on the seal shall be only the numerical characters of the registrant's license number (exclude alpha characters).



(b) The seal authorized for use by professional engineers -shall be of the following design or a substantially similar electronic or digital representation of the design:



**EXAMPLE PROFESSIONAL
ENGINEER SEAL**

The seal must reflect the branch of engineering **two-character identifier (XX)** authorized by the board. **[THIS IDENTIFICATION IS TO BE PLACED BELOW THE REGISTRANT'S NAME AND PRECEDING THE REGISTRANT'S NUMBER ON THE SEAL AS NOTED:] This identifier shall be placed prior to the registrant's license number as shown in the example. The license number noted shall be only the numerical characters of the registrant's license number and exclude alpha characters**

Commented [NSJ(1): Does the word before sound better?

Commented [NSJ(2): Numeric?

BRANCH OF ENGINEERING IDENTIFIER

AG — Agricultural engineer	ME — Mechanical engineer
EC — Chemical engineer	MM — Metallurgical and Materials engineer
CE — Civil engineer	EM — Mining and Mineral Processing engineer
CS — Control systems engineer	NM — Naval architecture and Marine engineer
EE — Electrical engineer	NU — Nuclear engineer
EV — Environmental engineer	EP — Petroleum engineer
FP — Fire protection engineer	
IN — Industrial engineer	

12 AAC 36.010. APPLICATIONS. (a) An application for examination or for registration by comity must be **legible [TYPEWRITTEN]** and filed with the board on a form prescribed by the **department [BOARD]**, accompanied by the application fee established in 12 AAC 02.110.

(b) An applicant will not be admitted to an examination or approved for registration until the applicant's qualifications are accepted by the board, **the executive secretary of the board, or its designee, as adopted in regulations.**

(d) Except as provided in 12 AAC 36.060(a), the board, **the executive secretary of the board, or its designee,** will give conditional approval of an application for examination or for registration by comity pending receipt of missing documents, payment of applicable fees for examination or registration, or other corrections to the application if the

- (1) application form is substantially complete and includes the applicant's notarized signature;
- (2) application fee has been paid;
- (3) board has determined that the applicant's qualifications as listed on the application form show that the applicant meets the registration requirements in AS 08.48 and this chapter;
- (4) board has received all supporting documents required for board review of the application, as defined in (i) of this section; and
- (5) board has determined that any missing supporting documents and the correction of other deficiencies in the application do not require board discretion to review and approve.

(e) If the board, **executive secretary of the board, or its designee** gives conditional approval of an application, the approver [BOARD] also will write a statement of conditional approval. The statement will identify the missing supporting documents or other corrections required to complete the application. Department staff shall change the conditional approval to "approval" when the missing documents and other corrections are received if the documents and corrections clearly show the information required by the board in its statement of conditional approval. If the missing supporting documents or corrections received required interpretation or discretion, department staff shall resubmit the application to the board for approval.

(f) Except as provided in 12 AAC 36.060(a), the board, **executive secretary of the board, or its designee** will determine that an application is incomplete, and will notify the applicant, if the

- (1) board, **executive secretary of the board, or its designee** is not able to determine from the application form and supporting documents whether the applicant meets the registration requirements in AS 08.48 and this chapter; [OR
- (2) APPLICATION FORM DOES NOT SHOW THAT THE APPLICANT MEETS THE REGISTRATION REQUIREMENTS IN AS 08.48 AND THIS CHAPTER BUT THE BOARD DETERMINES THAT THE APPLICANT WILL LIKELY MEET THE QUALIFICATIONS WITHIN ONE YEAR.]

(g) For an application determined to be incomplete under (f) of this section, department staff shall

- (1) resubmit the application to the board for review if the applicant submits to the department additional application information; and
- (2) maintain an incomplete application file for the application until it either is approved or denied by the board or is considered abandoned under 12 AAC 02.910.

(h) Except as provided in 12 AAC 36.060(a), the board will deny an application for examination or for registration by comity if the application does not meet the requirements in this section for approval, conditional approval, or a determination of incomplete application.

(i) In this section, "all supporting documents required for board review" means documentation of the applicant's education, work experience, and responsible charge experience, as required by AS 08.48 and this chapter except for

- (1) official transcripts of the applicant's education if the applicant has
 - (A) an ABET accredited B.S. degree in the major branch of engineering for which the applicant is applying for registration;
 - (B) a B.S. degree in an ABET accredited curriculum in land surveying if the applicant is applying for registration as a land surveyor; or
 - (C) a LAAB accredited professional degree in landscape architecture if the applicant is applying for registration as a landscape architect;

- (2) verification of a license or examination in another licensing jurisdiction;
- (3) verification of successful completion of coursework as required by 12 AAC 36.110.

(j) Notwithstanding any other regulation, the executive secretary of the board or its designee may approve an applicant for licensure by comity only if credentials are submitted by NCEES, NCARB, or CLARB record.

12 AAC 36.103. ARCHITECT REGISTRATION BY COMITY. (a) Under AS 08.48.191(a), the board, **executive secretary of the board, or its designee** may issue a certificate of registration as an architect to an applicant who

- (1) documents education and passage of the NCARB Architect Registration Examination;
- (2) documents work experience that satisfies the requirements of this section;
- (3) has completed the arctic engineering requirements of 12 AAC 36.110; and
- (4) has completed a jurisprudence questionnaire prepared by the board covering the provisions of AS 08.48 and this chapter.

(b) An applicant for a certificate of registration as an architect by comity must submit

- (1) an application for registration by comity in compliance with 12 AAC 36.010, including the applicable fees established in 12 AAC 02.110; and
- (2) verification of a current registration to practice architecture in a state, territory, or possession of the United States, the District of Columbia, or a foreign country that is based on education, experience, and examination requirements that the board determines were at least equivalent to the requirements of AS 08.48 and this chapter at the time the applicant's out-of-state registration was issued;
- (3) repealed 3/28/2019.

(c) An applicant for a certificate of registration as an architect by comity under this section must submit a council record issued by NCARB to verify the applicant's qualifications, including

- (1) examination results;
- (2) education;
- (3) experience; and
- (4) registration in another licensing jurisdiction.

(d) If an architect who provides a reference letter under (e) of this section does not possess a seal, the applicant must provide the board **an explanation [A STATEMENT FROM THAT ARCHITECT]**,

- (1) providing that architect's registration number; and
- (2) certifying that the registration of that architect is current.

(e) Notwithstanding (c) of this section, an applicant who received an initial certificate of registration as an architect on or before July 13, 2011 may submit two letters of reference verifying the applicant's experience as a registered architect for five years or more in a state, territory, or possession of the United States, the District of Columbia, or a foreign country instead of the NCARB council record. Each letter must be signed and sealed by an architect who is legally registered as a professional architect in a state, territory, or possession of the United States, the District of Columbia, or a foreign country.

12 AAC 36.105. ENGINEER REGISTRATION BY COMITY. (a) Under AS 08.48.191(b), the board, **executive secretary of the board, or its designee** may issue an engineering certificate of registration to an applicant who

- (1) documents education and passage of examinations that meet the requirements of (b) **or (h)** of this section;
- (2) documents work experience that satisfies the requirements of (c) of this section;
- (3) has completed the arctic engineering requirements of 12 AAC 36.110; and
- (4) has completed a jurisprudence questionnaire prepared by the board, covering the provisions of AS 08.48 and this chapter.

(b) An applicant for engineering registration by comity must

- (1) submit verification of current registration to practice engineering in a state, territory, or possession of the United States, the District of Columbia, or a foreign country that was based upon education, experience, and examination requirements that, in the opinion of the board, were at least equivalent to

the requirements of AS 08.48 and this chapter at the time the applicant's out-of-state registration was issued or at least equivalent to current requirements **as modified by (h) in this section**; the applicant must have passed an NCEES engineering examination in the same branch of engineering that is being applied for, as required by 12 AAC 36.100(c); and

(2) have passed the fundamentals of engineering examination or had this requirement waived under 12 AAC 36.090.

(c) An applicant for engineering registration by comity must

(1) have at least 24 months of responsible charge experience in the branch of professional engineering listed in 12 AAC 36.990(17) for which the applicant has applied, as verified by the signature and seal, except as provided in (g) of this section, of the engineer who has supervised the applicant and who was, at the time of providing the supervision,

(A) legally registered as a professional engineer in a state, territory, or possession of the United States, the District of Columbia, or a foreign country; and

(B) either

(i) registered as a professional engineer in that branch of engineering or a related branch of engineering approved by the board; or

(ii) practicing in the branch for which the applicant has applied, if the licensing jurisdiction where the supervising engineer was registered as a professional engineer does not register engineers in specific branches of engineering; or

(2) if the applicant has been practicing engineering as a registered engineer for five years or more in a state, territory, or possession of the United States, the District of Columbia, or a foreign country, provide two current letters of reference verifying that experience; each letter must be signed and sealed, except as provided in (g) of this section, by an engineer who is

(A) legally registered as a professional engineer in a state, territory, or possession of the United States, the District of Columbia, or a foreign country; and

(B) practicing the specific branch of engineering for which the applicant has applied or a related branch of engineering approved by the board.

(d) Repealed 7/19/2009.

(e) An applicant for engineering registration by comity may submit a council record issued by NCEES to verify the applicant's qualifications, including

(1) examination results;

(2) education; and

(3) registration in another licensing jurisdiction.

(f) Repealed 7/19/2009.

(g) If an engineer who provides a work experience verification under (c)(1) of this section or a reference letter under (c)(2) of this section does not possess a seal, the **engineer [APPLICANT] must provide the board an explanation [A STATEMENT FROM THAT ENGINEER],**

(1) providing that engineer's registration number and branch of engineering; and

(2) if that engineer is providing a reference letter, certifying that the registration of that engineer is current.

(h) In addition to meeting the requirements of (b)(1) of this section, an applicant for structural engineering registration by comity must have passed an NCEES Principles and Practices of Engineering Examination, and

1) the 16-hour NCEES Structural Engineering Examination **or;**

2) NCEES Structural II and Washington or California Structural III exams passed prior to 2011, or;

3) NCEES Structural I and NCEES Structural II passed prior to 2006, or;

4) Western States 16-hour Structural exam passed prior to 2004;

and have six years of experience with a bachelor's degree or five years of experience with a master's degree. Applicants who have passed the NCEES Structural Engineering I Examination or NCEES Structural Engineer II Examination, may be granted a civil engineering registration.

[(H) IN ADDITION TO MEETING THE REQUIREMENTS OF (B)(1) OF THIS SECTION, AN APPLICANT FOR STRUCTURAL ENGINEERING REGISTRATION BY COMITY MUST HAVE PASSED AN NCEES PRINCIPLES AND PRACTICES OF ENGINEERING EXAMINATION AND THE

16-HOUR NCEES STRUCTURAL ENGINEERING EXAMINATION AND HAVE SIX YEARS OF EXPERIENCE WITH A BACHELOR'S DEGREE OR FIVE YEARS OF EXPERIENCE WITH A MASTER'S DEGREE. APPLICANTS WHO HAVE PASSED THE NCEES STRUCTURAL ENGINEERING I EXAMINATION, NCEES STRUCTURAL ENGINEER II EXAMINATION, OR BOTH MAY BE GRANTED A CIVIL ENGINEERING REGISTRATION.]

12 AAC 36.109. Landscape architect registration by comity. (a) Under AS 08.48.191(d), the board, **executive secretary of the board, or its designee** may issue a landscape architecture certificate of registration to an applicant who

(1) documents education and passage of examinations that meet the requirements of (b) of this section;

(2) documents work experience that satisfies the requirements of (c) of this section;

(3) has completed the northern design requirements of 12 AAC 36.110; and

(4) has completed a jurisprudence questionnaire prepared by the board, covering the provisions of AS 08.48 and this chapter.

(b) An applicant for a certificate of registration as a landscape architect by comity must submit

(1) an application for registration by comity in compliance with 12 AAC 36.010, including the applicable fees established in 12 AAC 02.110;

(2) verification of a current registration to practice landscape architecture in a state, territory, or possession of the United States, the District of Columbia, or a foreign country that is based on education, experience, and examination requirements that the board determines were at least equivalent to the requirements of AS 08.48 and this chapter at the time the applicant's out-of-state registration was issued; and

(3) either

(A) verification of at least 24 months of responsible charge experience as a landscape architect as defined under AS 08.48.341(9) or as verified by the signature and seal, except as provided in (c) of this section, by the landscape architect who supervised the applicant and who at the time of providing supervision, was legally registered as a professional landscape architect in a state, territory, or possession of the United States, or a foreign country; or

(B) if the applicant has been practicing landscape architecture for five years or more in a state, territory, or possession of the United States, the District of Columbia, or a foreign country, two letters of reference verifying that experience; each letter must be signed and sealed, except as provided in (c) of this section, by a landscape architect who is legally registered in a state, territory, or possession of the United States, territory, the District of Columbia, or a foreign country.

(c) An applicant for a certificate of registration as a landscape architect by comity under this section may submit council record issued by CLARB to verify the applicant's qualifications including

(1) examination results;

(2) education; and

(3) registration in another licensing jurisdiction.

(d) If a landscape architect who provides work experience verification under (b)(2) of this section or reference letter under (b)(3) of this section does not possess a seal, the applicant must provide the board a statement from that landscape architect

(1) providing that landscape architect's registration number; and

(2) for the landscape architects providing a reference letter, certification that the registration of that landscape architect is current.

From: [Dinegar, Harriet C. \(LAW\)](#)
To: [Neal, Sara J \(CED\)](#)
Cc: [Walsh, Sharon J \(CED\)](#); [Chambers, Sara C \(CED\)](#); [Cain, Rebecca \(LAW\)](#)
Subject: RE: Checking in on AELS Legal Questions
Date: Thursday, December 30, 2021 2:22:58 PM

Sara, here is my latest take on the board's questions and our answers. Let me know if I haven't captured the essence of the questions correctly.

Question 1: How can a registrant ever have the kind of “direct supervision” required by AS 08.48.221(a) over an independent contractor?

Answer: First, note that the sealing statute AS 08.48.200 does not require a registrant to have direct supervisory control over whoever did the work in all instances. That statute says by affixing the seal the registrant “certifies that the documents were prepared by or under the registrant’s direct supervision, are within the registrant’s field of practice, or constitute design work of minor importance.” This language presents three alternative scenarios:

- The work could be done by the registrant or under her direct supervision, OR
- The work is within the registrant’s field of practice, OR
- The work is of minor importance.

We know these are alternate scenarios because they are set off by commas with an “or” before the last option. What this means is that a registrant may seal work that is not done under her direct supervision, if she does the work herself or it is at least in her field of practice or is of minor importance.

Next, we get to Mr. Garness’ question – which is (I think): What about where the work is not done by the registrant and is not of minor importance or even within the registrant’s field of practice; i.e. what if it is done by a completely independent contractor? Mr. Garness is correct that independent contractors are just that – independent – but this statute is about registrants and what *they* can do; it’s not about independent contractors who are not AELS registrants.

A registrant under AS 08.48 can do whatever that statute and the board’s regulations allow her to do. Keeping in mind that the whole point of AS 08.48.221 is to document accountability and instill public confidence by – literally – putting the state’s stamp of approval on a registrant’s work, we can see that the reference to “direct supervision” means that whoever is affixing the seal is assuming responsibility for the work, by whomever it is actually done. So the work could be done by another registrant, an employee, or an independent contractor; it doesn’t really matter so long as the sealing registrant is willing to say that she has directly supervised the work.

What does “direct supervision” mean? It can mean whatever the board says it means. The term is not defined by, but it is used in the statute. That means that the board may interpret it in regulation.

The board’s regulations about sealing use the term “direct supervisory control” – which is different from the “direct supervision” used in the underlying statute. And nowhere is there a definition of what, exactly, that means. Moreover, I note that the regulation 12 AAC 36.185(a)(7) is not entirely consistent with the statute. The regulation seems to require “direct knowledge AND direct

supervisory control,” which is not what the statute says. I can’t explain this, but in a contest between a statute and a regulation, the statute wins. That still leaves you with the problem of defining direct supervision. My recommendation would be to initiate a regulations project to amend 12 AAC 36.185(a)(7) to (i) make it conform to AS 08.48.221 and (ii) define direct supervision in a way that addresses independent contractors. It could be as general as something like “In this section, “direct supervision” means that the sealing registrant has directly and in person observed, supervised, or inspected the work sufficient to attest to its integrity and conformance with applicable professional standards and this chapter.” The board might also decide it wants to call out independent contractors specifically by adding something like “. . . regardless of whether the supervised work is done by an employee, agent, subcontractor or independent contractor.” My section will be happy to work with the board to come up with some language that works.

Question 2: Does every corporate entity of a joint venture have to have a COA – or can it just be one of them?

Answer: This isn’t clear from the statute because it does not specifically address joint ventures, but I think the reasonable interpretation of AS 08.48.241 is that the requirement applies to at least one but not all of the entities that comprise the JV.

This is because that section sets out numerous requirements that are designed to create accountability for the work done, and there is no reason to hold accountable the entities that are not involved in the work. AS 08.48.241(a)(2) and (3) require the entity to designate the people who are registrants and who will be doing the work and those who will be in responsible charge of the work. Since a JV is a “descriptor” of a group of entities and not a corporate entity in itself, it makes no sense to apply the requirements for a corporation or a limited partnership, to a group that may include one or more of those separate corporate forms.

That’s all I have. If this doesn’t quite answer the questions, let me know. I have some time today – and can take this up again on Monday.

In the meantime, Happy New Year! Be safe and have a nice celebration.

Harriet Milks

From: Neal, Sara J (CED) <sara.neal@alaska.gov>
Sent: Thursday, December 30, 2021 9:57 AM
To: Dinegar, Harriet C (LAW) <harriet.dinegar@alaska.gov>
Subject: FW: Checking in on AELS Legal Questions

Hi Harriet –
I am so sorry to bug you again – any answer on this one yet?

Thank you!!

Sara Neal

Executive Administrator
Board of Registration for Architects, Engineers and Land Surveyors

aelsboard@alaska.gov
(907)465-2540

From: Dinegar, Harriet C (LAW) <harriet.dinegar@alaska.gov>
Sent: Tuesday, December 14, 2021 9:03 AM
To: Neal, Sara J (CED) <sara.neal@alaska.gov>
Subject: RE: Checking in on AELS Legal Questions

Thanks, Sara. I will try to get to this this week. If you don't hear from me, feel free to rattle my cage next week. 😊

From: Neal, Sara J (CED) <sara.neal@alaska.gov>
Sent: Tuesday, December 14, 2021 8:34 AM
To: Dinegar, Harriet C (LAW) <harriet.dinegar@alaska.gov>
Subject: FW: Checking in on AELS Legal Questions

Hi Harriet –

This might shed more light on AELS's "direct supervisory control" question.

I think the final question is can an engineer have "direct supervisory control" over someone who is not their employee i.e independent contractor? If no, AELS will need to change the wording in the regulations.

Thank you for your continued help on this question,

Sara Neal

Executive Administrator
Board of Registration for Architects, Engineers and Land Surveyors
aelsboard@alaska.gov
(907)465-2540

From: Jeff Garness <Jeff@garnessengineering.com>
Sent: Monday, December 13, 2021 5:14 PM
To: Neal, Sara J (CED) <sara.neal@alaska.gov>
Subject: RE: Checking in on AELS Legal Questions

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Sara. See the attached document. I think the real issue in a nutshell is this..... When someone hires an "independent contractor" they are essentially declaring that they **lack**

“supervisory control” over the work of the “independent contractor” for the purpose of complying with DOL, IRS regulations. If that is the case, can they simultaneously then declare they **have** “direct supervisory control” over the “independent contractor” for the purpose of sealing the engineering/architectural/surveying work performed by the “independent contractor”?

Jeffrey A. Garness, P.E., M.S.

AELS Board Member
Civil/Environmental Engineer
Mobile: (907) 244- 9612

From: Neal, Sara J (CED) <sara.neal@alaska.gov>
Sent: Monday, December 13, 2021 4:16 PM
To: Jeff Garness <Jeff@garnessengineering.com>
Subject: FW: Checking in on AELS Legal Questions

Here is the last of the communication I had with Harriet

From: Neal, Sara J (CED)
Sent: Wednesday, November 10, 2021 3:42 PM
To: Dinegar, Harriet C (LAW) <harriet.dinegar@alaska.gov>
Subject: RE: Checking in on AELS Legal Questions

Here is the discussion about it from the August board meeting: - might shed even more light

Interpretation of “direct supervision” with regards to independent contractors in statute 08.48.221 (a) – The following situation was proposed to Garness: engineer... wants to know if he could hire a non-licensed independent contractor to do construction slash engineer inspections for him and then use the data collected by the independent contractor to prepare record drawings, that would be sealed and signed by the engineer. In short, the person hired would not be licensed and would not be an employee of the engineer. Garness’ opinion is that you cannot have direct supervisory control over an independent contractor and therefore you cannot sign and seal their work. With that being the case, Garness would argue that he cannot hire an independent contractor to perform this subject’s inspections and then sign off on their work. Garness brought this to the board’s attention to ensure that the board is giving consistent responses when participating in investigations. His concern is that engineers are hiring tech services to perform technical services and then stamp and sign their work. Independent contractors are not under the engineer’s “control” when it comes to employee-related issues such as workman’s comp, but yet they are under the engineer’s supervisory control? The question is whether or not the engineer can have “direct supervisory control” as stated in statute 08.48.221(a) over an independent contractor. Fritz wondered why someone is stamping as-builts if they are not in responsible charge and supervising the crew on the job site. Fritz said it would be appropriate to take responsible charge and stamp the work if a technical person brought back information into the office for the next step in a project. If that was the case, then it would be appropriate to hire a contractor to do the technical work. Bell’s made the distinction between technicians and designers. If someone is producing

drawings and specifications then they need to be stamped and under direct supervision, but if it is an inspection for a soils report then it would not need direct supervision. Inspection reports are used to produce drawings and specifications that are stamped. Johnston shared that Alaska is one of 13 states that follow what's called the ABC test for determining if an individual is an independent contractor. Part A of the test asks if the individual is free from control and direction in connection with the performance of the service, both under the contract and for the performance of the service. Under Part A, an independent contractor is not told what to do which begs the question as to how they can be under "direct supervisory control." Part B of the ABC test states that the independent contractor must perform services outside the usual course of the business of the employer. The independent contractor cannot perform services for a business that the business itself offers. Part C goes on to say that independent contractors are individuals customarily engaged in an independently established trade occupation, profession, or business of the same nature as that involved in the service performed. Leman's opinion is that it does not really make a difference if you are an employee or a contractor in terms of doing work. What does make the difference is the level of supervisory control, the going over the scope of work, and the reviews of it. He believes that what is important is that we ensure that if an engineer is going to seal something that they have that direct supervisory control and involved in the project. Johnston suggested that this question gets forwarded to legal since the definition the ABC test uses for independent contractor seems to contradict being able to have direct supervisory control over the person. If the engineer is not in direct supervisory control, the person offering the service must be professionally licensed. Fritz suggested that the board have the individual refer to the ABC rules and not refer the question to legal. Garness pointed out that the individual would like to know the board's stance on this issue.

From: Dinegar, Harriet C (LAW) <harriet.dinegar@alaska.gov>
Sent: Wednesday, November 10, 2021 3:32 PM
To: Neal, Sara J (CED) <sara.neal@alaska.gov>
Subject: RE: Checking in on AELS Legal Questions

Based on the additional information you provided about Question 1, it seems like the independent contractor would essentially be doing the work that the registrant would ordinarily be doing. Correct? If so, then NO, the registrant cant claim that work and seal it. But the part I am unsure about is --- is this the way a registered engineer typically works, getting info from another unlicensed sub-professional and then folding it into her own designs? Either way, if the person doing the actual work is not licensed and not being supervised by the licensed person who hired him, then the employer can't put her seal on it. The whole point of the seal is to document accountability.

Does this get us closer to an answer?

Harriet

From: Neal, Sara J (CED) <sara.neal@alaska.gov>
Sent: Wednesday, November 10, 2021 3:25 PM
To: Dinegar, Harriet C (LAW) <harriet.dinegar@alaska.gov>
Subject: RE: Checking in on AELS Legal Questions

Thanks, Harriet – I really appreciate the help!

From: Dinegar, Harriet C (LAW) <harriet.dinegar@alaska.gov>
Sent: Wednesday, November 10, 2021 3:21 PM
To: Neal, Sara J (CED) <sara.neal@alaska.gov>
Subject: RE: Checking in on AELS Legal Questions

I thought Question #2 sounded familiar! I will run this by our corporations guru and get back to you. As for Question #1, I am working on that. The text you sent helps – a little.

From: Neal, Sara J (CED) <sara.neal@alaska.gov>
Sent: Wednesday, November 10, 2021 3:13 PM
To: Dinegar, Harriet C (LAW) <harriet.dinegar@alaska.gov>
Subject: RE: Checking in on AELS Legal Questions

Hi Harriet –

Here is what led to the first question:

From a Board member:

“ I received a call from an engineer today that wants to know if he could hire a non-licensed “independent contractor” to do construction/engineer inspections for him and then use the data collected by the “Independent Contractor” to prepare record drawings that would be sealed/signed by the engineer. In short, the person (“independent contractor”) hired would not be licensed and would not be an employee of the engineer. My opinion is that you cannot have direct supervisory control over an “independent contractor”; therefore, you cannot seal/sign their work. With that being the case, I would argue that he cannot hire an “independent contractor” to perform the subject inspections and then sign-off on their work.”

It was discussed at length at the August board meeting and then it was decided to get legal’s opinion. Some of the board thinks that you cannot have “direct supervisory control” if the person is not your employee.

Question 2 – stemmed from a previous question we asked you

“Do joint ventures require a Certificate of Authorization? - Yes. If the joint venture is a corporation, LLC, or LLP, AS 08.48.241 requires it to have a certificate of authorization, if the joint venture seeks to engage in any of the work AS 08.48 regulates. Note that a joint venture is really just a descriptor of some other kind of business entity that forms for a particular purpose, and typically, for a specific and limited period of time. So, as long as it wants to do what this board regulates, yes, it has to have a certificate of authorization. “

The AELS board is looking at the statute right now and was trying to establish if a joint venture would need a COA if either side of the joint venture already had one.

I hope that sheds a little more light on the questions,

Sara Neal

Executive Administrator
Board of Registration for Architects, Engineers and Land Surveyors
aelsboard@alaska.gov
(907)465-2540

From: Dinegar, Harriet C (LAW) <harriet.dinegar@alaska.gov>
Sent: Wednesday, November 10, 2021 2:53 PM
To: Neal, Sara J (CED) <sara.neal@alaska.gov>
Subject: RE: Checking in on AELS Legal Questions

No worries!! I have tried to provide answers but think I need to understand your questions a little better. I am not an engineer, and don't think like one. 😊

Harriet

From: Neal, Sara J (CED) <sara.neal@alaska.gov>
Sent: Wednesday, November 10, 2021 10:47 AM
To: Dinegar, Harriet C (LAW) <harriet.dinegar@alaska.gov>
Subject: Checking in on AELS Legal Questions

Hi Harriet –

Sharon Walsh is on leave right now, so I am reaching out with regards to two outstanding questions from AELS to legal. AELS is having a board meeting 11/15-16th and will ask for an update.

Question 1 – emailed on 8/19/2021

Can an engineer/architect/land surveyor/landscape architect retain an unlicensed person as “independent contractor” to do work that would require (per 12 AAC 36.185 (a)(7)) direct supervisory control by the licensed professional?

I am not sure I understand your question. The regulation you cite doesn't require that. It says only that a registrant may “not sign or seal drawings, documents, or other professional work for which the registrant does not have direct professional knowledge and direct supervisory control.” So it looks like a registrant can retain an independent contractor to do the work, but they can't claim it as their own. Furthermore, AS 08.48.331 provides many exceptions to the chapter – including that the statute does not apply to a contractor performing work that is designed by a registrant. I assume you have looked at those exceptions. Do any of them apply to the situation you are thinking of?

It is our understanding that to be considered an “independent contractor” in Alaska, the business relationship must pass the “ABC test”, making it incongruent for the design professional to then claim direct supervisory control over the same “independent contractor”.

That is my understanding as well, but the AELS statute and regs do not define “direct supervisory

control.” But however it is defined, why could a registrant not exercise such control over a contractor, depending on what the contractor is doing?

Furthermore, if an unlicensed “independent contractor” performs engineering, surveying or architectural services, without direct supervisory control by a professional, they are practicing engineering/surveying/architecture without a license.

If anybody performs those services without being registered, they are violating the statute. EXCEPT if they are doing whatever they are doing under another license. AS 08.48.281(b). So I guess we’d need to know that.

Question 2 – emailed on 9/30/2021

What harm is it to not require a COA from a joint venture where one entity or both entities involved that offer services that AELS licenses that already have COAs with AELS?

Probably none, but I would have to know a little more about the facts to say for sure. In all likelihood, the joint venture would be responsible as a single entity, so if one or another of the entities has a COA, it would be OK. Please provide more facts and citations if you want a more precise answer. I am a bit in the dark here.

Thank you for your assistance with these questions,

Sara Neal

Executive Administrator
Board of Registration for Architects, Engineers and Land Surveyors
aelsboard@alaska.gov
(907)465-2540

INDEPENDENT CONTRACTORS

Effective November 22, 2018, the Alaska Workers' Compensation Act was amended to include a statutory definition of Independent Contractor. In order to be considered an independent contractor under AS 23.30.230(a)(12) for purposes of workers' compensation liability, a person must **collectively** meet **all** the following criteria:

- ◆ Has an express contract to perform services;
- ◆ Is free from direction and control over the means and manner of providing services;
- ◆ Incurs most of the expenses for tools, labor, and other operating costs;
- ◆ Has an opportunity for profit and loss from the services performed;
- ◆ Is free to hire and fire employees to help perform the contracted services;
- ◆ Has all business, trade, or professional licenses required by federal, state, or municipal authorities of an individual or business engaging in the same type of services;
- ◆ Follows IRS requirements by obtaining an employer identification number and filing business income appropriately;

AND must also meet TWO of the following criteria:

- ◆ Is responsible and subject to liability for completing the work, or maintains liability or other insurance policies necessary to protect the employees, financial interests, and customers of the business;
- ◆ Maintains a separate business location or business mailing address from the individual or entity for which the services are performed;
- ◆ Provides contracted services for two or more different customers within a 12-month period, or engages in business advertising, solicitation, or other marketing efforts to obtain new contracts.

It is important to note Alaska Workers' Compensation Act requirements are independent from those of the Internal Revenue Service or any other federal, state, or local regulatory agency. It is possible for the same workers to be considered independent contractors under one or more laws, but employees under other laws. There are significant financial risks to incorrectly classifying an employee as an independent contractor. It is in the employer's best interest to request guidance.



State of Alaska Workers' Compensation Division SPECIAL INVESTIGATIONS UNIT

Anchorage

3301 Eagle Street, Suite 301
Anchorage, AK 99503

Juneau

1111 West 8th Street, Room 305
Juneau, AK 99811

Fairbanks

675 7th Avenue, Station K
Fairbanks, AK 99701

For All Telephone Inquiries:
(907) 269-4002

**WORKERS' COMPENSATION FRAUD
IS A CRIME THAT HURTS EVERYONE**

**The Fraud Hotline is open Monday
through Friday, 8:00 am to 5:00 pm.**

**1-888-372-8330
wcfraud@alaska.gov**

**For comprehensive workers' compensation resources, please visit the division's website at:
<http://labor.alaska.gov/wc>**



State of Alaska Workers' Compensation Division



**What Employers
Must Know About
Workers' Compensation
Insurance In Alaska**



What is Workers' Compensation?

- ◆ Workers' Compensation is a no-fault insurance system that protects workers and employers from some of the losses caused by on-the-job injuries and illnesses.

Who needs insurance?

- ◆ Any person employing one or more persons in connection with a business or industry operating and utilizing employee labor in Alaska.

Are business owners excluded?

- ◆ Sole proprietors and partners are excluded from having to insure themselves, but still must insure their employees.
- ◆ Effective 8/1/2019, LLC members and officers/directors of corporations with less than 10% ownership interest are considered employees that must be insured for workers' compensation liability.

How do I obtain workers' compensation?

- ◆ Alaska does not have any reciprocity agreements with any other country or state, and does not have a state fund. All foreign and domestic employers must obtain insurance through a private commercial insurance carrier authorized by the Alaska Division of Insurance to write workers' compensation coverage in Alaska.

Can I charge my employees for the insurance?

- ◆ No. It is a crime in Alaska for an employer to charge employees for workers' compensation insurance premiums. In addition, employees cannot "waive" their right to workers' compensation benefits.



Duty of the Employer:

- ◆ Employers must report to the division any work-related injury, death, disease, or infection alleged by an employee or on behalf of an employee, within 10 days from the date the employer has knowledge.

Duty of the Injured Worker:

- ◆ Injured workers should immediately notify their employer of a work-related injury, and no later than within 30 days of the date of injury or death notify the employer and file a report of injury with the Alaska Workers' Compensation Division if the employer fails or refuses to do so.

**DON'T RISK IT!
ACCIDENTS WILL HAPPEN.
Call Your Agent and
Get a Policy Now!**



Uninsured Employers Beware!

The Alaska Workers' Compensation Board routinely assesses civil penalties against employers that fail or refuse to maintain workers' compensation insurance for their employees. Penalties for being uninsured could include one or more of the following:

- ◆ Penalties of up to \$1,000 per employee, for each day the employer failed to insure;
- ◆ Issuance and service of a stop-work orders;
- ◆ \$1,000 additional mandatory penalties for each day stop work orders are violated;
- ◆ Debarment from public contract awards;
- ◆ Personal liability for payment of compensable benefits and treatment costs for uninsured work-related injuries;
- ◆ Shared liability between project owners and uninsured contractors or subcontractors for work-related uninsured injuries ;
- ◆ Criminal charges, with possible fine of \$10,000 and imprisonment for up to a year for all persons who had authority to insure the business.

Reporting Fraud

Suspected workers' compensation fraud can be reported anonymously by calling the Alaska Workers' Compensation Fraud Hotline at 1-888-372-8330, or via email at wcfraud@alaska.gov



Fraud Examples Include:

- ◆ Employers: Failing to report payroll or underreporting payroll to the workers' compensation carrier to avoid premiums; misclassifying employees as independent contractors or as false owners in the business; deducting workers' compensation premiums from employee pay; or forcing employees to "waive" the rights to benefits.
- ◆ Health Care Providers: Submitting falsified billings for services or treatments never performed; performing unnecessary services.
- ◆ Insurance Claims Administrators: Knowingly making a false or misleading submission designed to affect payment of treatment costs or benefits or to influence a care provider's opinion.
- ◆ Attorneys: Knowingly misrepresenting the truth in order to secure or deny compensation for their clients and/or themselves; soliciting a person to file a false claim.
- ◆ Injured Workers/Claimants: Knowingly making a false or misleading submission affecting the payment, coverage, or other benefit under the Alaska Workers' Compensation Act; for example, claiming a job-related injury that never occurred; lying about working while receiving benefits; falsifying injury-related expense reports; seeking pain medication for the purpose of selling it for profit rather than legitimate treatment; claiming non-work injury as work-related.

From: [Jeff Garness](#)
To: [Neal, Sara J \(CED\)](#)
Subject: AELS communication with registrants
Date: Friday, December 17, 2021 9:59:06 AM

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Sara. I have come to the conclusion that one of our biggest problems is lack of an effective way to communicate issues/guidance to the professional design community, or among board members. From my understanding, we can't do regular mailers (cost?) nor can we email everyone. Further compounding the problem is that a large number of the registrants don't subscribe to listserve. This inability to communicate significantly handicaps us and the registrants. The following are several examples:

1. The ability to get feedback from registrants (the recent CEU survey is one such example). I know that many registrants are very interested in the CEU topic, but appears that most are unaware that there is even a discussion occurring at this time.
2. Decisions regarding complaints don't get shared (in a redacted format) with board members and the "lessons learned" do not get shared with the design community. I was involved with a case last year that was closed-out and I was not even informed as to what the final outcome was. The final outcome not only impacts future investigations, but it is important for the board and design community to know what the issues are.....so history is not repeated over and over again. In many cases, registrants don't even know they are doing the "wrong thing".
3. It sounds like our traditional approach to "Outreach" is through individual presentations. Although such presentations are beneficial, they only reach a very limited number of people. The best thing we could do regarding "Outreach" is to develop an effective method of communication, utilizing modern technology, to reach all of the registrants with PowerPoint presentations, emails, and/or a newsletter. We should also explore social media options.

It would be nice if we could use some of our licensing fees to retain a company to prepare electronic newsletters/presentations and then mass distribute them. I know that some states send regular newsletters to their registrants.

If you would like to discuss, please call me.....jeff

Jeffrey A. Garness, P.E., M.S.

AELS Board Member
Civil/Environmental Engineer
Mobile: (907) 244- 9612

OBJECTIVES

1. Ensuring that those entering these professions in this state meet minimum standards of competency, and maintain such standards during their practice; and

2. Enforcing the licensure and competency requirements in a fair and uniform manner.

STRATEGIES

a. Support license mobility by following national standards

b. Prepare university students for licensure

- *Encourage licensing preparedness through UAA and UAF Engineering programs.*
- *Encourage Alaskan architecture and landscape architecture students to become licensed in Alaska*

c. Maintain an effective outreach program

- *Clarify the path to licensure for each discipline*
- *Share outreach program with license holders, licensure candidates, legislators, allied professions.*

d. Provide Administrative Support

- *Collaborate with Department to stabilize staffing and address institutional knowledge loss.*
- *Collaborate with Department to address meeting locations and outreach program challenges.*

a. Protect HSW through effective Regulations

- *Analyze and update regulations to simplify and maintain standards of the 3 Es (Education, Experience, Examination).*
- *Enforce regulations with prompt and thorough investigations.*

b. Collaborate with design professionals

- *Listen to and address regulatory concerns.*
- *Interact with professional organizations on HSW matters.*

c. Maintaining Competency through Continuing Education

- *Update CE regulations to reflect model law.*
- *Simplify CE reporting forms and licensee CE record keeping.*

d. Provide Administrative Support

- *Empower staff to administer simple applications without Board review.*
- *Modify regulations to accept NCEES application files.*
- *Increase access to legal support.*
- *Support special projects to develop knowledge base of Board past actions*

OBJECTIVE 1. Ensuring that those entering these professions in this state meet minimum standards of competency, and maintain such standards during their practice; and

STRATEGIES

2022 PLANNED ACTIONS (3.1.2022 – 2.28.2023)

a. Support license mobility by following national standards when updating statutes, regulations, and policies.

- *Maintain Licensure Mobility Committee*



1. Review proposed changes for consistency with relevant NCARB, NCEES, and CLARB standards.
2. Complete regulation change regarding military licenses.

b. Prepare university students for licensure by

- *encouraging licensing preparedness at UA (and other) engineering and land surveying/geomatics programs.*
- *encouraging Alaskan architecture students to become licensed in Alaska.*
- *encouraging Alaskan landscape architecture students to become licensed in Alaska.*



1. Send congratulatory letter to UA engineering and land surveying graduates.
2. Participate in university activities at UAA and UAF.
3. Appoint liaisons to applicable UAA and UAF Boards.
4. Present at 1 (or more) UAA weekly PDH Seminar series.
5. Identify Alaskan architecture and landscape architecture graduates and send congratulatory letters.

c. Maintain an effective outreach program

- *Assist students and candidates on their licensure path*
- *Share outreach program with license holders, licensure candidates, legislators, allied professions.*
- *Maintain Outreach Committee*
- *Encourage Diversity, Equity, and Inclusion (DEI)*



1. Develop and schedule at least 1 outreach project per discipline, per year, then complete an outreach report on each event.
2. Increase opportunities to interact with candidates and registrants. (e.g., newsletter, social media)
3. Analyze current DEI in the AELSLA professions and develop a DEI plan

d. Provide Administrative Support

- *Collaborate with Department to support staff in developing reports, addressing meeting locations and outreach program challenges, etc.*
- *Collaborate with Department to answer questions from candidates and registrants.*



1. Utilize and organize Onboard Resource folders so they are easily accessible.
2. Identify events early to work out logistical challenges.
3. Promptly respond to administrative requests for assistance from candidates and registrants.
4. Assist in writing the Annual Report and Travel Plan.

OBJECTIVE 2. Enforcing the licensure and competency requirements in a fair and uniform manner.

STRATEGIES

a. Protect public HSW through effective statutes and regulations

- Analyze/update regulations to simplify and maintain standards of the 3 Es.
- Enforce regulations with prompt and thorough investigations
- *Maintain Investigatory Advisory Committee and Legislative Liaison Committee*

b. Collaborate with design professionals and allied professions

- Listen to and address regulatory concerns.
- *Interact with professional organizations, especially on HSW matters.*
- *Maintain Guidance Manual Committee*

c. Maintaining Competency through Continuing Education

- Update CE regulations to reflect model law.
- Simplify CE reporting and licensee CE record keeping.
- *Maintain Continuing Education Committee*

d. Provide Administrative Support

- *Collaborate with staff to increase efficiencies.*
- *Support special projects to develop knowledge base of Board past actions*
- *Maintain Planning and Implementation Committee and Emeritus Status Committee.*
- *Collaborate with staff to identify board training needs and opportunities.*

2022 PLANNED ACTIONS (3.1.2022 – 2.28.2023)

1. Complete the regulation update project started in 2019.
2. Draft statute changes identified in 2019 in bill form and obtain a bill sponsor.
3. Review by-laws and work with investigator to share investigation information with registrants and improve investigator case efficiencies.
4. Develop a “lessons learned” summary with investigator and Board to increase consistency and share knowledge.

1. Meet with architectural, engineering, surveying, and landscape architecture societies to listen to comments on legislature’s proposed interior design licensing bill.

1. Study existing continuing education problems, and draft regulation changes to address.
2. Gather CE requirements and record keeping from other jurisdictions.
3. Gather CE requirements and record keeping from other Alaska boards.

1. Complete regulation changes that are necessary to empower staff to perform some level of application review/approval.
2. Complete statute changes to empower staff (See 2a2)
3. Complete regulation change to accept NCEES application files.
4. Review and update by-laws.
5. Review and update board member welcome packet.
6. Utilize Onboard resource folders to organize information
7. Develop overall board activity calendar.



MEMORANDUM

DATE: February 02, 2022
TO: Architects, Engineers, and Land Surveyors
THRU: Greg Francois, Chief Investigator *CFP*
FROM: Patrick Kase, Investigator
RE: Investigative Report for the February 15, 2022 Meeting

The following information was compiled as an investigative report to the Board for the period of November 04, 2021 thru February 02, 2022; this report includes cases, complaints, and intake matters handled since the last report.

Matters opened by the Paralegals in Anchorage and Juneau, regarding continuing education audits and license action resulting from those matters are covered in this report.

OPEN - 19

<u>Case Number</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Status Date</u>
ENGINEER			
2021-001293	License application problem	Intake	12/21/2021
2022-000008	Violation of licensing regulation	Intake	01/04/2022
2017-001125	Violation of licensing regulation	Complaint	10/26/2017
2018-000851	Unprofessional conduct	Complaint	07/31/2018
2020-000410	Violation of licensing regulation	Complaint	04/28/2020
2020-000411	Violation of licensing regulation	Complaint	04/28/2020
2020-000445	Incompetence	Complaint	06/16/2020
2020-000565	Fraud or misrepresentation	Complaint	06/22/2020
2021-000423	Unprofessional conduct	Complaint	05/19/2021
2021-000561	Incompetence	Complaint	07/15/2021

2022-000004	Falsified application	Complaint	01/06/2022
2020-000840	Violation of licensing regulation	Monitor	
2021-000210	Continuing education	Investigation	06/30/2021
2021-001161	Continuing education	Investigation	11/22/2021

LAND SURVEYOR

2021-001126	Unethical conduct	Intake	11/16/2021
2020-000416	Violation of licensing regulation	Complaint	06/03/2020
2021-000459	Incompetence	Complaint	06/02/2021
2021-000667	Unethical conduct	Complaint	09/27/2021
2021-000675	Violation of licensing regulation	Complaint	10/06/2021

Closed - 23

<u>Case #</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Closed</u>	<u>Closure</u>
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ARCHITECT

2022-000054	License application problem	Closed-Intake	01/19/2022	Review Complete
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ELECTRICAL ENGINEER

2021-001166	License application problem	Closed-Intake	11/29/2021	Review Complete
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ENGINEER

2021-001041	License application problem	Closed-Intake	11/15/2021	Review Complete
2021-001192	License application problem	Closed-Intake	12/06/2021	Review Complete
2021-001214	Incompetence	Closed-Intake	01/12/2022	Incomplete Complaint
2021-001295	License application problem	Closed-Intake	12/22/2021	Review Complete
2021-001296	License application problem	Closed-Intake	12/22/2021	Review Complete
2021-001298	License application problem	Closed-Intake	12/22/2021	Review Complete
2021-001303	License application problem	Closed-Intake	12/22/2021	Review Complete
2021-001321	License application problem	Closed-Intake	12/30/2021	Review Complete

2022-000002	License application problem	Closed-Intake	01/03/2022	Review Complete
2022-000005	License application problem	Closed-Intake	01/04/2022	Review Complete
2022-000024	License application problem	Closed-Intake	01/10/2022	Review Complete
2022-000025	License application problem	Closed-Intake	01/10/2022	Review Complete
2022-000027	License application problem	Closed-Intake	01/11/2022	Review Complete
2022-000028	License application problem	Closed-Intake	01/11/2022	Review Complete
2022-000034	License application problem	Closed-Intake	01/12/2022	Review Complete
2022-000041	License application problem	Closed-Intake	01/14/2022	Review Complete
2022-000043	License application problem	Closed-Intake	01/14/2022	Review Complete
2022-000050	License application problem	Closed-Intake	01/19/2022	Review Complete

LAND SURVEYOR

2021-001276	License application problem	Closed-Intake	12/17/2021	Review Complete
2021-000803	Unlicensed practice or activity	Closed-Complaint	11/19/2021	Other (See Abstract)

LANDSCAPE ARCHITECT

2022-000029	License application problem	Closed-Intake	01/11/2022	Review Complete
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END OF REPORT

Proposed change from 11/16/2021

Sec. 08.48.011. Board created. (a) There is created the State Board of **Design Professionals** [REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS]. The board shall administer the provisions of this chapter and comply with AS 44.62 (Administrative Procedure Act).

(b) The board consists of 11 members appointed by the governor having the qualifications as set out in AS

Sec 08.48.031. The board consists of two civil engineers, two land surveyors, one mining engineer, one electrical or mechanical engineer, one engineer from [ANOTHER] **any** branch of the profession of engineering **not otherwise represented on the board**, two architects, one landscape architect, and one public member.

(c) Notwithstanding (b) of this section, if a mining engineer who qualifies for appointment to the board and is interested in serving on the board is not available, the governor may appoint a petroleum or chemical engineer to the seat designated for a mining engineer.

Proposed change Board Composition Statute Group 1/11/2022 – Anderson, Maxwell, Rozier

Sec. 08.48.011. Board created. (a) There is created the State Board of **Design Professionals** [REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS]. The board shall administer the provisions of this chapter and comply with AS 44.62 (Administrative Procedure Act).

(b) The board consists of 11 members appointed by the governor having the qualifications as set out in AS

Sec. 08.48.031. The board consists of two civil engineers, two land surveyors, one mining engineer, one electrical, **one** [OR] mechanical engineer, **two design professionals** from [ANOTHER] **any branch of professions regulated by this board not otherwise represented on the board**, two architects, one landscape architect, and one public member.

(c) Notwithstanding (b) of this section, if a mining engineer who qualifies for appointment to the board and is interested in serving on the board is not available, the governor may appoint a petroleum or chemical engineer to the seat designated for a mining engineer.

From: [Jeff Garness](#)
To: [Neal, Sara J \(CED\)](#); [Board of AELS \(CED sponsored\)](#)
Subject: RE: CE committee notes
Date: Friday, January 7, 2022 12:29:26 PM

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

It is important to note it was not 9% of the listserve group that responded to the survey. The issue of concern is the fact that the "9% response" includes the responses from other specific groups (arguably CE-pro biased groups like professional societies) that were solicited specifically by AELS board members in order to increase the survey participation.

Jeffrey A. Garness, P.E., M.S.

AELS Board Member
Civil/Environmental Engineer
Mobile: (907) 244- 9612

From: Neal, Sara J (CED) <sara.neal@alaska.gov>
Sent: Friday, January 7, 2022 11:58 AM
To: Board of AELS (CED sponsored) <aelsboard@alaska.gov>
Subject: FW: CE committee notes

From: Elizabeth Johnston <lise.johnston@gmail.com>
Sent: Friday, January 7, 2022 11:57 AM
To: Neal, Sara J (CED) <sara.neal@alaska.gov>
Subject: CE committee notes

Sara,
Please forward my notes from today's meeting to CE committee to protect public meetings act.

The committee met:

- discussed survey responses 488 total responses
- responses garnered from opt-in list-serv notice an individual outreach
- concerns expressed on validity of pool being biased and **not representative despite the survey**

response being almost 9%

- would like to get a group e-mail of all "opt-in" licensees and resend the survey
- need to confirm we can reopen the survey to collect additional responses vs. restart which would invalidate the data pool
- decided to open the survey for 30-days if it can be reopened. If it has to be restarted we will discuss what to do at that point.

Elizabeth

From: [Elizabeth Johnston](#)
To: [Neal, Sara J \(CED\)](#); [Noe, Heather I \(CED\)](#)
Subject: Licensure Mobility 1/20/2022 meeting
Date: Thursday, January 20, 2022 2:26:33 PM
Attachments: [image.png](#)

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please forward to committee members to review per public meetings act requirements.

1/20/2022 Licensure Mobility Committee Meeting Summary

- Discussed CLARB uniform standard in order to provide committee recommendation to board. The committee in general agrees that AELS should support the CLARB uniform standard and asked Ed Leonetti to be prepared to discuss this on behalf of the committee with the board.

- Discussed Regulation project for comity application review by staff of applications (Correction to the meeting was that this would apply to NCEES, CLARB, and NCARB record-holders.) The committee recommends to AELS that a regulation project be created to make these changes as presented in the attachment. Clarifications were asked for the use of the term Executive Secretary and the Department vs. Board and those were answered to the Committee's satisfaction.

(j) Notwithstanding any other regulation, the executive secretary of the board or its designee may approve an applicant for licensure by comity only if credentials are submitted by NCEES, NCARB, or CLARB record.

**Strategic
Plan**

Code	Reference	To whom assigned	Deadline
02-2021-01		Staff	30 days post meeting
02-2021-02	2.b.	Entire committee	04/14/2021
02-2021-03	1.d.	Staff	Apr-21
02-2021-04	2.a.	Chair/Staff	Apr-21
02-2021-05	1.d.	Johnston	May-21
02-2021-06	2.b.	Bell	Apr-21
02-2021-07	2.b.	Johnston	04/28/2021
02-2021-08	2.b.	Anderson	Apr-21
02-2021-09	2.a.	Johnston	May-21
02-2021-10	2.b.	Lehman (Legislative c	Apr-21
02-2021-11	1.c.	Leonetti	May-21
02-2021-12	1.c.	Fritz	Aug-21
02-2021-13	1.c.	Anderson	May-21
02-2021-14	1.d.	Fritz/Johnston	Aug-21
02-2021-15	2.a.	Maxwell	May-21
02-2021-16	2.a.	Lehman (Legislative c	Aug-21
02-2021-17	1.b.	Outreach Committee	04/21/2021
02-2021-18	1.c.	Fritz/Rozier	
02-2021-19	1.c.	Leonetti	05/20/2021
02-2021-20	1.c.	Anderson/Garness/Leman/Wallis	
02-2021-21	1.c.	Maxwell/Bell	
02-2021-22	1.d.	Johnston	
02-2021-23	2.a.	Leman (Legislative co	Aug-21
02-2021-24	2.a.	Leman (Legislative co	see 02-2021-23
02-2021-25	2.a.	Outreach Committee	Aug-21
02-2021-26	2.a.	Investigations commit	Aug-21
02-2021-27	2.a.	Investigations commit	Nov-21
02-2021-28	2.b.	Outreach Committee	Aug-21
02-2021-29	2.c.	CE Committee	
02-2021-30	2.c.	CE Committee	
02-2021-31	2.d.	Refer to Legal	
02-2021-32	2.d.	Licensure Mobility Co	see 02-2021-31
02-2021-33	2.d.	Refer to Legal	04/23/2021
05-2021-01	1.c.	Johnston/Maxwell	Nov-21
05-2021-02	1.c.	Johnston	Feb-22
05-2021-03	1.c.	Leonetti	
05-2021-04	1.c.	Fritz/Rozier	Aug-21
05-2021-05	2.d.	Fritz	Aug-21
05-2021-06	2.d.	Staff	
05-2021-07	1.d.	Staff	
05-2021-08	2.d.	Garness	
05-2021-09	1.b.	Staff	
05-2021-10	1.c.	outreach Committee	
05-2021-12	1.c.	Guidance Manual	
05-2021-13	1.c.	Outreach Committee	
05-2021-14	2.a.	Leonetti	

08-2021-01	2.b.	Legislative Committee	Nov-21
08-2021-02	2.d.	Staff	21-Nov
08-2021-03	1.c.	Staff	21-Nov
08-2021-04	2.a.	Bob, Fred, Loren, Ed	
08-2021-05	2.a.	Randall, Jeff, Elizabeth	
08-2021-06	2.a.	Catherine, Jennifer	
08-2021-07	2.a.	Jake, Catherine, jeff	
08-2021-08	2.a.	Legislative Liaison Committee	
08-2021-09	2.a.	Guidance Manual	
08-2021-10	2.a.	Guidance Manual	
08-2021-11	2.a.	Garness	
08-2021-12	2.c.	Continuing Education	
11-2021-01	2.b.	Guidance Manual	
11-2021-02	2.a.	Jeff Garness	
11-2021-03	1.a.	Licensure Mobility Committee	
11-2021-04	2.b.	Guidance Manual	
11-2021-05	2.d.	Jeff Garness	
11-2021-06	2.b.	Guidance Manual	
11-2021-07	2.b.	Guidance Manual	
11-2021-08	1.a.	Johnston	
11-2021-09	2.a.	Randall/Jake/Jennifer	
11-2021-10	2.c.	Guidance Manual	
11-2021-11	2.d.	Johnston	
11-2021-12	2.b.	Johnston	
11-2021-13	2.d.	Staff	
02-2022-01	2.d.	Staff	
11-2021-14		Planning & Implementation	
02-2022-01		Staff	

Item Description

Draft Meeting minutes

Schedule/hold teleconference to act on proposed HB61 and prepare a name to testify on behalf of AELS.

Place travel request for May meeting (Anchorage)

Update committee assignment roster

Conduct new committee member orientation at May meeting

Randlett Design Limitations—Correspondence response due

PE Exam Eligibility—Schumacher—Correspondence response due

Glashan Practice Question (dewatering considered engineering?)—Correspondence response Due

Update language on subprofessional experience to include working as a contractor in the field.

NTSB Safety Recommendations—respond with letter to the Governor similar to August 2019—Corresponce respor

CLARB Report due (mid-year update meeting 4/7/2021)

NCARB Report Due (annual meeting 6/24-6/26)

NCEES Report Due (Western Zone Meeting)

Meet with Director Chambers on Executive Administrator position. Participate in Working Group with Division to r

Public Notice 12 AAC 36.066 Verification of Land Surveyor Work Experience

Respond to request to ease the licensing burden for military spouses

Send congratulatory letter to UA engineering and land surveying graduates.

Develop 1 outreach project and complete report. —Architecture

Develop 1 outreach project and complete report. —Landscape Architecture

Develop 1 outreach project and complete report. - Engineering

Develop 1 outreach project and complete report. - Surveying

Identify administrative tasks that the Board can assist with while a new Executive Director is selected and orientec

Complete the statutory clean-up project started in 2019.

Draft statute changes identified in 2019 in bill form, and obtain a bill sponsor.

Share investigation information with registrants, including patterns of complaints so registrants can be educated.

Improve early interventions with investigator cases to increase efficiency.

Consider disciplinary matrix for board.

Meet with architectural and engineering societies to listen to comments on legislature's proposed interior design |

Study existing continuing education problems, and draft regulation changes to address.

Develop improved CE audit reporting forms and instructions to registrants.

Identify statute and regulation changes that are necessary to empower staff to perform some level of application

Draft regulation change to accept NCEES application files.

Do joint ventures require a COA?

Attend NCEES annual meeting & create report

Attend fire marshal forum

Attend CLARB annual meeting & create report

Attend NCARB annual meeting & create report

Revisions to Architect by Comity board ballot

Review current provisions for appliction sunseting and report

Mission statement update on internal documents and ensure website is correct

We will ask specific questions of legal relating to current constraints on complaints as it relates to AELS.

Add to newly licensed letter the corporate authorization information

Prepare FAQ document

update guidance manual with how to guide to stamping and sealing documents

Outreach committee July notice

Regulation project LA direct examination approval

Review HB61 board impacts.
Update renewal form for new military/dependent waiver of fees.
Add stale and abandoned application info to FAQ.
review name of board & board composition statute language, inactive status language
review joint ventures & limited partnership language
review definitions statute language
review exemptions statute language
HB15a legislative comm. Review
Calculation sealing
"Work of Minor Importance"
Regulation project 12 AAC 36.180 - License # on stamp
Survey
update board by-laws, reference to Landscape Architect
36.180 regulation project for seals
CLARB uniform standards review
CE regulation 12AAC 36.520(5) calendar year
Correspondence: expiration of engineering records
Definition of "design" in regulation
Definition of "responsible charge" in statute
Branches of professional engineering with exams offered should be reviewed after NCEES review
Board composition statute, minimal changes for 11 member board
Guidance manual board service CEU definition
Correspondence: metallurgical experience letter
Add Coverletter to HB61 response
Limited Partnership, referred to legal
abandon applications report
Meet to develop draft Planned Actions for 2022
Comity Registration Applications Instructions under WEV - 2 example projects - see Nov 2020 board minutes

Status

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Investigatory Advisory
Guidance Manual
Outreach

Investigatory Advisory
Licensure Mobility (Chair)
Continuing Education (Chair)

Investigatory Advisory
Guidance Manual
Outreach

Investigatory Advisory
Budget
Continuing Education

Investigatory Advisory
Legislative Liason
Continuing Education

Legislative Issues
Planning & Implementation (Chair)
Investigatory Advisory
Budget

Investigatory Advisory
Continuing Education Committee
Legislative Liason
Outreach (Chair)

Investigatory Advisory
Licensure Mobility
Legislative Issues (chair)

Investigatory Advisory
Legislative Liason

Investigatory Advisory
Legislative Liason
Guidance Manual
Planning & Implementation

Investigatory Advisory
Emeritus Status

Current Issue/project

Investigatory Advisory	
Licensure Mobility	Military Spousal Licer
Guidance Manual	
Legislative Liason	Barrier Crimes & Con
Emeritus Status	all outgoing members
Planning & Implementation	ongoing tasks as note
Continuing Education	CEU forms, revisions
Outreach	Annual outreach proj
Budget	Annual report

regulatory issues?

t

asure

ditions, HB61

s are asked if they desire Emeritus status

ed in Action Follow-ups are being monitored for progress, caretakers of strategic plan and updating
to regulations

jects A/E/S

A Guide to this Report:

Three years are included for each chart to account for 2020 being substantially different from "normal" historical patterns.

The first page has line charts representing month by month figures for your jurisdiction, *giving you a sense of the overall trends*. The darkest blue line is 2021, the medium blue is 2020 and the lightest line is 2019. The quantity for the most recent month is labeled in each.

The second page has the same data, represented as a table so that you can see the exact values for each month in each year for reference. If no data shows for a given month, there were no instances of the activity in that period for your jurisdiction.

Exam Candidates

The total number of licensure candidates who have open eligibilities for testing in your jurisdiction

NCARB Record Holders

The total number of NCARB record holders who have a current, verified license on file for your jurisdiction

Exams Taken

The total number of exam divisions administered to candidates testing in your jurisdiction. Both test center and online proctored exams are included. Any invalidated exams are excluded.

Candidates Completing Core Requirements

The total number of candidates who have now completed both the experience and examination requirements for licensure. Candidates appear in the month of the second program completion, e.g. if a candidate completed the AXP in April of 2019 and the ARE in June of 2021, they would appear in June of 2021 only.

Initial Transmittals

The total number of initial licensure request transmittals sent to your jurisdiction in the given month. Any cancelled transmittals are excluded.

Reciprocal Transmittals

The total number of reciprocal licensure request transmittals sent to your jurisdiction in the given month. Any cancelled transmittals are excluded.

New NCARB Records Opened

The total number of NCARB records opened in the given month if the record holder is either testing in your jurisdiction, has a verified license in your jurisdiction or resides in your jurisdiction.

NCARB Records Renewed

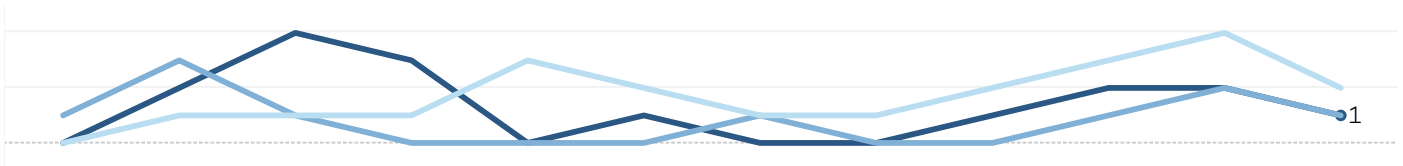
The total number of NCARB records renewed in the given month if the record holder is either testing in your jurisdiction, has a verified license in your jurisdiction or resides in your jurisdiction.

December 2021 NCARB Data for Alaska

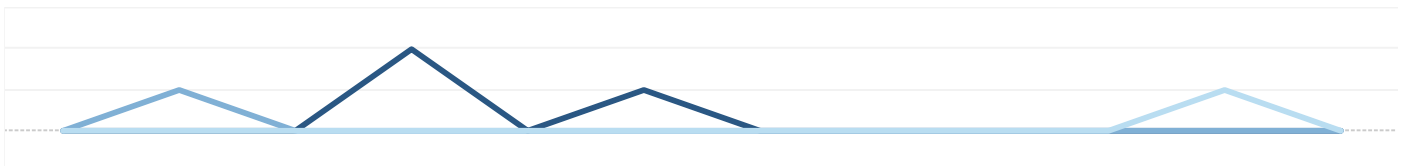
Exam Candidates
17

NCARB Record Holders
65

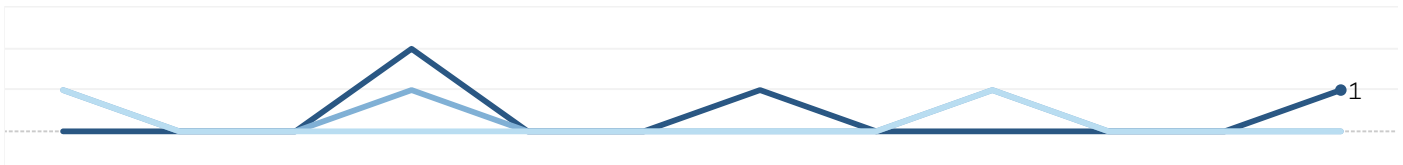
Exam Divisions Taken



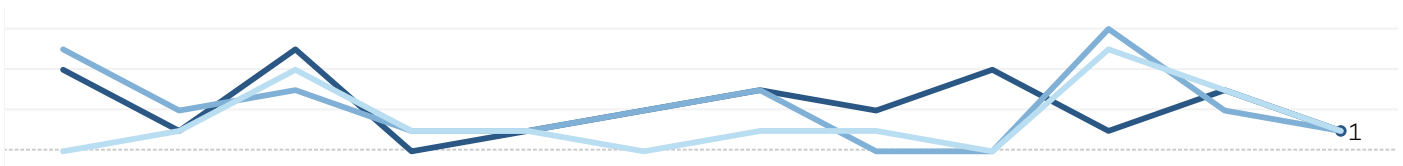
Candidates Completing Core Requirements



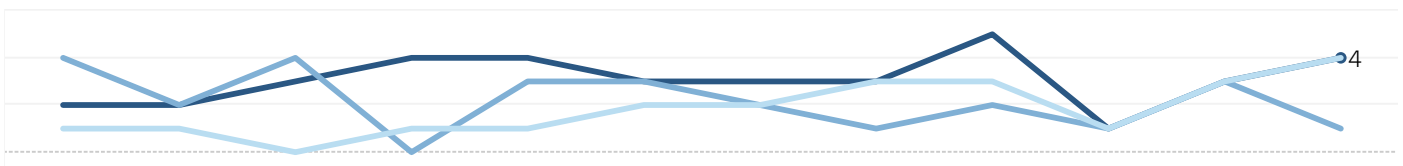
Initial Transmittal Requests



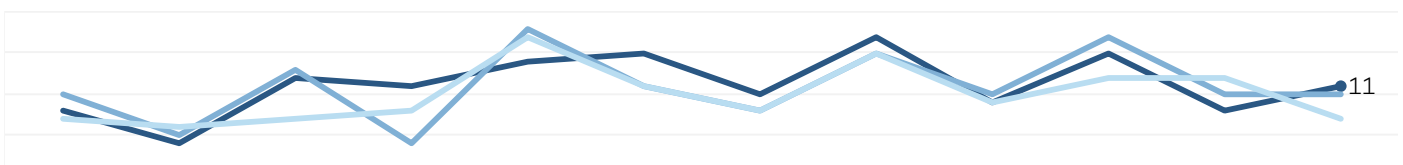
Reciprocal Transmittal Requests



New NCARB Records Opened



NCARB Records Renewed



December 2021 NCARB Data for Alaska

Exam Candidates
17

NCARB Record Holders
65

Exam Divisions Taken

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2019		1	1	1	3	2	1	1	2	3	4	2
2020	1	3	1				1			1	2	1
2021		2	4	3		1			1	2	2	1

Candidates Completing Core Requirements

2019												1
2020		1										
2021				2		1						

Initial Transmittal Requests

2019	1								1			
2020	1			1					1			
2021				2			1					1

Reciprocal Transmittal Requests

2019		1	4	1	1		1	1		5	3	1
2020	5	2	3	1	1	2	3			6	2	1
2021	4	1	5		1	2	3	2	4	1	3	1

New NCARB Records Opened

2019	1	1		1	1	2	2	3	3	1	3	4
2020	4	2	4		3	3	2	1	2	1	3	1
2021	2	2	3	4	4	3	3	3	5	1	3	4

NCARB Records Renewed

2019	7	6	7	8	17	11	8	15	9	12	12	7
2020	10	5	13	4	18	11	8	15	10	17	10	10
2021	8	4	12	11	14	15	10	17	9	15	8	11

NCARB and CIDQ Release Joint Report on Architecture and Interior Design | NCARB

12/8/21

As frequent collaborators in the built environment, architects and interior designers sometimes encounter parallels in their professions' skills and expertise. This correlation can lead to confusion and uncertainty on the part of the public surrounding practitioners' roles and responsibilities. To help address this and enable more effective collaboration and regulation, the National Council of Architectural Registration Boards (NCARB) and the Council for Interior Design Qualification (CIDQ) released a joint report exploring similarities and differences between the essential knowledge, skills, and tasks required for competency in each profession.

Key Findings

The professions of architecture and interior design, while similar in practice and required knowledge, are unique and distinct disciplines that both have an important role in protecting the health, safety, and welfare of the public within the built environment.

NCARB and CIDQ maintain similar paths in support of regulated practice, including specialized education, professional experience, and examination. The joint report compares the essential tasks required to competently practice their profession identified by recent practice analyses, as well as the objectives assessed by NCARB and CIDQ's required examinations.

Following careful research and discussion, NCARB and CIDQ identified several areas of definite similarity between the professions, as well as areas where there is some similarity or no similarity. The report provides a summary of these similarities and differences, as well as a detailed breakdown of any commonality between each task and each assessment objective.

For example, the collective team’s analysis found that 67 of the 87 tasks in CIDQ’s Practice Analysis (77 percent) reflected definite or some similarity, and 20 of the 87 tasks (23 percent) reflected no similarity to NCARB’s tasks. Additionally, 77 of the 96 tasks in NCARB’s Practice Analysis (80 percent) reflected definite or some similarity and 19 of the 96 tasks (20 percent) reflected no similarity to CIDQ’s tasks.

Additionally, the report highlights how differences in the structure and approach toward requirements impacts the study—for example, while NCARB’s tasks are often specific, CIDQ’s tend to be broader in nature. In many instances, the two professions use similar or the same terminology, which may have different meanings or application in their respective practices.

Background and Methodology

The report is the culmination of multiple years of effort, which began when NCARB’s FY18 President Gregory L. Erny, FAIA, NCARB, Hon. FCARM, created an Interior Architecture Work Group to compare “interior design” and “interior architecture” degree programs. In FY19, the work group expanded their efforts to include a comparison of NCARB and CIDQ’s most recent practice analyses. Following an initial review, NCARB’s subject matter experts invited CIDQ to collaborate. After each organization independently compared practice analyses and examination assessment objectives, the subject matter experts met to review and explore findings, ultimately identifying areas of definite similarity, some similarity, or no similarity.

Next Steps

As the regulation of interior design continues to evolve in the United States, a growing number of licensing boards jointly regulate both architecture and interior design. This report can be used to inform the public about these professions and licensing boards as they establish rules and requirements in their role to protect the public’s health, safety, and welfare.

NCARB/CIDQ Joint Report: Talking Points

Overview

- Joint report issued by NCARB and the Council for Interior Design Qualification (CIDQ)
- Assesses areas of correlation and distinction between the knowledge, skills, and tasks required for competency in architecture and interior design
- **Purpose:** Enable a better understanding of the two professions' respective roles and responsibilities when it comes to protecting the public's health, safety, and welfare
- The report does not advocate that architecture and interior design are interchangeable, should be merged, or should become more connected

Background

- An increasing number of U.S. states and territories are now regulating interior design, leading to questions about the boundary between the practices of architecture and interior design
- NCARB and CIDQ share many Member Boards, which regulate both professions

Team Members + Process

- Report was created by subject matter experts from both NCARB and CIDQ, including experienced architects and interior designers
 - All research team members are accomplished designers with a breadth of practice experience
 - Many research team members are licensed/registered as both architects and interior designers, enabling the researchers to bridge the nuances and vocabulary of both professions
- Efforts began in 2018, when NCARB's Interior Architecture Work Group was charged with comparing the most recent practice analyses for both professions
- After completing an initial review, NCARB invited CIDQ to collaborate on this effort
- Research team members followed a rigorous review process, including:
 - Independent comparison of the tasks identified in NCARB and CIDQ's most recent practice analyses and the objectives in each organization's examination specification
 - Joint analysis and deliberation over findings
 - Eventual consensus on areas of definite similarity, some similarity, and no similarity

Key Findings

- The professions of architecture and interior design, while similar in practice and required knowledge, are unique and distinct disciplines that both have an important role in protecting the health, safety, and welfare of the public within the built environment.
- The pathways to regulated practice for both architects and interior designers have the same basic requirements:

- Specialized education
 - Relevant professional experience
 - Examination of essential knowledge and skills
- In addition, NCARB and CIDQ follow a similar well-established process to determine the requirements for experience and examination
- In many instances, the two professions use similar or the same terminology, which may have different meanings or application in respective practice.
- NCARB's tasks and exam assessment objectives were typically more specific and addressed within a single practice area, while CIDQ's were often broader and addressed across phases of practice.
- There are many areas of correlation between the two professions, including required areas of competency in professional knowledge and skills that are similar, and in some cases substantially identical. But there are also many areas where the two professions are distinct.
 - For example, the collective team's analysis found that 67 of the 87 tasks in CIDQ's practice analysis, or 77%, reflected "Definite or Some Similarity" and 20 of the 87 tasks, or 23%, reflected no similarity to NCARB's tasks. Additionally, 77 of the 96 tasks in NCARB's Practice Analysis, or 80%, reflected "Definite or Some Similarity" and 19 of the 96 tasks, or 20%, reflected no similarity to CIDQ's tasks.
- Understanding these similarities and differences can help lead to more reasonable regulation and ongoing discussion between the professions

2022 MBE Workshop, Regional Summit, and Annual Business Meeting

- FY23 Board of Director Candidacy Information
- Meeting Attendee Information
- Proposing Resolutions



Edward T. Marley, NCARB, AIA, LEED AP
NCARB Secretary

This packet provides an overview of important information related to upcoming Council meetings. We hope this will assist you in planning your engagement and participation over the next several months.

Important Meeting Dates:

- 2022 Member Board Executives (MBE) Workshop: March 3, 2022, Charlotte, NC
- 2022 Regional Summit: March 3-5, 2022, Charlotte, NC
- 2022 NCARB Annual Business Meeting: June 1-4, 2022, Austin, TX

FY23 NCARB Board of Directors Nominations and Elections

Credentials Committee Chair Cathy Morrison, AIA, LEED AP BD+C, NCARB, has issued a call for candidates interested in running for the NCARB Board of Directors. Please see the enclosed **memo**.

To have your information included in the Regional Summit packet, please send your candidate statements and resume to the Credentials Committee credentials-committee@ncarb.org or the Council Relations team council-relations@ncarb.org by Tuesday, February 15.

Additional information regarding Regional Director nominations will be forthcoming from the Regional Chairs. Information regarding MBE Director nominees is available in the enclosed **memo** from MBE Committee Chair Shannon Himes.

Regional Summit and Annual Business Meeting Funding

The NCARB Board of Directors has once again committed to ensuring Member Boards can participate in important Council meetings by providing funding for up to four representatives from each Board to the 2022 MBE Workshop and Regional Summit in Charlotte, North Carolina, and the Annual Business Meeting in Austin, Texas. NCARB will continue to monitor the current health environment and review options for each meeting – and is committed including a virtual option for attendees who are not able to attend meetings in-person. Virtual attendees will not count toward the funding set aside for in-person attendees from each Member Board. In-person attendees will be available per board as follows:

- Two (2) Board Members—This is for any professional on the board
- One (1) Public/Consumer Member
- One (1) Member Board Executive

- One (1) Legal Counsel—Limited funding is available. Please contact Josh Batkin if your board is interested.

To learn more, please see the enclosed **memo** from NCARB CEO Mike Armstrong.

Proposing Resolutions: Member Boards and Regions

The process for resolutions is outlined in the *NCARB Bylaws* (Article V, Section 5). Most resolutions are developed by the Board of Directors in coordination with committees, but Regions and NCARB Member Boards may also submit resolutions for membership consideration. Draft resolutions from Regions and Member Boards are due to the Regional Leadership Committee for review no later than 75 days prior to the Annual Business Meeting (March 21, 2022).

- If Member Boards and regions would like the resolution(s) they develop to be included in official meeting materials for **Regional Summit**, resolutions should be submitted to the Regional Leadership Committee by **January 31, 2022**.

Note: This is not a requirement for the resolution(s) to be considered at the Annual Business Meeting. Member Boards and Regions have until March 21, 2022 to submit them.

Resolutions submitted by regions and Member Boards are reviewed by the Regional Leadership Committee for conformity with the *Bylaws* and other Council policies. They will also be reviewed by NCARB legal counsel to ensure the proposed changes remain in line with the laws under which the Council is incorporated. For your guidance, we have developed the following materials:

- [Resolution Development Guidance](#)
- [Resolution Structure Template](#)

After review, the Regional Leadership Committee will submit proposed resolutions to the NCARB Board of Directors for consideration. All resolutions from Member Boards and Regions will be presented to the full membership. Proposed resolutions will be available as soon as possible after the April Board meeting and no later than 30 days prior to the Annual Meeting, in accordance with the *NCARB Bylaws*.

To submit resolutions, please contact council-relations@ncarb.org.

MEMORANDUM

TO: Member Board Members
Member Board Executives
Regional Leadership
Board of Directors

FROM: Cathy Morrison, AIA, LEED AP BD+C, NCARB
FY22 Credentials Chair

DATE: January 25, 2022

SUBJECT: Nominations and Elections for the FY23 NCARB Board of Directors

As the Chair of the Credentials Committee, which is charged with overseeing elections for the NCARB Board of Directors, I am pleased to share information for those interested in seeking office on the FY23 Board which will serve from July 1, 2022, through June 30, 2023. We have made several changes to make the process of running for the Board of Directors more transparent and accessible.

The [Procedure for Election to the NCARB Board of Directors](#) includes information on campaigning and the nomination and elections process. Anyone interested in seeking office is encouraged to also review the [Bylaws](#) and the [NCARB Elected Leadership Roles & Responsibilities](#) documents as they contain information that will assist you.

The Credentials Committee is pleased to share there will be several opportunities for candidates to engage with Membership prior to the election in June at the Annual Business Meeting. In the event that we have a contested race for a position this year, we are considering holding virtual town halls for candidates to engage with membership and answer specific questions about why they are running and what they plan to do in office.

Officers and Public Director – Individuals interested in running for the officer positions of secretary, treasurer, second vice president, and first vice president/president-elect, and as public director, are encouraged to announce their candidacy and submit their candidate statements to the Credentials

**Memorandum to Member Board Members, Member Board Executives
Nominations and Elections: FY22 Officers and Public Director
January 25, 2022
Page 2**

Committee at credentials-committee@ncarb.org, or the Council Relations team at council-relations@ncarb.org by Tuesday, February 15, so that their information can be made available to attendees at the March Regional Summit (March 3-5, 2022).

Member Board Executive (MBE) Director – The MBE Director is nominated by the full MBE community. Nominations typically occur at the MBE Workshop in March with election by the full membership at the June ABM. MBE Committee Chair Shannon Himes of Ohio will issue specific information for those interested in the MBE Director position.

Regional Directors – Similarly, parties interested in running for Regional Director should work with their regional chair and executive regarding their region’s management of the process for nominating a regional director for election by the full membership at the June ABM.

Commitment Requirements for FY23 Board of Directors

Conference calls will be scheduled in August, November, and March. Those dates have not been determined yet. Calls typically last 90 minutes. Other meetings or calls can be convened at the discretion of the president. Board members also serve as liaison to a Council committee or task force, which will result in 2-3 additional meetings. In addition, officer positions have additional responsibilities that are not listed below.

New Board Member Orientation
May 2022

Pre-Annual BOD Meeting, Annual Meeting, and Post-Annual BOD Meeting
June 1 – 5, 2022

Board Meeting*
September 2022

Member Board Chairs & Member Board Executives Summit*
October 2022

**Memorandum to Member Board Members, Member Board Executives
Nominations and Elections: FY22 Officers and Public Director
January 25, 2022
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Committee Summit*
December 2022

Board Meeting*
January 2023

Regional Summit*
March 2023

Board Meeting*
April 2023

Pre-Annual BOD Meeting, Annual Meeting, and Post-Annual BOD
Meeting*
June 2023

**Final dates pending*

If you have any questions or concerns regarding campaign activities or a potential candidacy, please do not hesitate to contact me.

MEMORANDUM

TO: Member Board Executives
FROM: Shannon Himes
DATE: January 25, 2022
SUBJECT: FY23 Member Board Executive Director Position

Dear Member Board Executives:

I am pleased to announce that nominations are now open for the FY23 Member Board Executive (MBE) director position on the Council's Board of Directors. The successful candidate will serve from July 1, 2022, through June 30, 2023. Qualified and interested candidates are encouraged to submit their resume and a cover letter to me at shannon.himes@arc.ohio.gov.

Submitted materials will be included in the Spring MBE Workshop materials that will be distributed to all attendees prior to the meeting. However, candidates will have until the morning of the MBE Workshop, March 3, 2022, to declare their intent to run for the MBE Director position. At that meeting, the MBE community will nominate a candidate for election to the Board by the full membership at the Annual Business meeting, held June 2 – 4, 2022.

The MBE Director term is for a single year; an individual may serve no more than three consecutive one-year terms. A full position description for this role can be found [here](#).

For additional information regarding campaigning, nominations, and elections, please carefully review the [Procedure on Election to the NCARB Board of Directors](#).

Do not hesitate to contact me if you have any questions or comments.

MEMORANDUM

TO: Member Board Chairs
Member Board Executives

FROM: Michael J. Armstrong
Chief Executive Officer

DATE: January 25, 2022

SUBJECT: Funding Opportunities for the 2022 MBE Workshop, Regional Summit and Annual Business Meeting

As part of the Council's ongoing commitment to facilitate Member Board participation in collaborative discussions, the Board of Directors will fund Member Boards to send representatives to the Regional Summit and Annual Business Meeting. Additionally, we are excited to continue to offer funding for legal counsels supporting architectural licensing boards.

NCARB will continue to monitor the current health environment and review options for each meeting – and is committed including a virtual option for attendees who are not able to attend meetings in-person. Virtual attendees will not count toward the funding set aside for in-person attendees from each Member Board.

The 2022 meetings are as follows:

- 2022 Member Board Executives (MBE) Workshop: March 3, 2022, Charlotte, NC
- 2022 Regional Summit: March 3-5, 2022, Charlotte, NC
- 2022 NCARB Annual Business Meeting: June 1-4, 2022, Austin, TX

Additional details regarding the meetings will be forthcoming.

Funding Classifications and Eligibility

Every Member Board is eligible to receive funding to send representatives to each meeting, as follows:

- Two (2) Member Board Members – This funding is for any professional on the board
- One (1) Public/Consumer Member
- One (1) Member Board Executive

- One (1) Legal Counsel – Limited funding available. Please contact Josh Batkin at council-relations@ncarb.org if your board is interested.

Identification of members to receive funding is at the discretion of the Member Board. The region and/or the board are welcome to fund additional participants. Member Board Executives of chairs will need to complete this [electronic form](#) to submit the name(s) of the individuals selected to receive funding.

What Is Covered Through Funding?

Funded attendees will receive:

- Complimentary registration to the meeting
- Three (3) to four (4) nights' hotel stay, depending on the duration needed to attend the relevant meetings
- Roundtrip coach airfare or train fare: NCARB will reimburse you for a 21-day advance coach ticket. Please note that airfares over \$600 require prior approval from the Council Relations staff. Please contact Alicia Massey at amassey@ncarb.org for approval.
- Ground transportation to and from the airport
- Meals not already provided through the complimentary registration fee

NCARB will not cover the following expenses:

- Items of a personal nature such as laundry and movies
- Costs associated with an accompanying spouse or other guests, such as registration fees, additional airfare, meals, or increased lodging costs
- Use of a rental car—charges incurred for rental cars will not be reimbursed
- Any additional charges such as choice seating, upgrades, or flight or traveler's insurance premiums

Securing Hotel and Travel Arrangements

Member Board Members and Executives will be able to book travel to meetings through NCARB's new TravelPerk program. NCARB will make all hotel reservations for registered attendees. NCARB will reimburse for all other meeting expenses, including taxi fare and meals not included. Additional information on what will be reimbursed will be included in the meeting registration process.

Policy Regarding Reimbursement

In recent years, the Board of Directors has taken proactive measures to increase Member Board participation at Council events to ensure that every jurisdiction is well represented during important programmatic discussions. Our travel policy is designed to ensure that NCARB funded attendees will be able to attend all scheduled sessions, as appropriate.

Anyone who receives funding must adhere to clear expectations. The following statement will be provided during the registration process:

By registering to attend this event and accepting funding from NCARB for transportation and lodging expenses, you agree to attend all scheduled events (other than optional social events) unless an emergency or unforeseen conflict occurs (you must notify to NCARB as soon as the conflict becomes known). NCARB provides financial support for attending its events for the express purpose of assuring jurisdictional engagement and representation. Budgeting for these funds represents a commitment by the NCARB Board of Directors to utilize the feedback and perspective of its members in maintaining a focus on its mission.

Inappropriate absences when utilizing NCARB funding may result in no or reduced reimbursement of expenses based on the time in attendance and/or subsequent ineligibility for NCARB-funded travel.

The Council truly values your engagement and collaboration during these important discussions. This policy is intended to maximize participation by everyone in attendance. If you or your board members have questions regarding the funding policy or other matters, please don't hesitate to contact Vice President of Council Relations Josh Batkin at jbatkin@ncarb.org. Any other questions regarding funding can be directed to Council Relations at council-relations@ncarb.org.

Development of a Resolution

The process for resolutions is outlined in the organization's Bylaws (Article V, Section 5). Most resolutions are developed through NCARB committees, but they can also be submitted by regions and NCARB Member Boards. Draft resolutions from these two groups are due to the Regional Leadership Committee for review no later than 75 days prior to the Annual Business Meeting (March 21, 2022) so they can be considered by the NCARB Board of Directors at its April Board Meeting. Resolutions from committees are due to the Board by the January Board Meeting.

All resolutions, no matter where they originate, should follow the same layout. Questions about this process can be sent to NCARB's Council Relations team at council-relations@ncarb.org.

There are four main documents that are subject to the resolution process:

1. Certification Requirements (the back half of the Certification Guidelines)
2. NCARB Bylaws or other Bylaws-governed actions
 - a. The Bylaws notes several items subject to a vote of the membership such as Member Board fees and international arrangements.
3. NCARB Legislative Guidelines and Model Law/Model Regulations
4. NCARB Model Rules of Conduct

Resolution Development by Committees

Here's an overview of how a charge goes from an idea to a resolution that NCARB's Member Boards vote on at the Annual Business Meeting in June:

1. Charge Development

Each spring, NCARB's first vice president/president-elect drafts charges for each committee for the upcoming year, beginning July 1. These are developed based on:

 - a. Strategic initiatives
 - b. Priorities for the organization or the upcoming year
 - c. Recommendations from the previous year's committee

Charges sometimes specifically direct development of a resolution for Member Board consideration, but they can also arise from general discussions. At the June Board of Directors meeting, the Board of Directors reviews and approves the final charges to be issued.

Committee Collaboration

Resolutions often relate to the purpose of several NCARB committees. The respective chairs lead cross-committee discussions to maximize opportunities for collaboration during the development process. Additionally, resolutions are usually discussed during Committee Summit with multiple committees for initial feedback to inform the Board of Directors.

Charges that may lead to resolutions are the top priority for each committee. Work related to these charges is tackled early to allow maximum time for Member Boards to review draft resolutions in preparation for Regional Summit and the Annual Business Meeting.

Formation of a Resolution

Once the appropriate committee(s) have reached consensus on a clear direction of action to be taken, the staff liaison(s) will assist in drafting the resolution language and accompanying statement of support with NCARB's legal counsel. Resolutions follow a specific template that includes the purpose of the resolution, rules for passage, what the proposed changes are (with underlines used for new text and strikeouts used to show information being removed), an effective date, a sponsors' statement of support, the financial impact, and list of advocates.

The committee reviews, provides feedback, and approves the resulting draft. Committee members will be listed as advocates for a resolution in which they took part in developing.

Draft Resolutions

At the January Board of Directors Meeting, the Board reviews proposed resolutions from the committees and determines which resolutions they would like to move forward to the membership for consideration. These resolutions are still considered drafts and are shared with Member Boards so they can provide feedback at the Regional Summit each spring.

Regional Summit

The NCARB secretary provides a brief overview of each resolution during a plenary session at the Regional Summit. Clarifying questions and discussion take place throughout Regional Summit to provide feedback to the Board of Directors for consideration as resolutions are finalized.

Resolutions to be Acted Upon at the Annual Business Meeting

At the April Board of Directors Meeting, the Board votes on whether to move a resolution forward to the Annual Business Meeting. On occasion, the Board may decide to put forth a resolution that did not receive a majority of Board support. Resolutions proposed by Committees that are not moved forward by the Board will not be considered at the Annual Business Meeting.

According to the NCARB Bylaws, resolutions must be released to Member Boards at least 30 days before the Annual Business Meeting (May 5, 2022), but they are generally available within a week of the April Board meeting.

Voting

At the Annual Business Meeting, Member Boards will have additional opportunities to discuss the resolutions put forward. NCARB follows Robert's Rules of Order to govern the voting process in addition to the information included in the Bylaws.

The secretary introduces each resolution in a plenary session at the ABM. The first vice president/president-elect, serving as presiding officer of the session, then moves each resolution forward and asks for a second from the floor. Then, the floor will be open for discussion and the membership may ask questions, debate, or offer amendments for consideration. Amendments will need a second from the floor.

If an amendment is presented, action must take place on the amendment before action may be taken on the resolution. Any offered amendments will require a simple majority of Member Boards present to pass. After all discussion, the first vice president will call for a vote on the amendment. If the amendment passes, the amended resolution is moved and seconded, and further discussion may occur. If the amendment fails, the original resolution is put back before the membership for consideration.

Resolutions will either require a two-thirds majority (37 votes) or an absolute majority (28 votes) of Member Boards to pass.

- a. Two-thirds required: NCARB Bylaws and other Bylaws-governed actions
- b. Absolute majority: Certification Requirements, NCARB Legislatives Guidelines and Model Law/Model Regulations, NCARB Model Rules of Conduct
- c. Simple majority of those present: Amendments to resolutions

Implementation

Changes voted on in resolutions will be made in accordance with the effective date noted in the resolution, which will vary. Implementation efforts range from document updates to systems development.

Resolution Development by Regions and Member Boards

Each region or Member Board have their own process for developing resolutions for consideration by NCARB membership.

According to the NCARB Bylaws, resolutions that originate from a region or Member Board are due to the Regional Leadership Committee 75 days prior to the day at the Annual Business Meeting it will be considered (usually Saturday). In FY22, the deadline to submit potential resolutions is March 21, 2022.

The Regional Leadership Committee will review resolutions for conformity with the Bylaws and other Council policies. They will also be reviewed by NCARB legal counsel to ensure the proposed changes remain in line with the laws the Council is incorporated under.

After review, the Regional Leadership Committee will submit the proposed resolution to the NCARB Board of Directors for discussion. The Board will vote on the resolutions and move them forward to NCARB membership for consideration and debate. Unlike resolutions submitted through the committee process, resolutions from regions and Member Boards will be moved forward to membership even if they are not supported by a majority of the Board of Directors. Resolutions will be available as soon as possible after the April Board meeting and no later than 30 days prior to the Annual Meeting, in accordance with the NCARB Bylaws.

To submit resolutions, please contact council-relations@ncarb.org.



1900 Reston Metro Plaza
Suite 600
Reston, VA 20190
571-432-0332
www.clarb.org

TO: Member Board Executives

FROM: Andrea Elkin
PMO Manager

RE: Letter of Delegate Credentials for the April 2022 Special Meeting

With regard to board delegation and voting rights, Article VI, Section 3 of CLARB's Bylaws state:

"Each member board is entitled to be represented at CLARB meetings. As many delegates as are able to attend may represent a member board, but only one (1) vote may be cast on each motion for each member board by its credentialed delegate. A letter of credential from the delegate's board shall identify the voting delegate attending the annual meeting or any special meeting of CLARB. The credentialed delegate must be a member or staff of the member board."

The credentials letter should be filled out by a Member Board Executive or officer of the Member Board. The credentials letter should designate the Member Board Member, Member Board Executive, or Member Board Staff Member who is/are eligible to cast your Board's vote. Only one vote per Member Board per motion may be cast.

You may submit your credentials to CLARB by emailing the filled out credentials letter to: Andrea Elkin (aelkin@clarb.org) by Tuesday, April 19.

If you have any questions about any of these procedures, please let me know.

ACE/Attachment: Sample credentials letter for reproduction on Board letterhead

DATE: _____

TO: CLARB Board of Directors

FROM: _____

(Member Board)

RE: Letter of Delegate Credentials for April 2022 CLARB Special Meeting

In accordance with Article VI, Section 3 of the Bylaws of the Council of Landscape Architectural Registration Boards, the CLARB Member Board indicated above has designated the following member(s) as its delegate(s) to the CLARB Special Meeting April 20, 2022.

We understand that delegates are eligible to vote on behalf of the Member Board on all business matters and that only one vote per Board per motion may be cast regardless of the number of delegates present.

NAME	POSITION
Ed Leonetti	Member Board Member
_____	_____
_____	_____
_____	_____

In addition, the following representatives will be in attendance:

Signed by: _____

Name

Title

Alaska Board of Registration for Architects, Engineers, and Land Surveyors

Motion & Roll Call Sheet

Made by: _____

Date: _____ Time: _____

Seconded by: _____

MOTION: I move that it be resolved to APPROVE the following list of applicants for registration by comity and examination with the stipulation that the information in the applicants' files will take precedence over the information in the minutes.

PASSES UNANIMOUSLY? Yes ___ No ___

PASSES by ROLL CALL? Yes ___ No ___

Roll Call Vote	Yes	No	Abstain
Anderson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fritz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Garness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Johnston	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leonetti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maxwell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rozier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wallis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Amendment by: _____

Alaska Board of Registration for Architects, Engineers, and Land Surveyors

Motion & Roll Call Sheet

Made by: _____

Date: _____ Time: _____

Seconded by: _____

MOTION: I move that it be resolved to **CONDITIONALLY APPROVE** the following list of applicants for registration by comity and examination with the stipulation that the information in the applicants' files will take precedence over the information in the minutes.

PASSES UNANIMOUSLY? Yes___ No___

PASSES by ROLL CALL? Yes___ No___

Roll Call Vote	Yes	No	Abstain
Anderson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fritz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Garness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Johnston	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leonetti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maxwell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rozier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wallis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Amendment by: _____

Alaska Board of Registration for Architects, Engineers, and Land Surveyors

Motion & Roll Call Sheet

Made by: _____

Date: _____ Time: _____

Seconded by: _____

MOTION: I move that it be resolved to find the following list of applicants for registration by comity and examination INCOMPLETE with the stipulation that the information in the applicants' files will take precedence over the information in the minutes.

PASSES UNANIMOUSLY? Yes___ No___

PASSES by ROLL CALL? Yes___ No___

Roll Call Vote	Yes	No	Abstain
Anderson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fritz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Garness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Johnston	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leonetti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maxwell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rozier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wallis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Amendment by: _____

Alaska Board of Registration for Architects, Engineers, and Land Surveyors

Motion & Roll Call Sheet

Made by: _____

Date: _____ Time: _____

Seconded by: _____

MOTION: I move to DENY the following list of applicants for registration by comity and examination with the stipulation that the information in the applicants' files will take precedence over the information in the minutes.

PASSES UNANIMOUSLY? Yes___ No___

PASSES by ROLL CALL? Yes___ No___

Roll Call Vote	Yes	No	Abstain
Anderson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fritz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Garness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Johnston	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leonetti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maxwell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rozier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wallis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Amendment by: _____