

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

MINUTES OF THE MEETING
February 12th and 13th, 2020

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 on Wednesday, February 12 and Thursday, February 13, 2020 at KPB Architects, 500 W. L St., in Anchorage.

1. Call to Order/Roll Call

The meeting was called to order at 9:04 a.m.

Board members present, constituting a quorum:

Jennifer Anderson, Civil Engineer
Catherine Fritz, Architect
Dave Hale, Land Surveyor
Elizabeth Johnston, Electrical/Mechanical Engineer
John Kerr, Land Surveyor
Jeff Koonce, Architect (Chair)
Colin Maynard, Civil Engineer
Eric Milliken, Public Member
Bill Mott, Chemical Engineer, Metallurgical and Materials Engineer
Luanne Urfer, Landscape Architect
Fred Wallis, Mining Engineer

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

Alysia Jones, Executive Administrator (in-person)
Sara Neal, Licensing Examiner (in person)
John Savage, Investigator (in-person)*
Sara Chambers, Division Director (remote)*

*Attended portions of the meeting

The following members of the public attended portions of the meeting:

Brian Robertson (NCEES)

The board introduced themselves to the new board member Eric Milliken

2. Mission Statement

The Chair read the Board’s mission statement into the record:

The Board adopts regulations to carry out its mission 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 practices meet minimum standards of competency, and maintain such standards during their practice;*
- *Requiring licensure to practice in the State of Alaska;*
- *Enforcing both the licensure and competency requirements in a fair and uniform manner.*

3. Review/ Approve Agenda

The Board reviewed the meeting agenda.

On a Motion duly made by Elizabeth Johnston, seconded by Colin Maynard and approved unanimously, it was RESOLVED to approve the agenda as presented.

4. Review/ Approve November 7 and 8, 2019 Meeting Minutes

On a Motion duly made by Colin Maynard, seconded by Elizabeth Johnston and approved unanimously, it was RESOLVED to approve the minutes of the November 7 and 8, 2019 meeting.

5. Ethics Reporting

No Board member had anything to report.

6. Licensing Examiner Report

Neal reported the renewal numbers and the approximate revenue made from the late penalty being instated for this renewal period. Johnston was curious as to how many registrants had to call in for web authorization codes. Both Neal and Jones reported that they had given out several over the phone with the majority of the requests going to the front desk. Jones explained that because of the change in the online renewal system through MyLicense, this was the only time that a web authorization code would be needed. Jones reported the current renewal numbers. As of 2/12/2020, there was a 94% individual renewal rate and an 84% firm renewal rate. Kerr would like to see the renewal rate by discipline so as to be able to track it if there is a decline in any certain discipline. Johnston inquired as to the possibility of running a report that listed by firm when all responsible charges had renewed so then firms could be reminded to renew. Jones indicated that this was a possibility. Kerr was also wanting to see how many licensees by discipline retired his or her license.

APPLICATIONS TO BE REVIEWED:

FIELDS OF PRACTICE/DISCIPLINE	COMITY		EXAM		FIELDS OF PRACTICE/DISCIPLINE	COMITY		EXAM	
	2019	2020	2019	2020		2019	2020	2019	2020
AGRICULTURAL	0	0	0	0	METALURGICAL & MATERIALS	0	0	0	0
CHEMICAL	0	0	0	3	MINING & MINERAL	0	0	0	0
CIVIL	10	15	16	26	NAVAL ARCHITECTURE & MARINE	1	0	0	0
CONTROL SYSTEMS	0	1	0	0	NUCLEAR	0	0	0	0
ELECTRICAL	8	4	3	5	PETROLEUM	0	0	0	0
ENVIRONMENTAL	0	0	0	1	STRUCTURAL	6	3	2	2
FIRE PROTECTION	0			1	ARCHITECT	7	10	1	0
INDUSTRIAL	0	0	0	0	LANDSCAPE ARCHITECT	0		1	1
MECHANICAL	4	2	3	8	LAND SURVEYOR	3	4	5	3
					TOTAL	39	40	31	46

TASK: Staff – run renewal rate and retire license request report by discipline and check on possibility of a report that staff could use to remind firms to renew once one responsible charge from each discipline renewed.

7. Investigative Report

The Chair invited AELS Investigator John Savage to speak. There have been a fair amount of “Yes” answers on the renewals which has caused Savage to be busier than normal. Savage has talked to the Chief Investigator about training someone to be a back-up for him. Savage expressed his gratefulness for Maynard, Mott, and Hale and appreciated being able to call on them for information and asking them to help with reviews. Johnston mentioned that she had given out several of Savage’s business cards. Savage said that attending the fire marshals’ forum is invaluable as he can remind them of the AELS Statutes and Regulations and what services he as an investigator can provide for them. Fritz asked for clarification on the meaning of having a license application problem as a violation. Savage explained that he investigates “yes” answers on initial applications. Savage expressed frustration over people contacting him via the website as the contact form and the complaint form are so similar that it causes confusion. Savage would much rather have people call him so he can vet out concerns versus complaints. Maynard inquired about the outstanding AG issues. Savage said they would be cleared by the next meeting.

8. Correspondence Sent

A. Response RE: CE vs. EE – Koonce explained what part of the care of traffic signal systems falls under civil engineering and what would fall under electrical engineering. If this person wants to stamp all aspects of a complete roadway lighting and signal design than both a civil engineering and electrical engineering license would be needed

B. Letter to Governor RE: NTSB Request-In response to NTSB’s request to remove the industrial exemption for the design of natural gas pipelines in Alaska. Koonce explained the history of why that exemption was in place. The AELS Board supports the registration of those designing gas and oil pipelines as their failure could cause significant harm to the public safety, health and welfare.

C. Drone Services (Unofficial) Based on the information provided, the Board clarified that land surveying is based on activities not accuracy. While drones themselves are not regulated by AELS, the activities or the data acquisition they do could be. Orthoimagery and mapping in support of project planning or project development does fall under the definition of Land Surveying.

9. Correspondence Received.

A. CE Feedback – Maynard responded to the feedback regarding wanting management courses to be approved for CEs. He felt like if it was a course on how to manage your project better for the health, safety and welfare for the public than it would be accepted, but if it was just on how to manage your business better than it would not be approved. Johnston brought up her concerns regarding the lack of requirements on refreshing arctic skills. Registrants are required to take an arctic course before licensure but then never have to review and or refresh their knowledge on working in an arctic environment. Johnston suggested that at least 1 hour of CE per 2-year renewal cycle have to be dedicated to an arctic course of some kind. Fritz added that she thought all the points made in the feedback were valid, but the board was already aware of all the points that were made. Fritz said her, Jones and Johnston were looking into changing the CE reporting form and because of the regulations it was a bigger project than first thought.

B. SE I and II not equivalent to SE 16 – Maynard is not sure if applicant is correct in saying that the SE I and II counts towards Model Law with NCEES and will look into it. Maynard acknowledged that this issue is being changed through the current regulation project.

TASK: Maynard writing a response.

10. Old Business

A. Review of November 2019 Meeting To Do List –

Jones shared that she had not reviewed the by-laws, but had gone through and marked for review the issues for discussion in the statutes and regulations. She informed the Board that she and Neal had met with Senior Assistant Attorney General Harriet Milks to ask for clarification on the statutes and regulations pertaining to the question the Board had on the firms. Jones will share those findings during the regulations project discussion in tomorrow's meeting.

Jones has submitted the letter concerning the NTSB to the governor's office but has not received any response or follow-up.

Fritz said that her and Johnston had not been able to complete revising the CE Report Form and they ran into issues with regulations and policies that will be discussed during tomorrow's regulation project agenda item.

Jones is working on the update from the Arctic outreach done during the November 2019 meeting. She also responded to the applicant inquiring about the combined exam and whether or not that would be acceptable to apply for the discipline of Control Systems. The combined exam is acceptable for electrical engineer but not for control systems.

Koonce inquired about the travel summary and specifically regarding the request to meet in Juneau. Jones replied that it had not been submitted because of the affect it would have had on other programs. If the AELS Board had met in Juneau other boards would not have been able to meet due to the budget shortfall. Maynard pointed out that the legislature gives two lump sums – one for the operation of the division and one for travel to be shared division wide. Maynard said that if the Board meets in Juneau or Fairbanks it is \$4000 more than if it meets in Anchorage. Since AELS has the funds, Maynard pointed out that the AELS board should be able to travel to Juneau at least once a year. Maynard hopes that the legislature will raise the amount given to travel recognizing that as a division it is our fees that pays for the travel. The hope is that each board would have its travel approval based on whether they had the funds to cover it instead of based on what is left in the travel lump sum that the legislature approved.

Jones shared that once the regulation project is completed she will forward those on to the regulations specialist. She did update the Application Review Policies by adding some things, but it is still a working draft. She did review the Board Policies and Information Packet that will be reviewed during tomorrow's meeting. Jones sent the Strategic planning session notes from the Nov 2019 meeting to the Board.

Koonce inquired about American Society of Interior Designers (ASID). Jones informed the Board that ASID had drafted a bill but it was not ready to submit.

TASK: Jones to complete the notes from the Arctic outreach during the Nov 2019 Board meeting.

B. Continuing Education Audit Form – the form needs to be updated prior to the audit letter being sent out. Fritz pointed out that the problematic aspects of the form need to be identified. Johnston said that the form is not fillable. Maynard pointed out that until the regulations have been reviewed and changed there

are things that cannot be addressed for the form for this upcoming audit. Koonce asked the Board to look at the form and be ready to discuss the changes needed during the discussion tomorrow.

C. Land Surveyor Education Requirement-Kerr informed the Board that there has been no activity. NCEES does have an education audit that would qualify.

11. Division Update –

A. FY 20 2nd Quarter – Jones noted that the expenditures for personal services will go down because of staffing changes. Jones is no longer charging all of her hours to AELS. Jones pointed out that the new form breaks out personnel service from investigative charges, as well as showing direct AELS costs and indirect costs that include travel services and shared services. Jones said it will be interesting to see how much funds the newly instated late fee adds to the AELS income. As of 12/31/2019, AELS had a 94% renewal rate so any individual and firm renewing during the remaining registration period of 2020-2021 will pay the \$50 late fee.

Mott inquired as to why the indirect costs have increased so much. Johnston pointed out that the concern lies in the ratio change direct versus indirect cost has increased so much since 2018. Hale said to compare it in a biennium and the costs even out more and the formula for calculating indirect costs had changed to which Jones agreed. Maynard also added that there has been a change in direct costs in that there used to be 5 investigators which added to the direct costs.

TASK: EA to Milliken- Why has the indirect cost gone up from 45% of total costs in 2014/15 to the current 80% of total costs?

B. PL Reform Bill (SB157/HB216). A bill introduced by the governor's office has a section in it that pertains to licensing. Maynard informed the Board that the bill wants staff to be able to issue 180 -day licenses for an applicant from another state that has similar requirements to Alaska's requirements for licensing without having to go before the Board for approval. Maynard does not want AELS to be included in that section as AELS has requirements such as the AKLS and the Arctic course that no other state has. The bill already exempts Big Game Guides and Marine Pilots and Maynard would like to ask that AELS be exempt as well. Johnston pointed out that this closely mirrors the Military Spouse legislation. Mott said he understood if we waived fees for the military spouses but they needed to be just as competent in his or her given profession as other applicants. Johnston replied that it was more for professions that required the same skillset regardless of where a person lived i.e. nails/hair. Maynard said that the military spouse bill said "the Boards may grant" but SB157 says "the Board will grant." Maynard said that after the changes have been made in the AELS statute and regulations, he is agreeable to having staff being able to approve comity licensees that have met all of Alaska's requirements including the arctic course and the jurisprudence questionnaire. However, if an applicant comes in from another state without those requirements he or she should not be issued a license. Kerr added that he thinks the Board should support this bill in a qualified way saying that the Board would be failing its mission if it granted temporary licenses. Hale asked the question regarding if someone wanted to come up and work in Alaska for one job. Fritz says the Board should consider a way to quicken licensure by responding to this bill and saying that the Board would be willing to review this and possibly offer through OnBoard application review a quicker path to licensing for applicants who meet all the requirements. Fritz also suggested that AELS offer a welcome packet of information for applicants with the information that lets them know of the arctic requirement, of upcoming classes so as to show support to the applicant. Mott asked about the possibility of having staff grant temporary licensure and having the Board confirm it during the next Board meeting. Maynard said that it would once the statutes and regulations change. Johnston suggested leveraging the momentum coming down from the governor's

office by offering temporary licensing with as much as AELS feels comfortable with. Maynard brought up that the Board can offer an amendment to this bill that adds AELS to the section that excludes AELS from having to issue temporary licenses but will grant staff the ability the license an applicant if they have met all requirements including the arctic course, the jurisprudence questionnaire, and the AKLS if applicable. The Board could try and change the Statute through the amendment to this bill. Johnston asked if AELS would have to have a sponsor to which Maynard replied that AELS would need someone to propose the amendment. Maynard suggested that AEDC sponsor it which would mean that the Board get AEDC the amendment in writing with language the Board is comfortable with. Maynard says the bill has not had a hearing yet and if it does not have a hearing before May 1, 2020, then it will wait till next session. Jones reminded the Board that the language in the current statutes says the Board can assign tasks to staff but staff is not the Board designee to approve applications. Jones said that there are examples from other programs within the division that give the staff the authority to approve temporary licenses. Mott said that is closer to what other states do. Koonce said that the Board has looked at that but the statutes and regulations do not allow for that. Koonce asked Maynard if he was proposing to make a modification to attach to SB 157. Maynard said that the AELS Board could show support for this bill but be out from under the 180-day temporary license for similar comity licensees by adding the section that the Board wants to adopt regulations for preliminary approval by staff members of applicants that meet the requirements of the Board per the regulations. No requirements would be in the statutes so that the Board could modify it as necessary. Johnston inquired if Director Sara Chambers knew about the AELS issues to which Jones replied that Chambers did know as well as Sharon Walsh and both have a carbon copy of the mark-up the Board had done on the statutes and regulations and are aware of the work the Board has done, not to allow for temporary licensure, but to allow staff to approve applicants based on a certain criteria. It does not change the requirements for licensure. Maynard suggested getting this statute change attached to SB157 so that it would possibly go through this year. Mott expressed concern about not having leverage for discipline if someone was granted the 180-day temporary license came up and completed a job and then left. Fritz pointed out that the architects through NCARB have a system in place where boards do not need to review an architect with an NCARB record as NCARB has verified all requirements. The Board would only need to review applications with a “Yes” response. Fritz stated that she does not think it needs to be temporary if it is a straightforward application. Hale brought up the issue of sealing documents with the 180-day temporary license. Kerr asked the question as to why an individual would need a temporary license. If the individual was going to start a business, would it be in the public’s best interest for someone with a temporary license to be offering AELS services? Johnston brought up the November 2018 earthquake and how after it there was an emergency need for architectural and engineering services from out of state professionals, but because there is no provision for a fast track or temporary licensure that was not available. Hale stated that this was more about serving the applicant and not protecting the public which is the Board’s role. Maynard concluded that temporary licenses are not in the public’s best interest, but the Board will do what it can to speed up the licensing process by giving the staff the ability to approve an architect with an NCARB certificate or a MLE Engineer from another state that has met the arctic requirement and passed the Jurisprudence Questionnaire for licensure. Kerr wanted to ensure that this is not based on the military spouse license allowance to which many responded that it is not. Fritz said she would prefer to speed the licensing process up by giving staff the approval, through statute changes as opposed to license applicants who meet the Board defined requirements as opposed to the Board trying to review applications through OnBoard. Koonce pointed out that many states are doing this.

On a Motion duly made by Colin Maynard, seconded by Elizabeth Johnston and approved unanimously, it was RESOLVED to ask the legislature to amend SB157 by removing the AELS

Board from Section 2 and add a section granting the Board the authority to grant staff the ability to approve licenses for applicants who meet AELS Board licensing regulation requirements for comity.

Koonce inquired of Jones if this was something that Director Chambers would help with to which Jones replied that Chambers would help. Fritz would like Chambers' input to know if there is a problem and Kerr would like to know what Chambers' opinion is about AELS exempting its disciplines from the bill. Jones responded that Chambers is open to working with each program and understands that there are variations within each. Jones recommends that the AELS explain in detail to Chambers why requirements such as the Arctic course are in place. Kerr asked Jones if the Board should communicate with Chambers within the next two days of its intentions with regards to SB157. Maynard said the Board should write a letter to the legislature explaining AELS would like to be exempt for the 180-day temporary license but would like to support the bill by granting staff the ability to approve comity applicants who meet the requirements. Milliken pointed out that the governor is proposing this bill to support de-regulation and inquired if it was that big of difference having to work with permafrost and also how ANCSA impacts land surveying. Kerr responded by saying that ANCSA is a set of rules about how land can be treated. There are restricted native allotments in Alaska and what people can do with it and where the boundaries are. As a land surveyor in Alaska, there is a need to know and be able to identify where the boundaries are. Hale added to that by saying that it is a boundary law issue. Every state has its own boundary laws and Alaska has a very unique boundary law situation. Kerr said there are many federal laws in Alaska regarding boundary laws that are nowhere else in the United States. Understanding those laws is critical as a land surveyor in Alaska. Mott stated that even as a chemical engineer he needs to take into consideration arctic issues as the knowledge of arctic issues is needed in each discipline in Alaska. Milliken thought it would be important to communicate to the governor's office that the reason for the Board's request for exemption was for the public's safety and welfare. Koonce asked Maynard if he would take on the task of writing the letter. Chambers joined the meeting through video-conferencing to address the Board's questions. Maynard told Chamber that the AELS Board feels like AELS is similar to the Big Game Guides and Marine pilots in that a person cannot be licensed without meeting the AELS requirements such as the Arctic course and the AKLS. The AELS Board would like to be removed from the bill but does understand that the governor would like the Board to speed up the licensing process. The Board would like to grant staff the ability to approve comity applicants who meet the requirements but that involves a statute change. Chambers said that it sounds good and recognizes that professionals working in Alaska need to be fully trained to be able to handle any situation that may occur. The bill is just a conversation starter and Chambers supports the AELS Board be exempt from this bill if it can identify ways to speeding up licensure. Chambers supports changing the statute to allow for staff to approve licenses. Chamber brought up other ways such as more readily available Arctic courses and having the AKLS offered more than once a year that could speed up licensure. Johnston asked if the quickest way to get the statute changed was to add it on to the bill or to do it separately. Chambers responded saying that anything that shows the Board and the Division are working together would be appreciated. Chambers would like to try and add the statute to the bill to pave the way for other boards. Maynard said that the Board would write a letter to Chambers. Chamber asked that if the Board sends a letter for her to take to the committee it should articulate a solution. Fritz asked if there was discussion around ancillary because the AELS Board sees their requirements as core not ancillary. Chambers said this would give the department the ability to adopt regulations and knows that there will be some divisions that are as pared down as possible and others, like AELS, that can streamline the licensing process. Chambers' vision is that if the legislation happens it gives the department the responsibility to adopt regulations to create temporary licenses and will give way to conversation with all

21 Boards to come to an agreement in a public process on what that looks like. Koonce said that the Board would have a letter to Chambers today or tomorrow. Jones said she would also send the motion to Chambers. Chambers left meeting.

12. Application Review Reminders – Jones said that she had added the Board’s comments to the *Application Review Policies* and *Board Policies and Historical Information*. Jones thought it might be helpful to organize it by Architects, Engineers, Land Surveyors and Landscape Architects. Jones did point out though that some of it applies to all professions. Jones thought it would be helpful to remind the applicants that the 5-year education award is only given to applicants who have an ABET BS in his/her discipline and a Masters in the discipline. With regards to the foreign degree, Jones added the comment that the Board approved degrees from schools included in the Washington Accord.

13. Public comment (no one from the public attended or called into the Board meeting)

14. CE Audit Document Johnston would like to propose that if the Board modified its form to be similar to the NCEES CPC form the registrant could print the form out from NCEES without having to have a paying account. It allows the user to upload the classes he/she has taken. It has the fields date, provider, instructor, area (each jurisdiction can have its own pull down), online, face to face, and description. Johnston said Board could make its own form or instruct audit registrants that he/she to use the NCEES form. Board could add Health/Safety/Welfare checkbox. Johnston said the Alaska definition of HSW could be added. If the registrant did it on NCEES, he/she could have NCEES transmit it to aelsboard@alaska.gov. If the registrant does it on the paper form, he/she could send it in. The CPC registry is free but there may be a fee to transmit. Hale asked if a person could upload a sign-in sheet which Johnston said it could. This form would take the place of the current AELS CE Audit document Page 2. Jones said letter will not be sent out until the form is ready and available on the website. Fritz pointed out that non-engineers could set up an NCEES record. Jones confirmed once documentation has been submitted, staff would count them to ensure there are 24 hours before bringing them to the May Board meeting. Staff would fill out the cover sheet. Fritz asked about AIA tracking which accepts a blend and does not track HSW. Johnston said he or she could upload the AIA info to the NCEES form. This is not a mandatory form for a registrant to use as the regulations do not specify a certain form it just specifies the information required. Fritz is concerned that AIA does not have the required information and does not want them to have to use NCEES. Fritz wondered if AIA could add Alaska required fields. Koonce concluded by stating the options for the registrants selected for the CE Audit: go to AELS website and click the link for the NCEES form and AIA or download and complete the fillable form. Koonce inquired about the audit process. Jones said she has the names for the audit, but has not sent out the letter yet. Once the letter goes out, the registrant has 30 days to respond. Staff reviews submittals – if registrant does not have 24, his/her submittal is sent to Marilyn Zimmerman. If registrant does have the required 24 hours, staff will submit to the Board for review. Koonce asked if Jones had the ability to review the submittals that come from NCEES or AIA and only send the Board the ones that do not come from NCEES and AIA. Fritz asked that this not happen due to staffing issues. She said that the Board said they would do this audit review. Johnston thought that this process of reviewing the CE audit documentation would force the Board to look at the regulations. Jones recommendation would be that the Board reviews the CE audits individually and only discuss ones with issues with the whole Board as this would ensure each Board member would gain a better understanding of what is being submitted which would help in updating the regulations. Fritz suggested a presentation on how to do this before the review. Johnston proposed building into the form the capability to not let it be submitted if the registrant does not have the required 24 CE hours.

TASK: Johnston and Jones create a fillable form like the NCEES CPC form. Jones to modify the cover sheet.

The board recessed for lunch at 12:30 pm.

The board reconvened at 1:31 p.m. Roll call, all present, except Erik Milliken excused by the Chair.

Went back to 11 (B) SB157 – Board review of Letter to Director Sara Chambers

Maynard drafted a letter for the Board to edit and review for Director Chambers to take to the committee for SB157 on Friday. SB157 allows the Division of Corporations, Business and Professional Licensing to grant temporary licenses to individuals in another jurisdiction that has “substantially similar” or more stringent requirements as Alaska. In the interest of public safety, the AELS Board is asking Chambers to excluded engineers, architects, land surveyors and landscape architects from this bill.

Alaska requires architects, engineers and landscape architects to pass a course in Arctic engineering which prepares them for practicing with the complexities, challenges and standards in cold and remote environments. Land surveyors are required to take a state-specific survey exam that covers those Federal and State laws that are unique to Alaska such as the Native Land Claims Act. Requirements of other jurisdictions are not “substantially equivalent” to the arctic engineering requirement and land surveying exam requirement that are core to the AELS mission of protecting the health, safety and welfare of Alaskans.

The AELS Board requests that AS 08.48 be added to the list of exclusions in Section 2, paragraph (d). However, the Board would like to offer an alternative option for streamlining the comity licensure process by adding a section to the bill that allows the Board to grant its staff the authority to provisionally approve comity applications that meet all the AELS requirements. These application approvals would be subject to ratification by the Board at their quarterly meetings. The Board’s suggested language is as follows:

Sec. 08.48.011(d) If this chapter authorizes a designee to perform a duty, the board may designate a single board member, the executive secretary, or another employee of the department.

Sec. 08.48.101

(7) designating an individual to issue a provisional comity license to applicants whose record shows that they meet all the requirements established under this chapter.

15. Application Review

The board reviewed 86 applications for registration including 46 by exam and 40 by comity.

The board also re-reviewed 5 applications for registration that included appeals and/or requests. It was decided that an applicant must finish coursework before he can sit for the Alaska Land Surveyors Exam (AKLS).

16. Recess for the Day

The Board recessed for the day at 5:00 p.m.

17. Reconvene Meeting / Roll Call

The Board reconvened at 8:19 a.m. on Thursday, February 13, 2020. Roll call, all present except Jennifer Anderson excused by the Chair.

18. Application Review Continued.

A. Applications requiring FULL Board review.

Urfer brought before the Board a Landscape Architect who was short one month of experience on her mentor form. Urfer requested of the Board to do a mail ballot vote once the experience was verified so applicant could sit for the exam to which the Board agreed. Johnston brought before the Board a Canadian EE engineer applying by comity who is wanting to sit for the PE EE exam. This applicant's RC experience was gained under a Canadian PEng. 12AAC 36.063 states that the RC experience must be gained while under a PE registered in the United States. However, 12AAC 36.105 states that verification can be submitted from a foreign verifier, but it specifies that the person must have sat for the NCEES exam in his/her discipline. Jones said that the Board has historically conditionally approved comity application based on showing verification of passing the exam. The Board decided to let the applicant sit for the PE EE exam. Johnston suggested changing the language in 12AAC36.063 that only allows for experience under a PE registered in the U.S. Mott brought up possibly doubling the experience required if gained under a PEng because the PEng does not have the same rigorous experience as a U.S. engineer. Board decided to let applicant sit for exam. Fritz asked if NCEES had any experience equivalency services. Brian Robertson, guest attendee from NCEES, was invited to speak by Chair on the issue of PE equivalency in other countries. Yes, NCEES uses the Washington Accord for education and uses the NCEES Alliance Accord for experience and licensing processes. Johnston suggested using the language in 12 AAC 36.063 to say "a professional engineer registered in the United States ... or a country that belongs to the NCEES Alliance Accord."

TASK: Change regulation 12AAC36.063 in regulation project to change the language to allow for other than U.S. engineers to supervise RC experience.

19. NCEES Presentation by Western Zone Vice President Brian Robertson

His presentation is to inform the Board of three subject matters: 1. What NCEES is and what services it offers to member Boards, 2. Public protection through uniform laws, licensing standards, and professional ethics 3. Land Surveyor module examination process it is adding

Robertson did share that NCEES headquarters is moving from Clemson, SC to Greenville, SC, making air travel to and from NCEES much easier.

1. NCEES vision is similar to individual Boards in promoting health, safety and welfare, but it also promotes licensure. Robertson shared the Organizational Chart of NCEES. NCEES is first and foremost an exam developing, scoring and publication outfit. That is the core of what NCEES does. They offer exam administration in all but 7 jurisdictions. NCEES offers a record service which is primarily for tracking work history, education, licensure, and exam information. They also offer a foreign degree equivalency service and a CPC tracking tool. Robertson confirmed for Fritz that the CPC Tracking tool can be used by professions other than just engineers and land surveyors. MyNCEES is for the licensees and E3 is what Board members have access to.

The council makes its decisions and carries out its activities through committees. Committees are staffed with experts in the committee subject matter. The annual meeting is where all the council decisions are made. Task forces are formed for specific one-time tasks.

NCEES also has a speaker link. If a Board member has been invited to speak in his/her community, he/she can email NCEES for NCEES paraphernalia to hand out. Jones said that this Board took advantage of this service during the August 2019 Alaska General Contractor Family day outreach.

Mott asked Robertson to talk about the cost of exam development. Robertson talked about how for each question there is an individual item cost. Each question has roughly a \$1400 replacement cost if it was compromised. NCEES maintains a \$14 million dollar reserve to replace an entire exam if there was breach on it.

Johnston asked if NCEES has one person assigned to each Board. Robertson suggested emailing boardquestions@ncees.org for help. The website is being revamped so it is not so cumbersome to find information. However, NCEES is currently focused on transitioning to CBT so that is taking most of its IT resources.

Robertson asked for questions to which Johnston replied that she would like him to talk about licensure mobility. The Western Zone took on a project to see what barriers there are to licensure mobility. Each committee member chose a sister jurisdiction to look into what it takes to be licensed in that jurisdiction. They found that it is not just about the rules and regulations but it is also about the process for applying for licensure. The findings will be brought to the sister jurisdiction in March of 2020 and the individual jurisdictions will report what the findings were regarding their licensing process and whether or not it was a blindspot or if they have justification for that regulation at the Zone meeting in April of 2020.

2. Public Protection: Licensure is being attacked by both activist groups and government. The most common deregulation argument is “the right to engage in a lawful occupation act.” The least restrictive method is that no one needs to know someone is doing a business, the next is that a person needs a business license, after that is a person needs a certification, and finally a registration that says a person has the education and experience that qualifies him or her to do a certain job. This act is trying to find the least restrictive option for someone to offer services in his or her occupation. Other deregulation efforts include sunset reviews, increase of oversight of licensing boards, executive orders, and compacts. NCEES is addressing this through outreach to the public and joined the Alliance for Responsible Professional Licensing (ARPL). This group is promoting the message to the public that professional licensing is different than occupational licensing on purpose. Cofounders of this group are AIA and NCARB, ACEC, CLARB, Interior Designers, and CPA’s. The ARPL is a great website for anyone with questions about deregulation. NCEES is helping defend against deregulation by having a national MLE, having a records programs to help find international equivalencies, CPC registry, and easier customer management system.

Maynard brought up the issue of SB157 and the idea of a temporary license being introduced. Robertson did share that in looking into Alaska’s licensing process he found the four-month wait time plus the arctic course proved to be an obstacle for bidding on jobs. Mott pointed out that a person really should not be bidding on jobs until he or she has the arctic course. Robertson said that the arctic course requirement is an understandable barrier and added that all barriers are not bad barriers.

3. At last year’s annual NCEES meeting the council approved moving from the 100-question PS exam to five modules that could be passed individually but all taken in one sitting. Each jurisdiction could choose which of the five an applicant would be required to pass for licensure in that jurisdiction. All modules will be CBT. The cost still has to be determined. It will take several years to develop. Hale asked if the AKLS could be included in a module to which Robertson replied that Alaska would not have enough testers to justify the cost of NCEES developing the test. Robertson did say that NCEES would have a more in depth module on PLSS questions than it currently has so the Board could take the PLSS questions out of the AKLS so as to not duplicate questions and then require AK LS applicants to sit for the PLSS module of the NCEES exam. State specific PLSS questions should stay on the AKLS exam.

Kerr added that while there is no way to eliminate the AKLS but the PLSS NCEES module makes it possible for the AKLS to be a take-home exam.

20. CE Exemption Requests

The board reviewed a request for a CE exemption from Mr. William Harvey. The board considered a grace period or a complete waiver. Based upon the information provided by Mr. Harvey, the board agreed to waive the CE requirement for the current licensing period.

On a Motion duly made by Elizabeth Johnston, seconded by John Kerr and approved unanimously, it was RESOLVED to approve a medical exemption to William Harvey for CE requirements for the 2018-2019 renewal period for licenses AELC 7248 and AELV14236.

21. New Business

A. Revisions to Board Policies – Jones pointed out that much of the information is duplicated in the Application Review document which has already been reviewed. Board made changes to the language bringing the policies up to date with the current regulations.

The board recessed for lunch at 12:10 pm.

The board reconvened at 1:00 p.m. Roll call, all present, except Jennifer Anderson excused by the Chair.

B. NCEES Western Zone Mobility Challenge – Review of Hawaii’s Statutes and Regulations

Johnston reviewed Hawaii’s comity license process. Hawaii calls it “Endorsement with NCEES Exam” or “Endorsement without NCEES Exam.” There is a licensing pathway for if an applicant has taken the NCEES Exam and a pathway for licensure without an NCEES exam that requires 15 years’ experience as responsible charge. Hawaii has a 12-member board that licenses several disciplines. There are a few differences in education between Hawaii and Alaska. Hawaii has a no-degree option and instead requires 12 years of experience. Hawaii board approves FE exams. They will accept an NCEES council record for experience in lieu of work experience verification forms. If an applicant does not have the FE, there is a 15-year experience requirement. If a registrant’s license stays lapsed for 2 years, he or she has to start the application process over again. There is no CE requirement for PE’s, but Architects have to do 16 CE hours all of which have to be HSW. Koonce added that the Board meets once a month, but if a person turns in an application without his or her paperwork in order the application will go to the bottom of the pile which results in a lengthy wait time.

22. Follow up: Strategic Planning Exercise

Fritz found that the mission statement in the By-Laws is slightly different than the statement that is read at the beginning of each Board meeting. After comparing the two statements, the Board agreed to use the mission statement from the By-laws.

Fritz came up with the primary objectives to support the strategies that the Board came up with during the November 2019 meeting. During this session the Board discussed action items to accomplish the objectives.

TASK: Fritz will work with new EA to put together the list of action items for the Board to decide who will be assigned to accomplish them. Jones will put one strategy per page with bullet points of what the Board discussed. Koonce said to have a slide with the two mission statements, strategies and objectives that will be shown in each meeting.

23. Statute and Regulation Working Session

A. Review AS 08.48 Updates

Sec 08.48.241 Corporations, limited liability companies, and limited liability partnerships.

Board reviewed notes from meeting with Jones, Neal and AAG Harriet Dinegar Milks. Mott asked the question as to why Sole Proprietors (SP) are exempt from needing a Certificate of Authorization (COA) as SP just means that there is one owner not necessarily one employee.

Jones pointed out that in the current statutes it does not allow for staff to approve COA Applications. They should be coming to the Board. However, in 12 AAC 36.135 it says that “An applicant who meets the requirements on the checklist established by the board...” Board reviewed current checklist for a COA. Jones requested that the Board approve the checklist so that per the regulation staff could approve COAs.

On a Motion duly made by Catherine Fritz, seconded by John Kerr and approved unanimously, it was RESOLVED to authorize the use of the Certificate of Authorization checklist dated 2/13/2020 to be used for initial applications.

B. Review of potential updates to 12 AAC 36

Jones suggested that the Board look closer at the wording of the mentor regulations. The current language requires 4 years of responsible charge under the mentorship program which is more rigorous than the 2 years of responsible charge required for those not in the mentorship program. Maynard suggested changing the mentor program language to say that 2 years of responsible charge under a PE are required.

Maynard brought up the need to change 12 AAC 36.105(h) which currently only allows SE licensure for those who have taken the PE and SE-16-hour exam. To not have a barrier for SE licensure it should allow for the option of the PE and SE I and II as well.

Jun Maiquis, regulations specialist for the Division, looked over the proposed regulation changes and said that none of them were dependent on a statute change.

Board will hopefully have Maiquis' regulation changes during the May 2020 meeting to review and make changes or to make a motion to put out for public notice. At the August 2020 meeting, the Board can approve the changes at which time the changes will go to the department of law for review.

TASK: Jones to get clean copy of regulation changes to Maiquis. Johnston to look into how many years of experience are required with states who have FE Waivers for comity applicants. Johnston to provide a markup of 12 AAC 36.510 Continuing Education Requirements at next meeting.

24. Election of Officers

Koonce proposed that since John Kerr, currently the Board Secretary, is leaving the Board in March of 2021 he move up to be Board Chair and Johnston remain Vice Chair. Fritz voiced her interest in being Board Secretary. The terms will not start until July 2020.

On a Motion duly made by Colin Maynard, seconded by Dave Hale and approved unanimously, it was RESOLVED to approve John Kerr for Chair, Elizabeth Johnston for Vice Chair and Catherine Fritz for Secretary.

TASK: New EA July 2020 – Update Board Roster, NCEES and NCARB website

25. Committee Updates

A. Arctic Engineering/ Northern Design Committee – Maynard, Fritz, Anderson and Johnston are currently on this committee. Maynard is off the Board as of March 2020 and Johnston has asked to be removed from this committee so she can concentrate on the Continuing Education issues.

TASK: Jones contact Anderson (not present) about taking the lead regarding pulling the information together about Northern Design and what specific steps Board should be taking as well as what direction it should take with regards to Northern Design.

B. Board Outreach –

C. Continuing Education Committee –.

TASK: Johnston to rectify the audit form and review the regulations in 36.510 comparing it to NCEES MLE and NCARB information and report back to the committee. Develop CE Audit background and instructions for Board.

D. Emeritus Status Committee

i. Colin Maynard

On a Motion duly made by John Kerr, seconded by Catherine Fritz and approved unanimously, it was RESOLVED to approve that Colin Maynard be appointed as an Emeritus member so that he may continue working with NCEES and be recognized for his outstanding work on the AELS Board.

ii. Sara Neal

On a Motion duly made by John Kerr, seconded by Colin Maynard and approved unanimously, it was RESOLVED to approve that Sara Neal be appointed as an NCEES Associate Member.

E. Guidance Manual – Jones shared the changes she had made one of which was the use of titles. Department of Law said that engineer is not a protected term however once you put a discipline in front of it it becomes one.

i. Certificate of Authorization Section.

TASK: Jones update the Mission Statement

F. Investigative Advisory Committee – The Board is hoping to hire a 2nd investigator to assist Savage.

G. Legislative Liaison Committee – Maynard shared with Alaska Professional Design Council the travel issues. APDC said they would look into fixing it. With Maynard coming off the Board, someone will need to follow-up on this.

i. Update on American Society of Interior Designer Initiative

H. Licensure Mobility Committee –.

TASK: Johnston to get the report to Hawaii. Chambers taking letter RE: SB157 to committee meeting.

Jones shared that Chambers had forwarded the Board’s letter along with a letter from the department to Senator Bishop and Senator Costello.

26. National Organizations

A. CLARB – Urfer reported that CLARB is focused on paths to licensure and outreach to let the public know what Landscape Architecture is.

B. NCARB –. Regional conferences coming up in March 2020. Model Law is being looked at.

C. NCEES – No additional updates following Mr. Robertson’s presentation.

27. Read Applications into the Record

On a Motion duly made by John Kerr, seconded by Colin Maynard and approved unanimously, it was 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.

MOHAMED	AL HARASH	COMITY	CIVIL	APPROVED
CHRISTOPHER	AMONSON	COMITY	ARCHITECT	APPROVED
NEAL	BELL	COMITY	CIVIL	APPROVED
ERIK	FRITZBERG	COMITY	ARCHITECT	APPROVED
MICHAEL	HAWKINS	COMITY	CIVIL	APPROVED
SCOTT	KUYPER	COMITY	ARCHITECT	APPROVED
CHRISTOPHER	MAUS	COMITY	CIVIL	APPROVED
NICHOLAS	ROBERTSON	COMITY	STRUCTURAL	APPROVED
BENJAMIN	SCHMIDT	COMITY	CIVIL	APPROVED
JOHN	STRAUBINGER	COMITY	MECHANICAL	APPROVED
TIM	TERICH	COMITY	STRUCTURAL	APPROVED
MATTHEW	TINSLEY	COMITY	CIVIL	APPROVED
PATRICK	TITAS	COMITY	MECHANICAL	APPROVED

On a Motion duly made by John Kerr, seconded by Colin Maynard and approved unanimously, it was 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.

JEFFREY	ARMSTEAD	COMITY	ARCHITECT	CONDITIONAL
DAVID	BERG	EXAM	CIVIL	CONDITIONAL
FOREST	BISHOP	EXAM	CIVIL	CONDITIONAL

STEPHEN	BISHOP	EXAM	MECHANICAL	CONDITIONAL
DEREK	BOYCE	EXAM	ELECTRICAL	CONDITIONAL
PETER	BREWER	EXAM	MECHANICAL	CONDITIONAL
ADAM	BROWN	COMITY	CIVIL	CONDITIONAL
JACOB	BUSH	COMITY	ARCHITECT	CONDITIONAL
SAM	CARLSON	EXAM	LAND SURVEYOR	CONDITIONAL
WILFRED	CASSIDY	COMITY	CIVIL	CONDITIONAL
JAI	CHANG	EXAM	CIVIL	CONDITIONAL
JAMES	COLLIER III	EXAM	CIVIL	CONDITIONAL
DIEGO	D L DE LIMA	EXAM	CIVIL	CONDITIONAL
MATTHEW	DOUGHERTY	EXAM	STRUCTURAL	CONDITIONAL
DAVID	EGUIRES-LEE	EXAM	CIVIL	CONDITIONAL
MICHAEL	EMMERLING	COMITY	ELECTRICAL	CONDITIONAL
BAILEY	GAMBLE	EXAM	MECHANICAL	CONDITIONAL
PETER	GEISSLER	COMITY	LAND SURVEYOR	CONDITIONAL
MARTIN	GRAY	EXAM	CIVIL	CONDITIONAL
PETER	GRIMM	COMITY	ARCHITECT	CONDITIONAL
ALEXANDER	HANSEN	EXAM	CIVIL	CONDITIONAL
RICHARD	HATCHER	COMITY	ARCHITECT	CONDITIONAL
DAVID	HOOPER	EXAM	MECHANICAL	CONDITIONAL
JOSHUA	IBARRA	COMITY	ELECTRICAL	CONDITIONAL
SCOTT	KLOPFER	COMITY	ARCHITECT	CONDITIONAL
STEPHEN	LEE	COMITY	CIVIL	CONDITIONAL
GEORGE	LENIG	EXAM	CIVIL	CONDITIONAL
WALTER	LINDGREN	COMITY	ARCHITECT	CONDITIONAL
FRANCESCA	LOVE-WATKINS	EXAM	CIVIL	CONDITIONAL
SCOTT	MALONEY	COMITY	ARCHITECT	CONDITIONAL
MONA	METWALLY HASSONA	EXAM	FIRE PROTECTION	CONDITIONAL
CHRISTINE	MEYN	EXAM	CIVIL	CONDITIONAL
JACOB	MILLS	EXAM	CIVIL	CONDITIONAL
LAURA	NEWTON	EXAM	CIVIL	CONDITIONAL

LOWELL	PERRY	EXAM	ELECTRICAL	CONDITIONAL
JERRY	PFUNTER	COMITY	STRUCTURAL	CONDITIONAL
NICHOLAS	PHELPS	EXAM	CIVIL	CONDITIONAL
WIRYAPUTRA	PRAMONO	COMITY	CIVIL	CONDITIONAL
JACOB	RAHLFS	EXAM	CIVIL	CONDITIONAL
CORY	RAWLINGS	COMITY	CONTROL SYSTEMS	CONDITIONAL
PEYTON	REID	EXAM	ELECTRICAL	CONDITIONAL
MARK	RILEY	EXAM	CIVIL	CONDITIONAL
MICHAEL	ROSS	COMITY	ELECTRICAL	CONDITIONAL
ROXANNE	RUSSELL	EXAM	CIVIL	CONDITIONAL
PATRICK	RYAN	EXAM	CIVIL	CONDITIONAL
NEIL	SANDER	COMITY	CIVIL	CONDITIONAL
CAROL	SEITZ-WARMUTH	EXAM	CIVIL	CONDITIONAL
JOHN	SIRHALL	COMITY	CIVIL	CONDITIONAL
GEORGE	STEVENS	EXAM	MECHANICAL	CONDITIONAL
HOLLY	TRISCH	EXAM	CIVIL	CONDITIONAL
KEVIN	ULRICH	EXAM	MECHANICAL	CONDITIONAL
KYLE	WALKER	EXAM	CIVIL	CONDITIONAL
MICHAEL	WALLIS	COMITY	CONTROL SYSTEMS	CONDITIONAL
ALYSON	WARDELL	EXAM	MECHANICAL	CONDITIONAL
JEREMIAH	WEAVER	EXAM	ELECTRICAL	CONDITIONAL
BRIAN	WEIGAND	EXAM	CIVIL	CONDITIONAL
BRETT	WELLS	EXAM	CIVIL	CONDITIONAL
ANDREW	WELLS	EXAM	CIVIL	CONDITIONAL
JEFFREY	WILLIAMS	COMITY	CIVIL	CONDITIONAL
TRAVIS	WILSON	EXAM	LAND SURVEYOR	CONDITIONAL
JONATHAN	WITTLIN	COMITY	CIVIL	CONDITIONAL
NORMAN	WRIGHT	EXAM	STRUCTURAL	CONDITIONAL

On a motion duly made by John Kerr, seconded by Colin Maynard 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.

ROBERT	GRANSBURY II	EXAM	CIVIL	INCOMPLETE
STEVEN	GRASLEY	COMITY	ELECTRICAL	INCOMPLETE
CODY	JONES	COMITY	LAND SURVEYOR	INCOMPLETE
TAYLOR	KEEGAN	EXAM	LANDSCAPE ARCHITECT	INCOMPLETE
JOSEPH	KRAFT	COMITY	LAND SURVEYOR	INCOMPLETE
JASHUA	LEATHAM	COMITY	CIVIL	INCOMPLETE
DEVON	ROE	EXAM	CIVIL	INCOMPLETE
LUKE	RUBALCAVA	EXAM	MECHANICAL	INCOMPLETE
MATTHEW	WASSON	EXAM	LAND SURVEYOR	INCOMPLETE
CASEY	WITT	COMITY	LAND SURVEYOR	INCOMPLETE

28. August Board meeting: Board changed August 2020 meeting from the 17th and 18th to the 13th and 14th.

29. Board Member Comments

The board thanked the Chair and KPB Architects for hosting the AELS Board. Several members expressed their appreciation for the service of Maynard, Motts, and Hale on the Board. Board members expressed their thanks to Jones for her years with AELS and wished her well on the Medical Board. Mott and Hale appreciated the opportunity to serve and were grateful for all they learned. Jones shared how she has enjoyed working with the Board and appreciated how engaged the Board is. Milliken thanked the Board for welcoming him on to the Board and hopes he can add value to future meetings. Maynard encouraged the Board to keep up the good work. Neal expressed her gratefulness for being able to attend in person and how much she learned during the application review.

The Chair thanked the staff and members of the board for all their hard work. He expressed how much the Board will miss Maynard, Mott and Hale and the knowledge they bring to the Board. He thanked Jones for her service.

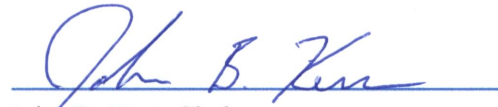
The meeting adjourned at 3:55 p.m.

Respectfully submitted:



Rebecca Powers, Executive Administrator

Approved:

A handwritten signature in blue ink, appearing to read "John B. Kerr", is written over a horizontal blue line.

John B. Kerr, Chair
Alaska Board of Registration for Architects,
Engineers, and Land Surveyors

Date: NOVEMBER 16, 2020