



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

**NOVEMBER 9, 2022 (DAY 1)**

**Zoom link:**

<https://us02web.zoom.us/j/83650326008?pwd=QlpsbUF6WVRnMnV2WFVrdzUvVkZjZz09>

**Teleconference:** 253-215-8782

**Meeting ID:** 836 5032 6008

**Password:** 103935

**Meeting Details**

Meeting Start Time: 9:00 a.m.

Meeting Start Date: 11/9/2022

Meeting End Time: 5:00 p.m.

Meeting End Date: 11/10/2022

Meeting Location: UAA, EIB Rm 413 – 2900 Spirit Drive

**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 – ***Motion Required***
5. 9:10 am - Review/Approve Minutes
  - A. August 16-17<sup>th</sup>, 2022, Board Meeting ***Motion Required***
  - B. October 5<sup>th</sup>, 2022, Board Meeting ***Motion Required***
6. 9:20 am - 2022 Strategic Plan
  - A. Overview of August 2022 meeting action items
7. 9:25 am - Ethics Reporting

**Board Members:**

**Catherine Fritz**  
*Architect (Chair)*

**Jeffrey Garness**  
*Civil/Environmental  
Engineer (Vice Chair)*

**Edward Leonetti**  
*Landscape Architect  
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**Robert (Bob) Bell**  
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**Brent Cole**  
*Public Member*

**Elizabeth Johnston**  
*Electrical/Mechanical*

**Loren Leman**  
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**Sterling Strait**  
*Civil/Structural  
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**Fred Wallis**  
*Mining Engineer*

**Board Staff:**

**Sara Neal**  
*Executive  
Administrator*

**Heather Noe**  
*Licensing Examiner*

**Upcoming Meetings:**

February 7-8, 2023

8. 9:30 am - Investigative Report – ***Patrick Kase***
  - A. Meeting with Investigative Advisory Committee
  - B. Possibility of getting redacted investigative cases
9. 10:00 am - Old Business (Per Action Item List)
  - A. Update ABET equivalency chart in board policies  
RE: Architectural Engineering – Strait
  - B. Method for Bill Sponsor – Neal
  - C. Create new policy for 36.010 j staff approval – Fritz / Neal
  - D. Digital signatures review – Johnston
  - E. CE Audit Update - Neal
  - F. ID Working Group – Fritz
    - i. ASID Report
    - ii. AIA Report
10. 10:30 am – Break
11. 10:45 am – New Business
  - A. AS 08.01.64 – Military education for temporary licensure – Neal
  - B. AKLS Exam– increasing frequency – Neal
  - C. 12 AAC 36.040 – Simplified Application for Reexamination -  
Regulation project – Johnston ***Motion Required***
12. 11:30 am – Public Comment
13. 12:00 pm - Lunch
14. 1:00 pm - Regulation Projects
  - A. 12 AAC 36.068 – LA by Exam - Leonetti ***Motion Required***
  - B. 12 AAC 36.105(h), (i) – SE by Comity – Strait ***Motion Required***
  - C. 12 AAC 36.107 LS by Comity – requiring PS exam – Bell / Maxwell ***Motion Required***
  - D. 12 AAC 36.063 and .990 – Revise mentoring program language and definition –  
Johnston / Garness / Strait ***Motion Required***
  - E. 12 AAC 36.920 – By-laws – regulation to not include date of publication –  
Guidance Manual Committee ***Motion Required***

F. Regulation project to revise term “Responsible Charge” in regulation –  
Legislative Liaison Committee

15. 2:00 pm - Licensing Examiner’s Report - Noe
  16. 2:15 pm - Break
  17. 2:30 pm - Application Review Questions
    - A. John Hudoch
    - B. Henrich Dahl
  18. 3:30 pm - Correspondence
    - A. Incoming
      - i. Department of Law – Memo RE: ADEC
    - B. Outgoing
      - i. Revised - MOA Policy – Fritz
      - ii. ADEC – Wastewater regulation - Garness
      - iii. HB148 – Letter to registrants sent via Listserv - Maxwell
      - iv. Paul Norvel – Changes in seals – Fritz
      - v. CE “Don’t check the box” letter – CE Committee
      - vi. Triennial Arctic (Cold Regions Design) Course Review – CE Committee
      - vii. Public comment responses from AELS on 2019 Reg Change – Neal
  19. 4:00 pm - Outreach Reports
    - A. AIA State Conference
    - B. National Organization Reports
      - i. NCEES ABM – Fritz, Johnson, Maxwell, Kase, Neal
      - ii. CLARB ABM – Leonetti, Neal
      - iii. NCARB Chair/MBE Summit – Fritz, Neal
  20. 4:15 pm - National Organizations: Issues and Announcements
    - A. CLARB
    - B. NCARB
    - C. NCEES
  21. 4:30 pm - Recess for day
- OUTREACH EVENT 5-7pm**

## NOVEMBER 10, 2022 (DAY 2)

Zoom link:

<https://us02web.zoom.us/j/87951292840?pwd=bU43YVppZnhVYkN3OGpSZUQ2RWJ4dz09>

Teleconference: 253-215-8782

Meeting ID: 879 5129 2840 Password: 829488

- 22. 9:00 am - Reconvene
- 23. 9:05 am - Division Update – *representative from Division will call in*
  - A. 4<sup>th</sup> Quarter Update
  - B. Statute Sponsor
- 24. 10:00 am – Executive Session
- 25. 10:45 am – Break
- 26. 11:00 am – Committee Updates
  - A. Guidance Manual - Rozier
    - i. ADEC Drinking Water paragraph
    - ii. Guidance for Construction Drawings
  - B. Investigative Advisory Committee – Leonetti
    - i. Discipline Matrix
- 27. 11:30 am - Public Comment
- 28. 12:00 pm - Lunch
- 29. 1:00 pm - Committee Updates (continued)
  - A. Continuing Education - Johnston
    - i. Arctic Course (Cold Regions Design) – Triannual review
    - ii. Regulation Project – Article V CE
    - iii. Letter to registrants CE Audit Findings “Don’t Check the Box.”  
Correspondence)
    - iv. UAA – CE classes offered
  - B. Outreach Committee – Maxwell
    - i. Logo / Template for Newsletter
    - ii. Newsletter Content
    - iii. State Local Chapter – NCEES Surveyor Program – Fritz / Neal
  - C. Legislative Liaison Committee - Leman



- i. Statute project status
  - ii. Legislative Program for February meeting
- 30. 4:00 pm - Read Applications into Record
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  - A. WCARB Executive Committee – Nov 19 – Fritz
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  - C. AEELS February Board Meeting – Feb 7-8 – Juneau, AK
    - Request to move dates to 9-10<sup>th</sup> or to the following week
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  - F. NCEES Western Zone – April 27-29<sup>th</sup> – Houston, TX
  - G. NCARB Annual Business Meeting – June 15-17<sup>th</sup> – Tampa, FL
  - H. AEELS August Board Meeting – Set Dates
  - I. NCEES Annual Business Meeting – August 15-18<sup>th</sup> – Boston, MA
  - J. CLARB Annual Business Meeting – September 2023
- 33. 4:25 pm - Board Member Comments
- 34. 4:30 pm - Adjourn

*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.

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### 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.

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### 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.

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### 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.



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## AEELS August 2022 Board Meeting Minutes

Alaska Division of Corporations, Business and Professional Licensing

Aug 16, 2022 at 10:00 AM AKDT

@ Usibelli Coal Mine, 100 Cushman St UNIT 210, Fairbanks

*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.*

CONDENSED MINUTES OF THE MEETING HELD AUG 16-17<sup>TH</sup>, 2022

### **Members Present:**

Catherine Fritz, Jeffrey Garness, Loren Leman, Edward Leonetti, Jake Maxwell, Randall Rozier, Sterling Strait, Fred Wallis

### **Members Present (Remote):**

Brent Cole, Elizabeth Johnston

### **Members Absent:**

Bob Bell

### **Division Staff:**

Executive Administrator Sara Neal, Licensing Examiner Heather Noe, Division Director Sara Chambers, Investigator Patrick Kase, Investigator Erika Prieksat, Paralegal Marilyn Zimmerman, Regulation Specialist Jun Maiquis

### **Guests:**

John Bennett, Zachary Druga CLARB, Chris Miller

1. 10:00 am - Call to Order / Roll Call
2. 10:02 am - Mission Statement
3. 10:03 am - Virtual Meeting Code of Conduct
4. 10:05 am - Review/Amend/Approve Agenda

### **Motion:**

On a Motion duly made by Ed Leonetti, seconded by Jake Maxwell and approved unanimously, it was RESOLVED to approve the agenda as amended.

5. 10:10 am - Review/Approve Minutes from May 9-11th Board Meeting

### **Motion:**

On a Motion duly made by Loren Leman, seconded by Jeff Garness and approved unanimously, it was RESOLVED to approve the May 9-11, 2022, meeting minutes.

6. 10:20 am - 2022 Strategic Plan

A. Overview of May 2022 meeting action items

7. 10:25 am - Ethics Reporting

Maxwell attended the HB148 signing. Johnston was elected NCEES WZ Asst. Vice President and Chair of the NCEES Exam and Procedure Policy Committee. Fritz has been attending a working group with architect and interior designers to address concerns interior designers have regarding licensing.

8. 10:30 am - Investigative Report

Patrick Kase updated the Violation of License Regulation type to make it more specific. Various board members requested the following information be added to the report or provided to the board for a "Lessons Learned" document: Johnston asked if all engineer types could be added to the report if the information is available in the complaint; Maxwell requested adding statute/regulations being violated; Fritz asked if closed cases could be gone through to see what the violations were.

**Task:**

Add to report all disciplines to engineer type and Statute/Regulation being violated if available. Assigned to: Patrick Kase

**Task:**

If possible, provide board with information regarding type of violations in closed cases and reasons for unfounded complaints. Assigned to: Patrick Kase

9. 10:45 am - Executive Session

The following board members and division staff were present: Brent Cole, Catherine Fritz, Jeff Garness, Elizabeth Johnston, Loren Leman, Ed Leonetti, Jake Maxwell, Randall Rozier, Sterling Strait, Fred Wallis, Sara Neal, Heather Noe, and Marilyn Zimmerman.

**Motion:**

On a Motion duly made by Sterling Strait, seconded by Ed Leonetti and approved unanimously it was RESOLVED for the Alaska Board of Registration for Architects, Engineers and Land Surveyors to enter executive session in accordance with AS 44.62.310 C. 2 and 3, and the Alaska constitutional right to privacy provisions for the purpose of reviewing case numbers 2022-000430, 2022-000532, 2022-000510, 2022-000433, 2022-000411, 2022-000544, and 2022-000540.

10. 11:40 am – Old Business

A. CLARB Uniform Standard Update - Leonetti

Zachary Druga joined the meeting to discuss incorporating CLARB's Uniform Standard into the AELS regulations.

**Motion:**

On a Motion duly made by Ed Leonetti, seconded by Randall Rozier and approved unanimously, it was RESOLVED to start a regulation project on 12AAC 36.068 Landscape Architect by Exam to bring it into alignment with CLARB's Uniform Standard.

**Task:**

Regulation Project 12 AAC 36.068 - Landscape Architect by Exam - Bring it into alignment with CLARB's Uniform Standard. Assigned to: Edward Leonetti

9. Executive Session Continued

**Motion:**

On a Motion duly made by Sterling Strait, seconded by Fred Wallis and approved unanimously it was RESOLVED for the Alaska Board of Registration for Architects, Engineers and Land Surveyors to go back into executive session in accordance with AS 44.62.310 C. 2 and 3, and the Alaska constitutional right to privacy provisions for the purpose of reviewing case numbers 2022-000430, 2022-000532, 2022-000510, 2022-000433, 2022-000411, 2022-000544, and 2022-000540

**Motion:**

On a Motion duly made by Ed Leonetti, seconded by Jeff Garness and after a roll call vote, it was RESOLVED to deny Professional Land Surveyor Registration No. AELL8852 Randal Brinker's request for a reconsideration of his 2020-2021 CE Audit.

**Recorded Votes:**

Yes to approve reconsideration: Cole, Leman, Leonetti

No to approve reconsideration: Fritz, Garness, Johnston, Maxwell, Rozier, Strait, Wallis

**Motion:**

On a Motion duly made by Ed Leonetti, seconded by Jeff Garness and after a roll call vote, it was RESOLVED to deny Professional Mechanical Engineer Registration No. AELM4396 Frank Eichler's request for a reconsideration of his 2020-2021 CE Audit.

**Recorded Votes:**

Yes to approve reconsideration: Cole, Leman, Wallis

No to approve reconsideration: Fritz, Garness, Johnston, Leonetti, Maxwell, Rozier, Strait

**Motion:**

On a Motion duly made by Ed Leonetti, seconded by Sterling Strait and after a roll call vote, it was RESOLVED to deny Professional Structural Engineer Registration No. AELT14022 Danny Graham's request for an exemption for his 2020-2021 CE Audit.

Recorded Votes:

Yes to approve an exemption: Leman, Wallis

No to approve an exemption: Cole, Fritz, Garness, Johnston, Leonetti, Maxwell, Rozier, Strait

**Motion:**

On a Motion duly made by Ed Leonetti, seconded by Jeff Garness and after a roll call vote, it was RESOLVED to deny Professional Civil Engineer Registration No. AELC9001 Katherine McCrea's request for an exemption for her 2020-2021 CE Audit.

Recorded Votes:

Yes to approve an exemption: Fritz, Leman, Rozier, Wallis

No to approve an exemption: Cole, Garness, Johnston, Leonetti, Maxwell, Strait

**Motion:**

On a Motion duly made by Ed Leonetti, seconded by Jeff Garness having examined the voluntary surrender of professional electrical engineer registration in the matter of Steven Charters, Professional Electrical Engineer registration #AELE9646, Case #2022-000540, hereby adopts the surrender in its entirety, effective immediately upon signature of this order in accordance with the approval by the Board. Motion passed through roll call vote.

Recorded Votes:

Yes to adopt the surrender: Cole, Fritz, Garness, Johnston, Leman, Leonetti, Maxwell, Rozier, Strait, Wallis

**Motion:**

On a Motion duly made by Ed Leonetti, seconded by Jeff Garness having examined the voluntary surrender of professional mechanical engineer registration in the matter of Matthew Koenig, Professional Mechanical Engineer registration #AELM10646, Case #2022-000544, hereby adopts the surrender in its entirety, effective immediately upon signature of this order in accordance with the approval by the Board. Motion passed through roll call vote.

Recorded Votes:

Yes to adopt the surrender: Cole, Fritz, Garness, Johnston, Leman, Leonetti, Maxwell, Rozier, Strait, Wallis

**Motion:**

On a Motion duly made by Ed Leonetti, seconded by Jeff Garness having examined the voluntary surrender of professional electrical engineer registration in the matter of Jennifer Jones, Professional Electrical Engineer registration #129153, Case #2022-000411, hereby adopts the surrender in its entirety, effective immediately upon signature of this order in accordance with the approval by the Board. Motion passed through roll call vote

Recorded Votes:

Yes to adopt the surrender: Cole, Fritz, Garness, Johnston, Leman, Leonetti, Maxwell, Rozier, Strait, Wallis

10. 11:30 am - Old Business (Per Action Item List)

B. Annual Report - Garness

**Motion:**

On a Motion duly made by Ed Leonetti, seconded by Sterling Strait and approved unanimously, it was RESOLVED to approve the 2022 annual report as presented.

- C. SE community's opinion on definition of progressive structural experience - Strait
- Strait surveyed the SEAK community to gather input on the definition for progressive structural experience. The responses indicated that a PE exam and CE license should be required and structural experience is needed, but not necessarily significant structure experience. Strait also recommended changing the formatting and content in 12AAC36.105(h) and making structural engineering a stand alone discipline by having it have its own section in the regulations.

**Motion:**

On a Motion duly made by Sterling Strait, seconded by Jeff Garness and approved unanimously, it was RESOLVED to start a regulation project to update structural engineering regulations.

**Task:**

Update regulations for structural engineering. Assigned to: Sterling Strait

D. Update on ID working group - Fritz

Fritz is part of the ID working group made up of 4 interior designers and 4 architects. They are currently working on the definition of interior design and the different options for regulations that would best meet the interior designers' needs.

- E. Policy for staff approval of applications - Fritz / Neal

Fritz and Neal will continue to work on this to have it ready for review during the November 2022 board meeting.

**Task:**

Write-up a policy for staff approval of comity applications Assigned to: Catherine Fritz, Sara Neal

- F. CE Audit Update - Neal

Neal updated the board on the CE audit. Of the 259 active audits, 13 audits are currently open. Two are with staff and 11 are with the paralegal.

- G. Status of ADEC 18AAC72 Wastewater - Neal

The Department of Law staff for both state agencies are talking through where AELS and ADEC's statutes and regulations are not in agreement.

- H. Legal opinion on 12AAC 36.105 (1) documenting education - Johnston

The Division responded by saying that only education that is required for licensure needs to be submitted.

- I. How to video for digital signatures - Johnston

In response to a firm's question, Johnston developed instruction for digital signatures in both pdf and Bluebeam. She suggested everyone review the instructions and if they are understandable, then have them posted to the AELS website.

**Task:**

Review Digital Signature instructions before they are posted to website. Assigned to: Whole board

- J. HB148 - Impact on AELS registrants - Maxwell

Maxwell will submit a write-up as to what HB148 is and how it will affect AELS registrants for Neal to send out via the AELS listserv.

**Task:**

Write message that will be sent to all AELS registrants as to how HB148 may impact them. Assigned to: Jake Maxwell

11. 12:30 pm - Lunch

12. 1:00 pm - Regulation Projects

B. Review public comments for 2019 regulation project

After reviewing public comments submitted during the public comment period that closed July 8, 2022, the board decided to make the following changes: add the NCEES PE Structural Exam to 12AAC 36.105(h)(5) making it possible for someone with just that exam to apply for a CE registration, change the term "Northern Design" to "Cold Regions Design" for the arctic course in 12AAC 36.110, and change the verbiage of 12AAC 36.990 (22) to say "in design support or construction related."

**Motion:**

On a Motion duly made by Sterling Strait, seconded by Loren Leman and approved unanimously, it was RESOLVED to adopt the proposed regulations in Chapter 36, with consideration to public comments received and cost to private persons, as proposed and amended in 12AAC36.105(h), 12AAC36.110, and 12AAC36.990(22).

**Task:**

Outreach Committee - educating state associations of the name change for the arctic course.

C. 36.112 - DOL Concerns

The board reviewed the Department of Law's concerns regarding temporary licensure and decided to remove (c)(2) from 12AAC36.112 that was going to allow a military/military spouse applicant to extend their temporary license by submitting a Jurisprudence Questionnaire. The way in which AEELS will be able to expedite licenses applied for under this regulation is that staff will be able to issue the license within 30 days.

D. 36.112 - Online Application Questions - Neal

Neal pointed out that the online template application is only asking about disciplinary action and not crime. Maiquis pointed out that the online application must mirror the regulations.

**Task:**

Neal will work with the publications team to ensure the online application meets the requirements of the regulation. Assigned to: Sara Neal



- E. Regulation project - Article V - Continuing Education Committee update - Johnston

Johnston talked the board through the CE regulation changes as proposed by the CE Committee. The board asked the committee to increase the hours awarded for service on professional organizations and include the words "per time period." Fritz asked to move 12AAC 36.520 #9 to a more appropriate location. The CE Committee was also asked to add back in a "health, safety and welfare" requirement.

**Task:**

Send the board a clean copy of proposed changes of CE Regulations for their input. Assigned to: Elizabeth Johnston

13. 2:00 pm - Public Comment

14. 2:30 pm - Break

15. 2:45 pm - Licensing Examiner's Report - Noe

Noe talked through both the active licensees numbers and the applications to be reviewed during this meeting. Maxwell asked for a report that showed the trend of retiring land surveyors. He also requested to know how many "In Process" land surveying applications were submitted before the cutoff date in 2014.

16. 3:00 pm - Applications - Full board review and questions

- B. Olivia Milla - Neal

Strait and Leman reviewed her transcripts following the guidance from the board policy that college transcripts show a minimum of 18 hours of course work related to civil engineering. Her degree from Cal Poly in architectural engineering focused on structural engineering and had more than the required 18 hours of coursework for civil engineering. Therefore, Olivia was approved to sit for the exam.

17. 4:00 pm - Correspondence

- B. Incoming

- i. Change seal RE: New Regulation

**Task:**

Respond with a written response to Paul Dorvel regarding his seal and the new regulation. Assigned to: Catherine Fritz

C. Outgoing

- i. MOA Policy - Fritz

**Task:**

Correct and clarify the sentence "Civil engineers may no longer practice structural engineering". Assigned to: Catherine Fritz

- ii. Venechuk Letter - Maxwell
- iii. Ridgeline Inspection - Fritz
- iv. DOT - Melanie Arnolds
- v. Arctic Course Triannual Review Letters (See CE Committee Update Item 28 A)

18. 4:15 pm - Outreach Reports

19. 4:30 pm - National Organizations

- B. NCARB - Annual business meeting report - Fritz
- C. NCEES - Western Zone meeting report - Maxwell
- D. CLARB

20. 5:00 pm - Recess for day

21. 9:00 am - August 17th - Reconvene

22. 9:05 am - New Business

- B. LS Regulations 12AAC36.107 - Maxwell

**Motion:**

On a Motion duly made by Jake Maxwell, seconded by Sterling Strait and approved unanimously, it was RESOLVED to start a regulation project to incorporate any changes needed because of HB148.

**Task:**

Look through regulations in Chapter 36 to see if any changes need to be made due to HB148. Assigned to: Bob Bell, Jake Maxwell

12AAC 36.107 does not have a requirement for the NCEES PS exam.

**Motion:**

On a Motion duly made by Jake Maxwell, seconded by Jeff Garness and approved unanimously, it was RESOLVED to start a regulation project on 12AAC 36.107 to incorporate the requirement for the NCEES PS exam.

**Task:**

Regulation project on 12AAC 36.107 to incorporate the requirement for the NCEES PS exam. Assigned to: Bob Bell, Jake Maxwell

C. Clarifying mentorship program - Johnston

The current requirement for a mentorship program does not allow for a less than four year mentorship program. Johnston suggests the board allow for flexibility by using both work experience verifications and mentorship meetings. The ratio for experience would stay 1 month : 1 month for WEVs and 2 quarters : 1 quarter of responsible charge for mentorship programs.

**Motion:**

On a Motion duly made by Sterling Strait, seconded by Jeff Garness and approved unanimously, it was RESOLVED to start a regulations project to clarify the mentoring program for engineers.

**Task:**

Regulation project to clarify mentoring program for engineers. Assigned to: Elizabeth Johnston, Sterling Strait, Jeff Garness

23. 10:00 am - Division Update

B. Update on Governor's AO

Director Chambers gave an update on the Governor's administrative order and the staffing issues for professional licensing. Chambers suggested that, if AEELS are wanting to change statutes, they should move ahead with that before the sunset audit.

24. 10:30 am - Break

25. 10:45 am - Committee Updates

B. Guidance Manual - Rozier

i. Work on definition of design

The definition of design was expanded upon, examples of seals added per the new regulation, and the "Guidelines for Construction Drawings"

section will be removed through "Electrical System" and possibly be added as an appendix after the Guidance Manual Committee reviews the verbiage. Garness, in collaboration with ADEC - Drinking water employees, suggested a re-write to the Record Drawing section on the top of page 25 of the Guidance Manual. The Guidance Manual Committee will review.

**Motion:**

On a Motion duly made by Elizabeth Johnston, seconded by Jeff Garness and after a roll call vote, it was RESOLVED to remove the "Guidelines for Construction Drawings" section from the Guidance Manual and refer it to the Guidance Manual for possible redevelopment.

Recorded Votes:

Yes to removing: Cole, Fritz, Garness, Johnston, Leman, Maxwell, Rozier, Strait, Wallis

No to removing: Leonetti

**Task:**

Guidance Manual Committee - review the language used in the Guidance for Construction Drawings section and whether it should be added as an appendix.

**Task:**

Guidance Manual Committee - review Garness's proposed language for Record Drawings. The whole board will also review and send the committee suggestions.

ii. Update By-Laws

The committee removed a sentence in Article III, 5, which states that the Landscape Architect member cannot vote. Article III 7, referring to the Investigative Advisory Committee, will be removed and considered an ad hoc committee.

**Motion:**

On a Motion duly made by Randall Rozier, seconded by Ed Leonetti and approved unanimously, it was RESOLVED to update the May 2014 Board Bylaws to include the revisions as presented by the Guidance Manual Committee with the addition of the removal of Article III 7.

**Motion:**

On a Motion duly made by Elizabeth Johnston, seconded by Jeff Garness and approved unanimously, it was RESOLVED to start a regulation project to update the language of 12AAC36.920 to allow for the bylaws to be changed without having to change the regulation again.

**Task:**

Guidance Manual Committee - Change the regulation 12AAC36.920 so that it will allow the board to revise its board bylaws without having to change the regulation.

C. Outreach Committee - Maxwell

The Outreach Committee will contact different vendors to try and find someone who will design a logo and build a template for a newsletter for \$1000. Once a vendor has been chosen, the committee will send Neal the information for review. The committee is also planning an outreach event for the November 2022 meeting on the UAA campus. Leman suggested a student presentation, Leonetti an event for ANSEP. Wallis a handout on the function of the board/licensing, Garness, a slide presentation, and Strait, possibly an update on the SE exam.

**Task:**

Outreach Committee - find a vendor to create a logo and a newsletter template.

**Task:**

Outreach Committee – plan outreach event at UAA during the November board meeting.

- i. Logo
- ii. Newsletter

The committee also discussed content of the newsletter which would include disciplinary action, continuing education, updates from other state groups - AIA, APDC, ASLA, report by the numbers, and a statement from the chair. Maxwell would like to have something for the board to review during the November 2022 meeting.

**Task:**

Outreach Committee - Gather content for newsletter.

iii. RE: CE - Letters to UAA, registrants - Fritz

Fritz recommends that letters be sent to all registrants regarding findings after the audit informing them of their responsibilities and the regulations as to what subject matters are allowed. Another letter needs to be sent to UAA's PDH department regarding AELS's CE requirements. Johnston offered for the CE Committee to write the letter to the registrants. Strait cautioned sending a letter to UAA, and instead have someone from the board talk to UAA asking them to consider changing language on their website so as to not mislead registrants that not all PDH's are eligible.

**Task:**

CE Committee - write letter to registrants reporting subject matters of audit findings and reminding them of their responsibilities with regards to continuing education (don't check the box). Discuss how to best handle contacting UAA - whether it's a letter or a phone call.

26. 11:30 am - Public Comment

Chris Miller, president of Design Alaska, joined the meeting in person and shared his thoughts regarding the definition of responsible charge, continuing education regulation changes, adding an ME onto the board, SE experience, SE exams, finding a way to make something work for Interior Designers, and the communication to MOA regarding residential construction. He appreciates the work and the action the board is doing.

**Task:**

Send committee meetings with subject matters notices via listserv. Assigned to: Sara Neal

27. 12:00 pm - Lunch

28. 1:00 pm - Committee Updates (continued)

B. Continuing Education - Johnston

i. Arctic Course - Triannual review

Letters were sent to all Arctic Course providers - UAA, UAF, UW. The universities will submit the required documents by Sept. 30 and the committee will review and report back to the board during its November 2022 meeting.

**Task:**

Create committee resource folders and save the universities' information into the folder for the committee to review. Assigned to: Sara Neal

**Task:**

CE Committee - conduct triennial review of the board approved arctic courses.

ii. Regulation Project - Article V

C. Legislative Committee - Leman

i. Changing "responsible charge" to "progressive experience" for all exam applicant regulations

After the feedback from the Department of Law, NCARB and NCEES on the terms responsible charge, responsible control, and direct supervisory control, the committee decided a regulation project should be started to change the definition of responsible charge and revise the regulations that use the term responsible charge.

**Motion:**

On a Motion duly made by Loren Leman, seconded by Jeff Garness and approved unanimously, it was RESOLVED to start a regulation projects to revise the use of the term responsible charge in regulations.

**Task:**

Legislative Liaison Committee - work on regulation project that revises the term "responsible charge" in regulations.

ii. Statute project status

Once enough changes have been identified, it is time to move forward with finding a sponsor. Leman suggested having the board send the committee any concerns regarding statutes, but the committee will not be limited to the suggestions sent in for review. Neal will send out the most comprehensive copy of the statutes that incorporates all concerns that have been identified. Leman would like the board to send their comments to the committee by October 1. He advised the board to proceed with caution around hot topics that legislators hear from constituents about such as the industrial exemption and building size.

**Task:**

Whole Board - Review Statutes and send any suggested changes to the Legislative Liaison Committee by October 1. Due October 1, 2022 at 2:10 PM AKDT.

**Task:**

Legislative Liaison Committee - review board suggestions for possible statute changes and prepare the changes to be reviewed by the board during its November meeting.

**Task:**

Check with Dir. Chambers to see what the timeline is for sending a statute change through the By the Rules Committee by the Request of the Governor. Assigned to: Sara Neal

D. Investigative Advisory Committee - Leonetti

- i. List of convictions for P&P 28
- ii. Discipline Matrix
- iii. Meeting with Investigator

Leonetti gave an update of the meeting and talked through the "Yes" answer process. Fritz asked the Investigative Advisory Committee to review the case Michael J. Ward. No progress was made on the Disciplinary Matrix. Rozier asked if the board could get redacted cases from Patrick so that the board could review to see if there are lessons that can be learned.

29. 2:30 pm - Read Applications into Record

**Motion:**

On a motion duly made by Ed Leonetti, seconded by Fred Wallis 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.

LICENSE #	FIRST NAME	LAST NAME	TYPE OF LICENSE	AUG DECISION
195440	ANDREW	ROEHL	ARCH	APPROVED
195827	ANNETTE	DESEVE	ARCH	APPROVED
197939	JEFFREY	DALTON	ARCH	APPROVED
193686	LUCY	BARAQUIO	ARCH	APPROVED
195825	SEAN	FRIETAS	ARCH	APPROVED



LICENSE #	FIRST NAME	LAST NAME	TYPE OF LICENSE	AUG DECISION
198023	ADAM	MCLAUGHLIN	CE	APPROVED
195438	ALLISON	LUNDE	CE	APPROVED
197899	ANDREW	WAHR	CE	APPROVED
194660	ARLEN	GRANT	CE	APPROVED
198046	BRANDON	COMPTON	CE	APPROVED
196223	GARTH	NELSON	CE	APPROVED
197947	JONATHAN	BUSSIERE	CE	APPROVED
197707	KEVIN	SZUBRYCH	CE	APPROVED
197988	LEE	ROSEN	CE	APPROVED
195448	MATTHEW	MOORE	CE	APPROVED
191780	MATTHEW	WADLINGTON	CE	APPROVED
196165	MATTHEW	JOHNSON	CE	APPROVED
192189	SEON	JACK	CE	APPROVED
194861	STEPHEN	DORAU	CE	APPROVED
196175	VINCENT	WU	CE	APPROVED
195331	BRUNO	LOZA	EE	APPROVED
196206	CAMERON	KLOS	EE	APPROVED
198052	HOWARD	GORTER	EE	APPROVED
195434	MICAH	BATTS	EE	APPROVED
193693	OCTAVIO	GONZALEZ	EE	APPROVED
196929	PETER	ARVAY	EE	APPROVED
193332	PHILIP	PARISE	EE	APPROVED
195335	RAYMUNDO	RIEMANN	EE	APPROVED
198379	JOEL	MCDANIEL	EE	APPROVED
194395	JAMES	PERLOW	EV	APPROVED
197725	TONI	MEHRABAN	EV	APPROVED
196416	ANDREW	POOLE	FP	APPROVED
194188	ANTHONY	GIANPETRO	ME	APPROVED
196228	BENJAMIN	ROSENZWEIG	ME	APPROVED
197045	CHARLES	CROZIER	ME	APPROVED
197980	CHRISTINE	BEERMANN	ME	APPROVED
197235	DAVID	CHAMPOUX	ME	APPROVED
173740	KRISTIN	GUSTAFSON	ME	APPROVED
194857	ROBERT	DAVIDSON	ME	APPROVED
196475	SRIKAR	MALLAMPATI	ME	APPROVED
193788	THOMAS	ROGERS	ME	APPROVED
194889	ARLEN	GRANT	SE	APPROVED
196852	BRANDON	COMPTON	SE	APPROVED
195358	JORGE	CASTILLO	SE	APPROVED
197128	MAIRI	STANNERS	SE	APPROVED
196927	MICHAEL	LASSITER	SE	APPROVED

LICENSE #	FIRST NAME	LAST NAME	TYPE OF LICENSE	AUG DECISION
194885	MITCHEL	BECK	SE	APPROVED
197959	ZACHARY	STUTTS	SE	APPROVED

**Motion:**

On a motion duly made by Ed Leonetti , seconded by Fred Wallis 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.

LICENSE #	FIRST NAME	LAST NAME	TYPE OF LICENSE	AUG DECISION
197975	LAUREN	EGBERT	ARCH	CA
197812	LINDSEY	MARTENS	ARCH	CA
197035	TIMOTHY	DACEY	ARCH	CA
196820	KORYNN	APPLEGATE	ARCH	CA
197875	AMELIA	ANDERSON	CE	CA
197736	CATHERINE	BILLOR	CE	CA
195339	CODY	HARVEY	CE	CA
197742	CRAIG	LEWIS	CE	CA
194200	DAVID	BALMA	CE	CA
198048	DYLAN	BAFFREY	CE	CA
194174	HENG	LIANG	CE	CA
197973	ISAAC	LADINES	CE	CA
195742	JEFFREY	HARVEY	CE	CA
190542	JEFFREY	DYER	CE	CA
193350	JOHN	LOOMIS	CE	CA
197934	KIERAN	BRAUN	CE	CA
196213	KYLE	POWELL	CE	CA
197817	KYLE	MARKLE	CE	CA
194852	LANCE	SWEENHEART	CE	CA
191302	MATTHEW	CHACHO	CE	CA
198049	MICHELLE	HARRISON	CE	CA
198057	ORI	MILLER	CE	CA
193777	PETER	MAMROL	CE	CA
197719	PETER	BROOKS	CE	CA
194017	RANDI	WILLIAMS	CE	CA
197688	TIMOTHY	LUM YEE	CE	CA
196404	TREVEN	HEMBREE	CE	CA
197715	WILLIAM	KUSSMANN	CE	CA
188658	JAMES	FRYE	CE	CA

LICENSE #	FIRST NAME	LAST NAME	TYPE OF LICENSE	AUG DECISION
118070	SOPHIE	LEE	CE	CA
197930	Olivia	Milla	CE	CA
193335	AMBER	SCHMIDT	CS	CA
198050	PETER	PEEL	CS	CA
195354	BARRY	FAILOR	EE	CA
193789	GREGORY	ELVESTAD	EE	CA
198112	PETER	SYNTAX	EE	CA
197765	TEAL	NEWCOMBE	EE	CA
197946	CECELIA	HULL	EP	CA
198039	JEREMY	MAGELKY	ME	CA
192525	KEVIN	TAKAYESU	ME	CA
197193	KYLE	BROWN	ME	CA
197785	MICHAEL	ORTIZ	ME	CA
195337	JONATHAN	TAYLOR	SE	CA

30. 2:40 pm - Review of Action Items

31. 2:45 pm - Upcoming Meeting Dates

- B. NCEES Annual Business Meeting - Aug 23-26 - Fritz/Johnston/Maxwell/Neal
- C. CLARB Annual Business Meeting - Sept 21-23 - Leonetti/Neal
- D. NCARB Exam Committee Meeting - Sept 30-Oct 1 - Fritz
- E. NCARB Chair/MBE Meeting - Oct 14-15 - Fritz/Neal
- F. AELS November Board Meeting - Nov 9-10 - Anchorage, AK

Fritz excused Wallis from the November board meeting due to him needing to attend the Usibelli board meeting.

**Task:**

Check to see how many parking passes will be needed for board. Also check to see if a rental car will be needed. Assigned to: Sara Neal

- G. AELS February Board Meeting - Feb 7-8 - Juneau, AK

32. 2:50 pm - Board Member Comments

33. 3:00 pm - Adjourn

Respectfully submitted:

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Sara Neal, Executive Administrator

Approved:

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Catherine Fritz, Architect, Chair  
Alaska Board of Registration for Architects,  
Engineers, and Land Surveyors

Date: \_\_\_\_\_



## AEELS October 2022 Board Meeting Minutes

Alaska Division of Corporations, Business and Professional Licensing  
October 5, 2022, 12pm, State Office Building, Conference Rm C

*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.*

CONDENSED MINUTES OF THE MEETING HELD OCTOBER 5<sup>TH</sup>, 2022

### **Members Present:**

Catherine Fritz,

### **Members Present (Remote):**

Elizabeth Johnston Jeffrey Garness, Bob Bell, Loren Leman, Edward Leonetti, Randall Rozier, Sterling Strait,

### **Members Absent:**

Brent Cole, Jake Maxwell, Fred Wallis

### **Division Staff:**

Executive Administrator Sara Neal, Licensing Examiner Heather Noe, Regulation Specialist Jun Maiquis

1. 12:00 pm - Call to Order / Roll Call
2. 12:02 pm - Mission Statement
3. 12:03 pm - Virtual Meeting Code of Conduct
4. 12:05 pm - Review/Amend/Approve Agenda

### **Motion:**

On a Motion duly made by Ed Leonetti, seconded by Bob Bell and approved unanimously, it was RESOLVED to approve the agenda

5. 12:10 pm – Review Amended Temporary military courtesy certificate of registration 12AAC 36.112 The board reviewed the recommended changes the Department of Law suggested which included adding the requirements for substantial equivalency, adding a temporary license for Land Surveyors, and removing the Jurisprudence Questionnaire as a requirement for eligibility for a 180-day extension.

### **Motion:**

On a Motion duly made by Ed Leonetti, seconded by Loren Leman and approved unanimously through roll call vote, it was RESOLVED to adopt regulation 12 AAC 36.112 Temporary military courtesy certificate of registration as amended.

6. 1:00 pm – After Jeff Garness, Loren Leman, and Bob Bell met with Patty Burley and Cam Jimmo from the Department of Law and a Tonya Bear from ADEC, it was decided to write a letter informing Commissioner Brune that the proposed ADEC regulation change in 18 AAC 72 is in conflict with AELS statutes. An amendment was made to delete the second half of the last sentence of the second paragraph which states “...and again offered possible corrective solutions, one of which is pursuing a statutory exemption clarification under AS 08.48.331 to give ADEC the authority for its proposed regulation change.”

**Motion:**

On a Motion duly made by Bob Bell, seconded by Loren Leman and approved unanimously through roll call vote, it was RESOLVED to approve the letter drafted September 22, 2022, to ADEC concerning the conflicting statutes between AELS and ADEC regarding the role of the certified installer as amended.

AELS Board's Mission is to protect the public health, safety, and welfare through regulation of the practice of architecture, engineering, land surveying, and landscape architecture by...

## 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.**

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 AELSLSA 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.

## 2022 AUGUST BOARD MEETING

Code	Strategic Plan Reference	To whom assigned	Deadline	Item Description	Status
8/16/2022		Leonetti		Regulation project for updating 12AAC 36.068 - LA by Exam to be in alignment with CLARB's Uniform Standard.	Ongoing
8/16/2022		CE Committee		Review discipline matrix to incorporate a letter of reprimand	Ongoing
8/16/2022		Strait		Start Reg Project on 12AAC36.105 (h) and (i) for improvements to the SE by comity Regulations	Ongoing
8/16/2022		Fritz, Neal		respond to comments from 2019 Reg change	Complete
8/16/2022		Maxwell/Neal		Letter to AELS registrants about HB148 going into law. Send via Listserv.	Complete
8/16/2022		Strait		Update ABET equivalency chart in board policies re: Architectural Engineering references	Ongoing
8/16/2022		Fritz		Updated response to MOA re Structural Engineers	Complete
8/16/2022		Fritz		New letter to Paul Dorvel - fix up letter re: changes in seals	Complete
8/16/2022		Maxwell, Bell		Start Reg project for Survey, re: PS Exam	Ongoing
8/16/2022		Maxwell, Bell		Start Reg Project for re: HB148 does/doesn't need reg updates	Ongoing
8/16/2022		Johnston, Strait, Garness		Start Reg project for 36.990 and applicable for Mentoring for Engineering	Ongoing
8/17/2022		Guidance Committee		Revise Bylaws to updated Investigative Advisory Committee (delete #7)	Complete
8/17/2022		ALL		Review ADEC record drawing verbiage. Comments to go to the guidance committee.	Complete
8/17/2022		CE Committee		Review content of Arctic Course and report to Nov. Board Meeting	Ongoing
8/17/2022		Sara Neal to work with Sara Chambers		Method for Bill Sponsor. "By the rules committee by the request fo the Gov."	Complete
8/17/2022		ALL		Review Statue change proposal (draft) and make comments to Legislative Committee by Oct. 1. Send to Leman. Look for hot spots: industrial exemptions and buidling exemptions.	Complete
8/17/2022		Investigations committee		Redacted information from investative cases, Can we add information on if it went to a board member. Which ones have gone to multiple reviewers	Ongoing
8/17/2022		Guidance Committee		By laws need to be changed by a Reg Project. 36.920	Complete
5/10/2022		Sara/Fritz		Create new policy for 36.010.j - delegating review authority to Staff for approving applications	Ongoing
8/16/2022		ALL		Review digital signature instructions before they are posted to website	Ongoing
8/16/2022		Outreach Committee		Educate state associations of the name change for the arctic course	Ongoing
8/16/2022		Neal		Work with publications team on the online application for military	Ongoing
8/17/2022		Guidance Committee		Review language used in the Guidance for Construction Drawings Section and evaluate if it should be an appendix to the Guidance Manual	Complete
8/17/2022		Outreach Committee		Plan outreach event for Nov board meeting	Complete
8/17/2022		Outreach Committee		Find a vendor to create a logo and a newsletter template	Complete
8/17/2022		Outreach Committee		Gather newsletter content	Ongoing
8/16/2022		CE Committee		Letter to registrants RE: Audit findings; reminder of responsibilities "don't check the box" ; UAA - inform them that not all CE classes offered meet AELS CE requirements	Ongoing
8/17/2022		Neal		Send committee meetings/agenda information via listserv	Complete
8/17/2022		Legislative Liaison Committee		Work on Regulation Project that revises term "responsible charge" in regulations.	Ongoing
8/17/2022		Legislative Liaison Committee		Review board suggestions for possible statute changes / prepare changes to be reviewed by the board in Nov board mtg	Ongoing
8/17/2022		Guidance Committee		Review board comments RE: ADEC verbiage	Complete
8/16/2022		CE Committee		UAA - inform them that not all CE classes offered meet AELS CE requirements	Ongoing



THE STATE  
of **ALASKA**

Department of Commerce, Community,  
and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND  
PROFESSIONAL LICENSING

550 West Seventh Avenue, Suite 1500  
Anchorage, AK 99501-3567  
Main: 907.269.8160  
Fax: 907.269.8156

**MEMORANDUM**

DATE: October 26, 2022  
TO: Architects, Engineers, and Land Surveyors  
THRU: Greg Francois, Chief Investigator *GF*  
FROM: Patrick Kase, Investigator  
RE: Investigative Report for the November 09, 2022 Meeting

The following information was compiled as an investigative report to the Board for the period of August 16, 2022 thru October 26, 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 - 27**

<b><u>Case Number</u></b>	<b><u>Violation Type</u></b>	<b><u>Case Status</u></b>	<b><u>Status Date</u></b>
<b>ARCHITECT</b>			
2022-000708	Continuing education	Complaint	06/27/2022
2022-000712	Continuing education	Complaint	08/02/2022
<b>CHEMICAL ENGINEER</b>			
2022-000508	Continuing education	Investigation	08/16/2022
<b>ELECTRICAL ENGINEER</b>			
2022-000410	Continuing education	Investigation	06/28/2022
<b>ENGINEER</b>			
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	Unprofessional conduct	Complaint	04/28/2020
2020-000411	Unprofessional conduct	Complaint	04/28/2020
2021-000561	Incompetence	Complaint	07/15/2021
2022-000690	Continuing education	Complaint	07/20/2022
2022-000706	Continuing education	Complaint	08/02/2022
2022-000707	Continuing education	Complaint	06/27/2022
2022-000710	Continuing education	Complaint	08/02/2022
2020-000840	Negligence	Monitor	
2021-000423	Unprofessional conduct	Investigation	07/18/2022
2022-000430	Continuing education	Investigation	08/22/2022

#### **LAND SURVEYOR**

2022-000330	Unlicensed practice or activity	Intake	04/11/2022
2022-000796	Unlicensed practice or activity	Intake	08/24/2022
2020-000416	Violation of licensing regulation	Complaint	06/03/2020
2021-000667	Unethical conduct	Complaint	09/27/2021
2021-000675	Negligence	Complaint	10/06/2021
2022-000716	Continuing education	Complaint	08/02/2022
2022-000532	Continuing education	Investigation	08/16/2022

#### **MECHANICAL ENGINEER**

2022-000510	Continuing education	Investigation	08/16/2022
2022-000545	Continuing education	Investigation	08/11/2022

#### **STRUCTURAL ENGINEER**

2022-000433	Continuing education	Investigation	08/16/2022
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#### **Closed - 16**

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

2022-000431	Continuing education	Closed-Complaint	09/15/2022	No Action - No Violation
<b>ELECTRICAL ENGINEER</b>				
2022-000781	License application problem	Closed-Intake	08/22/2022	Review Complete
2022-000974	License application problem	Closed-Intake	10/17/2022	Review Complete
2022-000411	Continuing education	Closed-Investigation	09/02/2022	License Action
2022-000540	Continuing education	Closed-Investigation	08/24/2022	License Action
<b>ENGINEER</b>				
2022-000432	Continuing education	Closed-Complaint	09/02/2022	No Action - No Violation
2022-000533	Continuing education	Closed-Complaint	09/15/2022	No Action - No Violation
2022-000534	Continuing education	Closed-Complaint	09/02/2022	No Action - No Violation
2022-000537	Continuing education	Closed-Complaint	09/15/2022	No Action - No Violation
2022-000538	Continuing education	Closed-Complaint	09/27/2022	No Action - No Violation
2022-000539	Continuing education	Closed-Complaint	09/02/2022	No Action - No Violation
2020-000565	Fraud or misrepresentation	Closed-Investigation	09/08/2022	Advisement Letter
<b>LAND SURVEYOR</b>				
2022-000717	Continuing education	Closed-Complaint	08/24/2022	No Action - No Violation
<b>MECHANICAL ENGINEER</b>				
2022-000542	Continuing education	Closed-Complaint	09/15/2022	No Action - No Violation
2022-000544	Continuing education	Closed-Investigation	08/24/2022	License Action
<b>STRUCTURAL ENGINEER</b>				
2022-000546	Continuing education	Closed-Complaint	09/15/2022	No Action - No Violation

***END OF REPORT***

### **Process for Proposed Statute Change**

1. Vote on what Board wants to happen
2. Identify leader on the board who is going to move it forward.
3. Write a one-page document (see attached examples) to go with the intended changes that cover the following topics:
  - a. What the statute changes would accomplish;
  - b. Why they are needed;
  - c. Who will be affected;
  - d. Who will benefit;
  - e. What are the consequences or potential consequences (positive and negative);
  - f. Etc.
4. Along with this one-page report, the board should have a working draft (possibly include examples of what other jurisdictions have) before looking for a sponsor.
5. Find a sponsor
6. Sponsor has Legislative Legal take over the drafting of the bill.

# ALASKA NURSE LICENSURE COMPACT

- **34 states have joined the Nurse Licensure Compact (NLC):** Bills to enact the NLC are currently pending in Washington, Oregon, California, Michigan, Ohio, Vermont, Rhode Island, and Guam, with several others expected in the 2021-2022 session.
- **The NLC is widely supported in Alaska:** The Nurse Licensure Compact is supported by Alaskan nurses, ASHNHA, the U.S. Department of Defense, Fresenius Medical Care, AARP, and many more.
- **Nurses support the NLC:** According to a 2019 survey of Alaska-licensed nurses, 92% supported joining the Compact (including 89% of nurses with primary residency in Alaska and 87% of Alaska-licensed nurses who are members of a union).
- **NLC would help address the RN workforce shortage,** both short- and long-term:
  - Alaska hospitals reported over **670** nursing vacancies at the end of 2019.
  - According to Department of Workforce and Labor Development and HRSA federal data, **close to 50% of all Alaskan-licensed RNs are over the age of 45**, and there is a **22.7% difference between nurse supply and demand**. **By 2030, Alaska is expected to need 5,400 additional nurses.**
  - A three-year report from the Alaska Commission on Aging states Alaska has the **fastest-growing senior population in the nation**.
- **The NLC saves money:** Nursing shortages increase overall health costs by decreasing patient access to care—inflating insurance premiums and patient healthcare costs.
- **Increases flexibility of healthcare emergency preparedness infrastructure:** The Compact allows nurses to quickly and easily provide nursing services in response to disasters such as the COVID-19 pandemic, flu pandemics, natural disasters such as earthquakes and mass casualty events, etc.
- **Critical tool in supporting healthcare innovation and rural critical access healthcare:** As telemedicine is increasingly being used to provide care, the ability for nurses to provide care across state lines is becoming even more important. Nursing practice takes place where the patient is located—the NLC allows for Alaska nurses to provide telemedicine care in all other Compact states, and allows nurse educators from Alaska to teach online courses to nursing students in other states.
- **States maintain autonomy:** Importantly, the Compact allows states to maintain their own autonomy over licensure. The NLC does not alter the licensure requirements to obtain an Alaska license nor the scope of practice in the state.
- **Ensures safe providers-** Nurses with state or federal felony convictions are ineligible for multi-state licensure. Nurses currently participating in alternative to discipline programs also cannot participate in the Compact.

According to the 2019 survey conducted by the National Council of State Boards of Nursing (NCSBN):

**92% of Alaska's Nurses Support Joining the NLC**

# Alaska Uniform Money Transmission Modernization Act

## HB 408 SB 238: White Paper

**OVERVIEW:** This legislation amends and modernizes the Alaska Uniform Money Services Act (“Act”) (AS 06.55). The Act provides the legal framework for money transmission functions, including currency exchange, transfer (or wiring) of money, and loading and reloading of payment instruments including stored-value cards. When passed in 2007, the Act did not contemplate virtual/crypto currencies like Bitcoin or the rates of money service business expansion. This legislation updates the licensing, recordkeeping, and enforcement provisions to support these business activities and protect Alaska consumers.

**Reduces regulatory burden by streamlining initial licensing and license renewal** using the Nationwide Multistate Licensing System and Registry (“NMLS”) for submitting license applications, filing documents, reporting, and payment of fees. The bill removes the currency exchange license type and adds currency exchange to the definition of money transmission so only one license is needed.

**Protects Alaska consumers by conducting criminal background checks through the NMLS** on individuals who control a money transmission business. (Note: background checks are currently conducted by the Division of Banking and Securities staff using CLEAR, a third-party software application.)

**Ensures regulatory costs of supervision keep pace with growth** by allowing implementation of a volume based annual assessment. Licensees will be required to report money transmission volume which will ensure licensees are treated fairly and equitably based on the level of volume/business conducted in the state.

**Broadens the definition of money transmission** to include virtual currency transactions and other methods of moving or transferring monetary value to better protect Alaskans. As of March 2022, 28 states regulate virtual currency.

### Enhances Consumer Protection

- Requires licensees to comply with federal laws, including suspicious activity reporting.
- Increase the record retention schedule to five years for greater transparency.
- Update enforcement provisions by allowing a broader spectrum of orders to be issued.
- Ensure the division can coordinate with other states in all areas of regulation, licensing, and supervision. to reduce regulatory burden on the industry and more effectively utilize regulator resources.
- Define crypto/virtual currency money transmission activities and allow regulation of those activities to protect Alaska consumers.

Alaska Money Transmission Volume/Growth			
	Total*	Virtual Currency	% of Virtual
2021	\$7,113,784,000	\$2,312,661,000	32.51%
2020	\$2,820,331,000	\$91,773,000	3.25%
*Total includes money transmission, payment instruments, stored value, and virtual currency			

Money Transmitter/ Currency Exchange Licenses	CY2021	CY2020	CY2019	CY2018	CY2017
	153	136	113	111	91

For questions or additional information, please contact DCCED Division of Banking and Securities Director Robert H. Schmidt at (907) 269-5496, (907) 317-3558, or [rob.schmidt@alaska.gov](mailto:rob.schmidt@alaska.gov).



2020-2021 - CE AUDIT REPORT			
<b>Total Randomly Selected for Audit:</b>		309	
	Lapsed/Retired:	49	
	Total Active Audits:	260	
<b>Total Active Audits:</b>		260	
	Completed:	233	
	Incomplete w/staff:	0	
	Referred to Paralegal:	27	
<b>Referred to Paralegal:</b>		27	
	Outstanding Audits from 2019	2	
	Cleared through Paralegal:	14	
	License Action:	3	
	Proposed License Actions:	2	(Reviewing during 11/2022 meeting)
	Requesting Reconsideration:	4	(No requests approved during 8/2022 meeting)
	Open:	14	
<b>Total Open Audits:</b>		14	

## Status of Interior Design Working Group

Prepared by: Barbara Cash, FASID, IIDA | Mary Knopf, FASID, IIDA  
Dana Nunn, FASID | Kelsey Davidson, ASID

October 10, 2022 (*Revised 10/15/2022*)

At the suggestion of the AELS board and invitation of ASID AK, a working group of four NCIDQ-certified interior designers representing ASID Alaska and IIDA Pacific Northwest chapters and four registered architects representing AIA Alaska Chapter was formed in June 2022 to consider issues relating to the regulation of interior design in the interest of creating a new bill to be introduced in the 2023 legislative session.

Interior Designers: Barbara Cash, Kelsey Davidson, Mary Knopf, Dana Nunn  
Architects: Paul Baril, Jessica Cedarberg, Catherine Fritz, Ryan Morse

Three meetings have been held and a fourth meeting is intended later this fall. As we, ASID Alaska, committed to in the AELS board meeting on May 11, 2022, this memo serves as our status report to the board for your November 2022 meeting.

### Meeting 1 | July 18, 2022

*Attendees: Core working group as noted above; ASID AK requested the group include expert representation from the credentialing bodies, NCARB and CIDQ, however AIA AK insisted our first meeting be limited to the core working group members. ASID AK was amenable to this.*

Purpose: Identify areas of common ground and potential compromise in the pursuit of regulation for commercial interior design.

- Collaborative history, evolution of the Bill(s) (ref. H.B. 291-2020 and H.B. 61-2021/2022)
- Need for regulation: how interior design services in non-exempted structures affect public HSW
- State of the Professions: Joint report by credentialing bodies NCARB and CIDQ found that:  
"Both examinations have well-established and rigorous procedures that must be met. Both Architecture and Interior Design, while similar in requirements are unique and distinct disciplines in practice and required knowledge. Both serve an important role in Health Safety and Welfare within the built environment."
- Definition of practice of interior design
  - Interest in establishing "edge condition" parameters for interior design scope of practice vs architecture
  - Recognized that the definition of architecture so broad as to prohibit practice
- Ongoing study of other states' approaches/language/compromises, recently passed
- Alternate approaches to regulation

The group agreed:

- There are life safety components of interior design that impact health safety, welfare
- Regulation of interior design is appropriate
- Qualified, credentialed interior designers should be able to practice independently within a clearly defined scope of work
- Distinction between qualified interior designers and others who practice aspects of interior design provides recognition and clarity for regulatory and enforcement bodies and the general public

## Meeting 2 | August 15, 2022

*Attendees: Core working group as noted above, Matt Barusch (CIDQ), Maurice Brown (NCARB).*

*ASID AK requested the group include expert representation from the credentialing bodies, NCARB and CIDQ, however AIA AK insisted their participation be limited to the beginning of the session when discussion focused on the NCARB/CIDQ joint report. ASID AK was amenable to this.*

Purpose: Develop a mutually acceptable definition, scope, and means of regulating interior design in Alaska.

- NCARB and CIDQ representatives participated in first part of meeting for general input and feedback as subject matter experts in credentialing of architecture and interior design professionals, respectively, and in the content of the joint report comparing the practice of architecture and interior design, and their related credentialing examinations, the ARE® and the NCIDQ®. Note: The NCARB/CIDQ Joint Report was not scoped to provide regulatory framework or recommendations:

This report, and the scope of work it summarizes, serves to acknowledge architecture and interior design as two unique, distinct disciplines serving the public in the built environment. This report does not suggest a merger of the two professions, nor does it suggest that the expertise or services provided to the public are interchangeable. Rather, this report documents required areas of competency in professional knowledge and skills that are similar, and in some cases substantially identical. The subject matter experts (SMEs) participating in this study affirm there are areas of strong similarity in the expectations for competency to practice architecture upon licensure and to practice interior design upon NCIDQ certification.

- Deep dive into language refinements for definition of practice of interior design based on recent language developed in other states and discussion of “edge conditions” and interior design practice limitations
- cursory discussion of Continuing Education requirements
- Preliminary discussion of regulatory framework to be revisited in later meeting(s)

The group agreed:

- Regulated Title revised to be Registered Interior Designer

## Meeting 3 | September 27, 2022

*Attendees: Core working group as noted above; ASID AK requested the group include representation from the credentialing bodies, NCARB and CIDA, for their expertise in joint and independent regulatory frameworks in other states, however AIA AK requested this meeting be limited to the core working group members. ASID AK was amenable to this.*

Purpose: Develop a mutually acceptable definition, scope, and means of regulating interior design in Alaska.

- Precedent for multidisciplinary boards which include interior design
- Limitations to scope of practice
- Supplemental definitions
- Regulatory framework: architects will present pros/cons of identified methods in next meeting for discussion

The group agreed to continue consideration of:

- Exclusions to practice
- Regulatory frameworks

**Meeting 4** | date TBD

*Attendees: We are hopeful that the regulatory framework experts are allowed to participate in the duration of this meeting given the focus on that topic.*

Purpose: Continued discussion of regulatory framework options, refine definition of practice and scope of work for clarity and efficiency.

We remain optimistic that a way forward will be resolved for introduction of a bill in spring 2023.



**AIA**  
Alaska

## **INTERIOR DESIGN REGULATION WORKING GROUP REPORT**

Prepared by AIA Alaska Members, for the AELS Board

Date: 10/19/2022

This report is provided as an update of The Interior Design Working Group activity. We have met three times: July 18, August 15, and September 27, 2022 for approximately 12 hours total. The purpose of the meetings has been for the four AIA architects in the group to better understand the desire for regulation by the four interior designers in the group, and for the interior designers to better understand the concern of the group's architects about such possible regulation. The goal has been to find common ground where possible and continue to have supportive professional relationships between the two design disciplines that have existed in Alaska for more than four decades.

The group has studied recently proposed interior design legislation in other states and has consulted with industry experts from CIDQ and NCARB. The parties agree that interior design is a distinct design practice that differs from architecture. Architectural practice is holistic in its nature and includes all the tasks that interior designers do, whereas interior designers specialize in a specific limited portion of architecture - the interior non-structural spaces of buildings. Interior designers want to be able to practice within their area of expertise without the oversight by architects that is currently required for many projects. Architects agree that many aspects of interior design pose a low risk to public health, safety, and welfare (HSW) and should continue to be offered by qualified interior designers without dependency on architects. Other tasks considered to be significant to public HSW such as fire & smoke separations and egress components have been excluded from independent interior design practice definitions by recent legislation in other states, but are desired to be part of the practice by interior designers in Alaska. Therefore, the group is discussing specific details and limitations of interior design practice with goal of developing a mutually agreeable definition of interior design practice for potential legislation in Alaska.

Interior design is currently a broad term in the marketplace. Since the title is not controlled in Alaska, anyone can call themselves an interior designer. There is a recognized desire of the interior designers to provide a title to interior designers who possess the education, experience, and examination conditions required by NCIDQ. Architects support a distinction of NCIDQ certified interior designers to increase professional respect and to help the differentiate between types of interior design businesses. Furthermore, the interior designers feel strongly that regulation to practice is needed to bring further clarity to the public, protect HSW, and to distinguish the profession from others who work on less complex interior issues (eg. residential interior finishes). The architects understand the interior designer's desire for regulation and do not object to such regulation if it does not create confusion to the public or reduce the existing responsibilities of licensed architects and engineers to protect HSW.

The Working Group is currently reviewing three models for possible regulation in Alaska and will present the pros & cons of those models once this work is completed. The interior designers would like to have legislation considered in the coming session. The architects will continue to collaborate on developing mutually acceptable language to be used in a bill to regulate interior design practice. A timeline for completing the Working Group's efforts has not yet been set, but we will keep the Board informed as the process moves forward. Additional information or testimony can be provided at the request of the AELS Board.

Respectfully,

*Ryan Morse, AIA, NCARB – Catherine Fritz, AIA – Jessica Cederberg, AIA, NCARB – Paul Baril, AIA, NCARB*

(b) The form and content of a license, authorized by a board listed in AS 08.01.010, including any document evidencing renewal of a license, shall be determined by the department after consultation with and consideration of the views of the board concerned.

(c) *[Repealed, Sec. 49 ch 94 SLA 1987.]*

(d) At the request of one of the following boards, the department may contract with public agencies and private professional organizations to provide assistance and treatment to persons licensed by the board who abuse alcohol, other drugs, or other substances:

- (1) Board of Social Work Examiners;
- (2) Board of Dental Examiners;
- (3) Board of Marital and Family Therapy;
- (4) State Medical Board;
- (5) Board of Nursing;
- (6) Board of Examiners in Optometry;
- (7) Board of Pharmacy;
- (8) State Physical Therapy and Occupational Therapy Board;
- (9) Board of Professional Counselors;
- (10) Board of Psychologist and Psychological Associate Examiners; and
- (11) Board of Veterinary Examiners.

**Sec. 08.01.060. Application for license.** (a) All applications for examination or licensing to engage in the business or profession covered by this chapter shall be made in writing to the department.

(b) If the applicant is a natural person, the application must require that the applicant submit the applicant's social security number to the department. Notwithstanding any other provision of this title, a license to engage in a profession may not be issued by the department to a natural person unless the social security number has been provided to the department.

**Sec. 08.01.062. Courtesy licenses.** (a) A board established under this title and the Department of Commerce, Community, and Economic Development, with respect to an occupation that it regulates under this title, may by regulation establish criteria for issuing a temporary courtesy license to nonresidents who enter the state so that, on a temporary basis, they may practice the occupation regulated by the board or the department.

(b) The regulations adopted under (a) of this section may include limitations relating to the

- (1) duration of the license's validity;
- (2) scope of practice allowed under the license; and
- (3) other matters considered important by the board or the department.

**Sec. 08.01.063. Military courtesy licenses.** (a) Except as provided in (d) of this section, and notwithstanding another provision of law, the department or appropriate board shall issue a temporary courtesy license to an active duty member of the armed forces of the United States or the spouse of an active duty member of the armed forces of the United States if the active duty member or spouse meets the requirements of this section and applies to the department or appropriate board in the manner prescribed by the department or appropriate board. An application must include evidence satisfactory to the department or appropriate board that the applicant

(1) is an active duty member of the armed forces of the United States or is married to and living with a member of the armed forces of the United States who is on active duty and assigned to a duty station in this state under official active duty military orders;

(2) holds a current license or certificate in another state, district, or territory of the United States, or that is recognized by the United States, including a branch of the armed forces of the United States, with requirements that the department or appropriate board determines are substantially equivalent to those established under this title for that occupation;

(3) if required by the department or appropriate board for obtaining a license in the applicant's profession, has been fingerprinted and has provided the fees required by the Department of Public Safety under AS 12.62.160 for criminal justice information and a national criminal history record check; the fingerprints and fees shall be forwarded to the Department of Public Safety to obtain a report of criminal justice information under AS 12.62 and a national criminal history record check under AS 12.62.400;

(4) has not committed an act in any jurisdiction that would have constituted grounds for the refusal, suspension, or revocation of a license or certificate to practice that occupation under this title at the time the act was committed;

(5) has not been disciplined by a licensing or credentialing entity in another jurisdiction and is not the subject of an unresolved complaint, review procedure, or disciplinary proceeding conducted by a licensing or credentialing entity in another jurisdiction; and

(6) pays any fees required under this title.

(b) The department or appropriate board shall issue a temporary license under this section to a person who meets the requirements under (a) of this section within 30 days after the department or appropriate board receives the person's completed application for the temporary license.

(c) A temporary courtesy license issued under this section is valid for 180 days and may be extended at the discretion of the department or appropriate board for one additional 180-day period, on application of the holder of the temporary courtesy license.

(d) This section does not apply to the practice of law or the regulation of attorneys under AS 08.08.

(e) The department shall prepare an annual report that describes, for the previous fiscal year, information on temporary courtesy licenses issued under this section, including

- (1) expedited application procedures;
- (2) progress made toward implementing regulations for the licenses, changes to regulations made to accommodate the needs of military spouses, and any plans for future regulations;
- (3) the number and type of the licenses that have been issued; and
- (4) the department's efforts to inform each board authorized to issue a temporary courtesy license under this section and the military community in the state about the licenses.

(f) The department shall submit the report prepared under (e) of this section to the Joint Armed Services Committee on or before the first day of March each year. In addition, the department shall consolidate the two most recent reports and submit a biennial report to the legislature on or before the first day of March during the first regular session of each legislature. The department shall deliver a copy of the biennial report to the senate secretary and the chief clerk of the house of representatives and notify the legislature that the report is available.

(g) The department shall annually produce and distribute to each board authorized to issue a temporary courtesy license under this section informational materials for the purpose of improving the board's knowledge of the licenses, the application process, and best practices in providing applicant support. The department shall encourage the boards to designate a single employee to serve as the point of contact for public information and inquiries related to temporary courtesy licenses for military spouses.

**Sec. 08.01.064. Military education, training, and service credit; temporary license.** (a) Notwithstanding another provision of law, the department or applicable board shall accept military education, training, and service for some or all of the qualifications otherwise required of an applicant for a license or certificate issued under this chapter if

(1) the department or applicable board determines that the military education, training, and service is substantially equivalent to some or all of the qualifications otherwise required of an applicant for a license or certificate issued under this chapter; and

(2) the applicant provides satisfactory evidence of successful completion of the education, training, or service as a member of the armed forces of the United States, the United States Reserves, the National Guard of any state, the Military Reserves of any state, or the Naval Militia of any state.

(b) If the department issues temporary licenses or certificates as authorized by the department or applicable board under AS 08.01.050(a)(9), the department or applicable board shall issue a temporary license or certificate to a person who

(1) applies to the department or applicable board in a manner prescribed by the department or board;

(2) meets the requirements in AS 08.01.063(a)(3) - (6); and

(3) while in the armed forces of the United States or any state, as described in (a) of this section,

(A) held a current license or certificate in another state, district, or territory of the United States, practiced in the area of the license or certificate, and maintained the license or certificate in active status before and at the time of application for a license or certificate under this subsection; or

(B) was awarded a degree, diploma, or certificate by a branch of the armed forces of the United States or any state, as described in (a) of this section, that met standards for an equivalent license or a certificate of technical training.

(c) The department or applicable board shall expedite the procedure for issuance of a license or certificate under (b) of this section for an applicant who is on active duty.

(d) A license or certificate issued under (b) of this section is valid for 180 days and may be extended at the discretion of the department or applicable board for one additional 180-day period if the holder of the license or certificate applies for an extension on a form approved by the department or applicable board.

(e) The department or applicable board may adopt regulations necessary to implement this section.

**Sec. 08.01.065. Establishment of fees.** (a) Except for business licenses, the department shall adopt regulations that establish the amount and manner of payment of application fees, examination fees, license fees, registration fees, permit fees, investigation fees, and all other fees as appropriate for the occupations covered by this chapter.

(b) *[Repealed, Sec. 4 ch 34 SLA 1992.]*

(c) Except as provided in (f) - (j) of this section, the department shall establish fee levels under (a) of this section so that the total amount of fees collected for an occupation approximately equals the actual regulatory costs for the occupation. The department shall annually review each fee level to determine whether the regulatory costs of each occupation are approximately equal to fee collections related to that occupation. If the review indicates that an occupation's fee collections and regulatory costs are not approximately equal, the department shall calculate fee adjustments and adopt regulations under (a) of this section to implement the adjustments. In January of each year, the department shall report on all fee levels and revisions for the previous year under this subsection to the office of management and budget. If a board regulates an occupation covered by this chapter, the department shall consider





# Military Credit

[STUDENTS](#) / [TRANSFER CREDIT](#) / [MILITARY CREDIT](#)

UAA is a ArmyIgnitEd school and participates in the Air Force Education Portal and the My Career Advancement Program offered to spouses. UAA accepts DSST Exams (formerly DANTES) and CLEP exams and evaluates military training for admitted degree-seeking students. UAA requires and collects transcripts from all institutionally accredited and foreign institutions attended. [Transfer credit](#) is applied upon review of each transcript.

Visit the [Military and Veteran Community Resources](#) page for information about available support for service members, veterans, and their families.

## US Service Academies

All of the US military service academics are regionally accredited universities. Coursework will transfer using the same guidelines as any other transfer institution.

## Air Force

Most US Air Force airmen are enrolled in Community College of the Air Force (CCAF) to document their training. Order a CCAF transcript as part of your admissions process and complete a Request for Evaluation of CCAF Credit form with your academic advisor.

[Request for Evaluation of CCAF \(Community College of the Air Force\) Credit](#)

### TRANSFER CREDIT

[Military Credit](#)

[International Credit](#)

[Frequent Questions and Procedures](#)



# Joint Services Transcript

UAA follows American Council on Education (ACE) guidelines for granting military credit from the Joint Services Transcript (JST). Only elective credit is granted. Work with your academic advisor to ensure these credits are appropriately applied to your degree requirements.

## Transferring ACE Military Credit

Credits may be granted for formal service schools and the primary MOS/Rating as recommended in the Guide to the Evaluation of Education Experiences in the Armed Services prepared by the American Council on Education.

- Send a JST to [application-documents@uaa.alaska.edu](mailto:application-documents@uaa.alaska.edu).
- Meet with your academic advisor to discuss your JST and how credit will be appropriately applied to your degree requirements.
- Fill out the [Request for Evaluation of Military Training](#) form to reflect your choices. Once it is signed, submit it to the Registrar's Office at [uaa.transfer@alaska.edu](mailto:uaa.transfer@alaska.edu) or bring it to the Enrollment Services Center. The credit will then be posted to your record.

## Credit Eligibility

Per ACE guidelines, the following credit on a JST is eligible for transfer to UAA:

- **Army** - All AR training courses and the most recent primary MOS occupation.
- **Marine Corp** - All MR training courses and the most recent primary MCE occupation.
- **Navy** - All NV training courses and the most recent primary NER occupation.
- **Coast Guard** - All CG training courses and the most recent primary CGR occupation.

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

## **Proposal for Providing Psychometric Services**

### **Alaska Land Surveying Examination**

Prepared by

Jack L. Warner, Ph.D.

President, TEST, Inc.

October 2022

The procedures in the current proposal are designed to maximize the quality and fairness of the Alaska Land Surveying Examination (AKLS) that is administered by the Alaska State Board of Registration for Architects, Engineers, and Land Surveyors (AELS). Quality examinations enhance public protection because incompetent candidates are less likely to pass the examinations. Candidates also benefit because they answer questions that are clearly worded and related to the practice of land surveying in Alaska. Rigorous testing procedures are also useful in case of legal challenges to the examinations.

#### **Background and History**

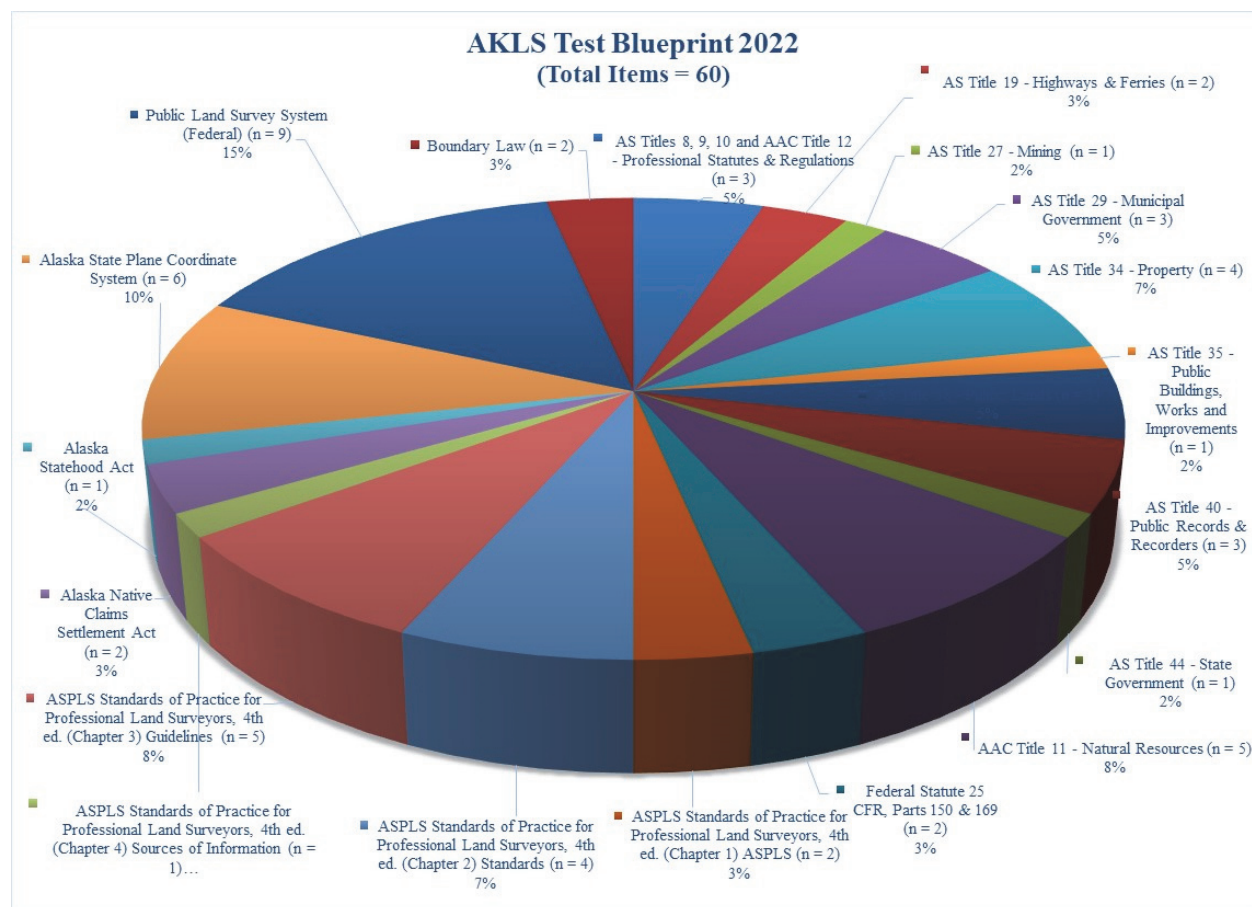
TEST, Inc. has provided psychometric services related to the AKLS Examination since 1994, conducting test development workshops on a regular basis. Licensed land surveyors in Alaska have served as Subject Matter Experts (SMEs), writing and reviewing test questions during the workshops. The current AKLS Item Bank contains a total of 327 questions. The large number of questions in the Item Bank is a tribute to the hard work and dedication of many land surveyors that have attended workshops over the years.

Of the 327 questions in the Item Bank, 320 (98%) have been included in one or more examinations. These "tested" items have received detailed review by SMEs during workshops, including an evaluation of their statistical performance (i.e., percent correct, item-total correlation). These items have also been evaluated using a modified Angoff procedure that is used in setting passing scores that reflect minimum competency. Because these items have been scored on earlier forms and undergone extensive review, it is possible to administer forms that contain exclusively tested items without holding test development workshops to review the results of the examinations. This reduces test development costs while also making it possible to send candidates their scores faster because no workshop is necessary.

There are also some advantages to periodically administering forms that contain some new or "untested" items. The inclusion of untested items helps ensure that forms remain current relative to new state laws, rules, and regulations. Increasing the number of questions in the Item Bank also reduces the number of items that appear on multiple forms of the examination. This reduces the likelihood that items will become overexposed by virtue of being included in too many forms of the examination.

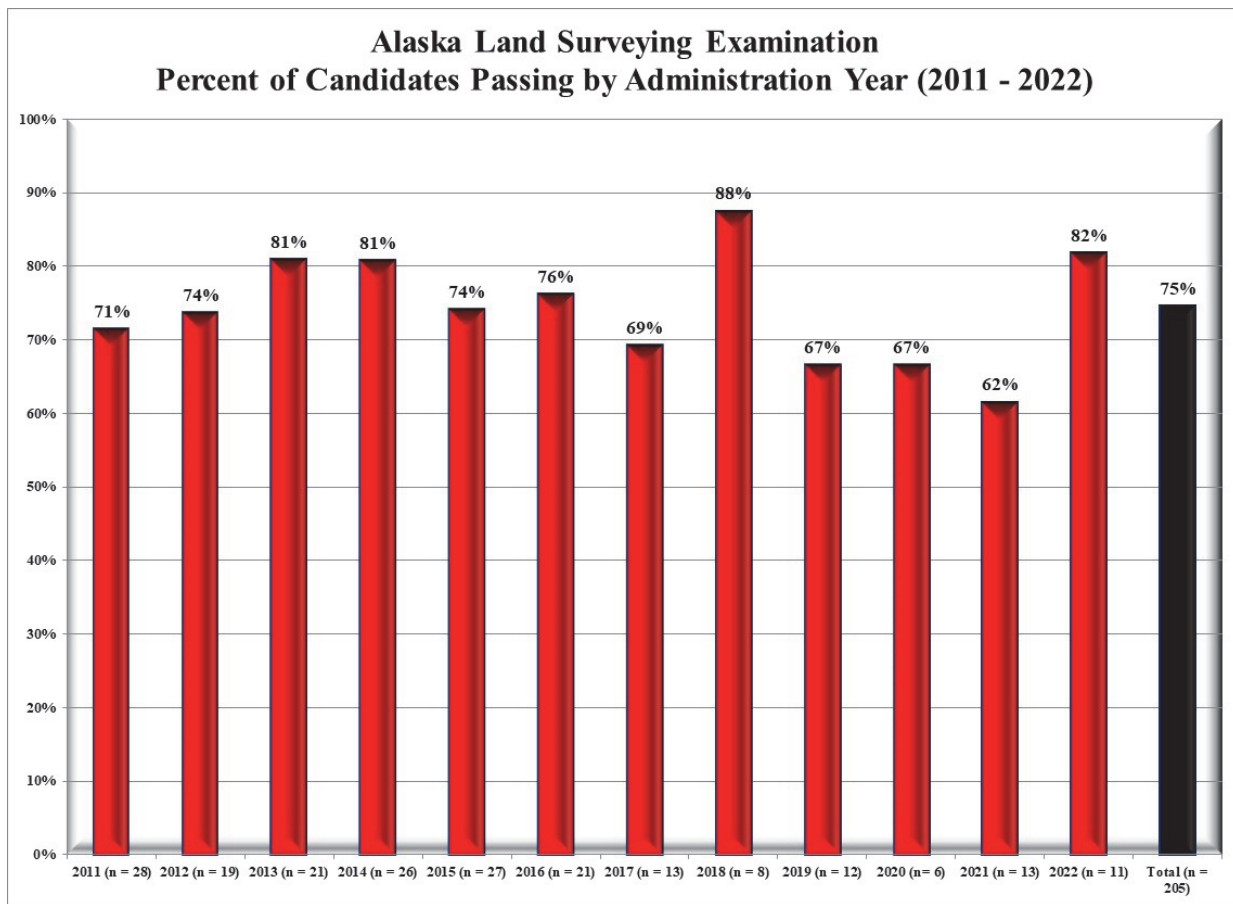
## AKLS Test Blueprint

The AKLS Examination is an open-book examination that contains 60 multiple-choice questions. The questions assess candidates' knowledge of the laws, rules, and regulations that impact land surveying in Alaska. More questions are devoted to material that is critical to public protection (see AKLS Test Blueprint). The content of the material is intended to complement, not duplicate, the information that is tested in the Fundamentals of Surveying (FS) and Principles and Practice of Surveying (PS) Examinations prepared by the National Council of Examiners for Engineering and Surveying (NCEES). The AKLS Test Blueprint is reviewed at the beginning of each test development workshop to ensure that it remains current relative to the laws and regulations that impact land surveying in Alaska. The Test Blueprint is updated whenever new laws and regulations go into effect.



## AKLS Examination Passing Rates

The cut-off score that is established for each form is determined using a criterion-referenced procedure (i.e., Modified Angoff). SMEs evaluate the difficulty levels of items appearing in the exams in relation to minimum competency. These ratings are used to set cut-off scores that reflect minimum competency taking into account the difficulty of the examination. An average of 75% percent of the candidates taking the AKLS Examination from 2011 through 2022 passed. The passing rates are consistent across administrations and reveal that most candidates are studying the materials outlined in the AKLS Candidate Handbook, including the AKLS Test Blueprint.



### **Number of Administrations Per Year**

The AKLS Examination has been administered only one time per year for many years. While limiting the number of times the examination is offered lowers costs, it may be beneficial to candidates as well as the general public if the AKLS Examination is administered more frequently. The following sections of this proposal outline a plan for holding a test development workshop every two years that is attended by licensed land surveyors from Alaska and offering the AKLS Examination two times per year (April and October).

### **Test Development Workshop**

SMEs provide the expertise that is essential in developing quality examinations. Licensed land surveyors from Alaska, serving as SMEs, would be invited to attend a one-day workshop held in Anchorage, Alaska following the April 2023 administration of the examination (Form 2304). The SMEs (12 - 18) should be representative of licensed land surveyors from Alaska (e.g., length of experience, location, practice setting, public/private sector, etc.). The SMEs should have ready access during the workshop to state statutes, rules, and regulations that impact the land surveying profession in Alaska. SMEs that have copies of the Manual of Instructions for the Survey of the Public Lands of the United States (1973, 2009) should bring them to the workshop along with their calculators for use in solving problems.

The SMEs would review guidelines for developing and validating licensing examinations, including the test blueprints for the FS and PS Examinations prepared by the NCEES. The SMEs would also:

- review the AKLS Test Blueprint and update, if necessary,
- review guidelines for constructing and evaluating test questions,
- review the statistical results from the most recent administration of the examination (April 2023, Form 2304),
- evaluate the item difficulty levels of new items appearing in Form 2304 to establish a passing score that reflects minimum competency,
- write and review new items for inclusion into the AKLS Item Bank, and
- review and finalize four (4) upcoming forms of the AKLS Examination.

The AKLS Test Blueprint would be reviewed by the SMEs and updated, if necessary, to include any new legislation passed in recent years. The Test Blueprint should be reviewed on a regular basis in view of the frequent changes that are made in state laws, rules, and regulations. The Candidate Handbook contains the Test Blueprint and study references that are useful to candidates that are preparing for the exam. Candidates are given an opportunity to study the very statutes, rules, and regulations that impact the practice of the profession, and the study time can take place before they sit for the exam.

After the initial orientation and training session, the SMEs would split into smaller working groups to accomplish the objectives of the workshop. One group of SMEs (e.g., six to eight) would review any items in the April 2023 Examination (Form 2304) that exhibit unusual statistical properties (e.g., very difficult items and those with negative item-total correlations). Any substandard items detected by the SMEs will be deleted or double-keyed so that candidates are not penalized for these items. Because this form will contain some new items that have not been included in an examination (i.e., untested items), SMEs would also evaluate the new items using a modified Angoff procedure.

Smaller working groups (e.g., two or three per group) would review and finalize four upcoming forms of the exam. Three of the forms (2310, 2404, & 2410) would contain exclusively tested items, and one form would contain new and tested items (2504):

- 1. October 2023 (Form 2310 – Exclusively Tested Items)**
- 2. April 2024 (Form 2404 – Exclusively Tested Items)**
- 3. October 2024 (Form 2410 – Exclusively Tested Items)**
- 4. April 2025 (Form 2504 – New and Tested Items)**

SMEs would review and finalize these forms before they are administered to maximize the likelihood that all questions are valid measures of minimum competency. There would not be any need to hold workshops following the administration of the forms that contain exclusively tested items (2310, 2404, & 2410). However, a workshop would be held following the administration of the examination in April 2025 because this form would contain some new items which should be evaluated by SMEs before scores are finalized.

The workshop conducted following the AKLS Examination (April 2025) would be organized like the workshop conducted two years earlier. SMEs would:

- review the AKLS Test Blueprint and update, if necessary,
- review guidelines for constructing and evaluating test questions,
- review the statistical results from the most recent administration of the examination (April 2025, Form 2504),
- evaluate the item difficulty levels of new items appearing in Form 2504 to establish a passing score that reflects minimum competency,
- write and review new items for inclusion into the AKLS Item Bank, and
- review and finalize four (4) upcoming forms of the AKLS Examination.

- 1. October 2025 (Form 2510 – Exclusively Tested Items)**
- 2. April 2026 (Form 2604 – Exclusively Tested Items)**
- 3. October 2026 (Form 2610 – Exclusively Tested Items)**
- 4. April 2027 (Form 2704 – New and Tested Items)**

SMEs would review and finalize these forms before they are administered to maximize the accuracy of the forms. Workshops would not be necessary following the administration of the forms that contain exclusively tested items (2510, 2604, & 2610). A workshop would be held following the administration of the examination in April 2027 because of the new items appearing in this form.

<p style="text-align: center;"><b>Alaska Land Surveying Examination</b></p> <p style="text-align: center;"><b>TEST, Inc. - Proposal for Test Development Workshop</b></p> <p style="text-align: center;"><b>(One Workshop Every Two Years)</b></p>		
	<b>Services</b>	<b>Costs<sup>1</sup></b>
<b>1</b>	<p>Conduct a one-day test development and review workshop in Alaska that is attended by licensed land surveyors from the state of Alaska.</p> <p><b>Workshop Objectives:</b></p> <ul style="list-style-type: none"> <li>• Review the Alaska Land Surveying Examination Test Blueprint and update, as necessary.</li> <li>• Review criteria for developing good test questions.</li> <li>• Develop and review new items for inclusion into the Item Bank.</li> <li>• Evaluate questions in the most recent form of the examination using a criterion-referenced procedure to set a cut-off score that reflects minimum competency.</li> <li>• Review items that exhibit unusual statistical properties (e.g., very difficult, negative item-total correlations).</li> <li>• Review and finalize four forms of the AKLS Examination:               <ol style="list-style-type: none"> <li><b>1. October 2023 (Form 2310 – Exclusively Tested Items)</b></li> <li><b>2. April 2024 (Form 2404 – Exclusively Tested Items)</b></li> <li><b>3. October 2024 (Form 2410 – Exclusively Tested Items)</b></li> <li><b>4. April 2025 (Form 2504 – New and Tested Items)</b></li> </ol> </li> </ul>	<b>\$6,000.00</b>
<b>2</b>	Prepare a summary report that documents the accomplishments from the workshop and the performance of the most recent form of the AKLS Examination.	<b>\$500.00</b>
	<b>TOTAL COST FOR WORKSHOP</b>	<b>\$6,500.00</b>
<p><sup>1</sup> TEST, Inc. would be responsible for travel and lodging expenses for Jack Warner to attend the examination workshop. The Alaska Society of Professional Land Surveyors would contact and invite land surveyors to the workshop. The AELS Board would be responsible for any possible travel-related costs for the SMEs. TEST, Inc. would submit an invoice after all services that are listed in the invoice have been completed.</p>		

<p style="text-align: center;"><b>Alaska Land Surveying Examination</b>  <b>TEST, Inc. - Proposal for Psychometric Services</b>  <b>Cost Per Form</b>  <b>(One Form Every Six Months)</b></p>		
	<b>Services</b>	<b>Costs</b>
<b>1</b>	Generate AKLS Examination and send final master copy to the AELS Board.	<b>\$2,000.00</b>
	<i>The AELS Board would send candidates' completed answer sheets to TEST, Inc. following the administration of the examination.</i>	
<b>2</b>	Scan answer sheets and perform statistical analyses on the AKLS Examination.	<b>\$500.00</b>
<b>4</b>	Generate candidates' final scores and send them to the AELS Board.	<b>\$500.00</b>
	<b>TOTAL COST PER FORM</b>	<b>\$3,000.00</b>

### **TEST, Inc. – Business Organization**

TEST, Inc. is organized as a S Corporation in Colorado with Jack L. Warner, Ph.D. President, as sole owner of the company. Dr. Warner completes all professional services provided by TEST, Inc. This includes conducting workshops, updating item banks, preparing examinations, performing statistical analyses, and preparing summary reports. Dr. Warner obtained his Doctoral Degree in Psychology in 1980 and has 35 years of experience in evaluation of professional licensing examinations.

Dr. Warner has provided technical assistance to a diverse mix of more than 25 professions and occupations. He has provided the AELS Board with psychometric expertise related to the AKLS Examinations since 1994. He has provided consultation to several national associations, including the National Association of State Boards of Geology (ASBOG) and the National Council of Examiners for Engineering and Surveying (NCEES). TEST, Inc. has also provided over 30 licensing boards with technical assistance regarding procedures for developing and validating their state-specific licensure examinations for professional land surveying.



## **Jack L. Warner, Ph.D. – President, TEST, Inc.**

### **Education**

Ph.D. (1980) University of Nebraska-Lincoln, Major: Experimental Psychology, Minors: Program Evaluation and Clinical Psychology

M.A. (1977) University of Nebraska-Lincoln, Experimental Psychology

B.A. (1975) University of Nebraska-Lincoln, Major: Psychology, Minor: Music

### **Memberships and Affiliations**

Member, American Psychological Association (1980-present).

Special Awards Judge, Colorado Psychological Association, Colorado Science and Engineering Fair, (1990-2000).

Resource and Advisory Panel, Colorado Database Complaint Study on Mental Health Licensure, Colorado Psychological Association (1993-94).

Credentialing and Examination Issues Committee, National Clearinghouse on Licensure, Enforcement and Regulation (1989-90).

Examination Issues Committee, National Clearinghouse on Licensure, Enforcement and Regulation (1985-88); Committee Chair (1985-86).

Examination Policy and Procedures Committee, National Clearinghouse on Licensure, Enforcement and Regulation (1986-1987); Committee Chair (1987-88).

Membership Committee, National Commission for Health Certifying Agencies (1985-1988).

Professional Advisory Committee, University of Denver, School of Professional Psychology (1985-1987).

Managing Editor, (1987-1988) National Clearinghouse on Examination Information, National Clearinghouse on Licensure, Enforcement and Regulation, Lexington, Kentucky.

### **Research Experience**

Director of Examination Services, (1983-1989) State of Colorado, Department of Regulatory Agencies, Division of Registrations.

Research Specialist, (1981-1983) State of Colorado, Department of Personnel, Selection Center.

Research Assistant, (1979-1980) University of Denver, Department of Psychology, Mental Health Systems Evaluation Project, National Institute of Mental Health (MH27516).

## Teaching Experience

Laboratory Instructor, (1977-1978) Experimental Psychology, Department of Psychology, University of Nebraska-Lincoln.

Instructor, (1976-1977) Introductory Psychology, Department of Psychology, University of Nebraska-Lincoln.

Teaching Assistant, (1975-1976) Introductory Psychology, Department of Psychology, University of Nebraska-Lincoln.

## Presentations

Warner, Jack L., & Kath, Randy L. (2022) The ASBOG® Fundamentals of Geology and Practice of Geology Examinations: Development of the scope and content using a periodic national task analysis survey (TAS). Meeting of the Geological Society of America, Denver, Colorado.

Kath, Randy L., & Warner, Jack L. (2022) ASBOG®'s Curriculum Performance Assessment Tool (CPAT): An application to assess Geology curricula using a national standard. Meeting of the Geological Society of America, Denver, Colorado.

Williams, John W., & Warner, Jack L. (2015). Geoscience professional ethics trends indicated by National Association of State Boards of Geology (ASBOG®) surveys. Meeting of the Geological Society of America, Baltimore, Maryland.

Kath, Randy L., Spruill, Richard K., & Warner, Jack L. (2014). Curriculum performance assessment tool (CPAT): A new application to assess geology/geoscience curricula using a national standard. Meeting of the Geological Society of America, Vancouver, British Columbia.

Spruill, Richard K., & Warner, Jack L. (2013). The ASBOG® Fundamentals of Geology Examination: New developments in data analysis and presentation, and implications for geoscience program assessment, accreditation, and curriculum development. Meeting of the Geological Society of America, Denver, Colorado.

Warner, Steven P., & Warner, Jack L. (2010). ASBOG® Task Analysis 2010: A study of the practice of geology in the United States. Meeting of the Geological Society of America, Denver, Colorado.

Warner, Jack L., & Warner, Steven P. (2010). The practice of geology (1995 - 2010). Meeting of the Geological Society of America, Denver, Colorado.

Warner, Jack L., & Warner, Steven P. (1995). An overview of the examinations prepared by the National Association of State Boards of Geology. Meeting of the American Institute of Professional Geologists, Denver, Colorado.

Warner, Jack L. (1992). The new format and structure of the national land surveying examinations. Annual meeting of the Illinois Professional Land Surveyors Association, Champaign, Illinois.

Warner, Jack L. (1991). An overview of the national examinations for professional land surveyors. Annual meeting of the Illinois Professional Land Surveyors Association, St. Charles, Illinois.

Warner, Jack L. (1990). Measuring professional competency: Strategies for quality examination development. Annual Meeting of the Association of Engineering Geologists, Pittsburgh, Pennsylvania.

Warner, Jack L. (1990). Applying standards of examination quality: Issues and strategies of program audit. Annual Conference of the National Clearinghouse on Licensure, Enforcement and Regulation, Seattle, Washington.

Warner, Jack L. (1990). Future directions for professional land surveying: Where have we been and where are we going? Annual Conference of the National Society of Professional Surveyors, Denver, Colorado.

Warner, Jack L. (1989). Common pitfalls in testing. Annual Conference of the National Clearinghouse on Licensure, Enforcement and Regulation, Indianapolis, Indiana.

Warner, Jack L. (1989). Fundamentals of testing. Western Regional Conference of the National Clearinghouse on Licensure, Enforcement and Regulation, Boise, Idaho.

Warner, Jack L. (1989). Psychometrics: Measuring surveyors. Annual Meeting of the Minnesota Land Surveyors Association, Bloomington, Minnesota.

Warner, Jack L., (1988). Examination issues for policy makers. Annual Conference of the National Clearinghouse on Licensure, Enforcement and Regulation, Washington, D.C.

Warner, Jack L., (1988). Fundamentals of testing: Key issues and concepts. Annual Conference of the National Clearinghouse on Licensure, Enforcement and Regulation, Washington, D.C.

Warner, Jack L., (1988). Creating defensible examinations. Board Member Training Forum, Delaware Division of Professional Regulation, Dover, Delaware.

Warner, Jack L., (1988). Taming a testing troublemaker: Essentials of a good oral examination. Western Regional Conference of the National Clearinghouse on Licensure, Enforcement and Regulation, Sacramento, California.

Warner, Jack L., (1988). Defensible examinations for initial licensure: Facing the legal challenge. Annual Forum of the Federation of Associations of Regulatory Boards, Bal Harbour, Florida.

Warner, Jack L., (1987). Introductory examination training workshop. Annual Conference of the National Clearinghouse on Licensure, Enforcement and Regulation, Kansas City, Missouri.

Warner, Jack L., (1987). Protect the public: Create a defensible exam. 1987 Mid-America Conference sponsored by the National Clearinghouse on Licensure, Enforcement and Regulation, Lansing, Michigan.

Warner, Jack L., (1986). The impact of adverse impact: Philosophical, technical, and legal issues. Annual Conference of the National Commission for Health Certifying Agencies, Crystal City, Arlington, Virginia.

Warner, Jack L., (1986). Setting passing scores on licensing and certification examinations: Strategies for defining minimum competency. Annual Conference of the National Clearinghouse on Licensure, Enforcement and Regulation, Denver, Colorado.

Warner, Jack L., (1985). National exams: What are the states' oversight responsibilities? Annual Conference of the National Clearinghouse on Licensure, Enforcement and Regulation, Orlando, Florida.

Warner, Jack L., Berman, John J., & Weyant, James M. (1981). Alternative methods for collecting data on mental health treatment outcome. Annual Convention of the American Psychological Association, Los Angeles, California.

Warner, Jack L., & Flowers, John H. (1978). Stimulus context expectancy as a determinate of processing strategies in letter perception. Annual Convention of the Midwestern Psychological Association, Chicago, Illinois.

Flowers, John H., & Warner, Jack L. (1976). Response and encoding factors in "Ignoring" irrelevant information. Annual Convention of the Psychonomic Society, St. Louis, Missouri.

## **Publications**

Warner, J.L. (2015). Task analysis 2015: A study of the practice of geology in the United States and Canada. Douglasville, Georgia: National Association of State Boards of Geology.

Warner, J.L., & Warner, S.P. (2010). Task analysis 2010: A study of the practice of geology in the United States and Canada. Columbia, South Carolina: National Association of State Boards of Geology.

Warner, J.L., & Warner, S.P. (2005). Task analysis 2005: A study of the practice of geology in the United States and Canada. Columbia, South Carolina: National Association of State Boards of Geology.

Schmitz, D.W., Warner, J.L., & Warner, S.P. (2004). National Association of State Boards of Geology: FG and PG Examinations Test Development Procedures. AEG News, 47, 10-12.

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Williams, J.W., Warner, J.L., & Warner, S.P. (2001). Results of the National Association of State Boards of Geology (ASBOG) Survey of Practicing Licensed Geologists in the United States and Canada as to the Importance of Professional Ethics in the Practice of Geology. AEG News, 44, 24-26.

Warner, J.L., & Warner, S.P. (2000). Task analysis 2000: A study of the practice of geology in the United States and Canada. Columbia, South Carolina: National Association of State Boards of Geology.

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Warner, J.L., & Warner, S.P. (1993). Procedures used by the NCEES to set a minimum passing score. Clemson, South Carolina: National Council of Examiners for Engineering and Surveying.

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Warner, Jack, L. (1986). Setting passing scores on licensing and certification examinations: Strategies for defining minimum competency. Professional Practice of Psychology, 7, 125-139.

Hill, Diane, S., Crawford, William, Edwards, Henry P., & Warner, Jack L. (1986). Oral examinations for licensing and certification: A manual for psychology boards. Montgomery, Alabama: American Association of State Psychology Boards.

Anderson, Cathy D., Warner, Jack L., & Spencer, Cassie S. (1984). Inflation bias with self-assessment examinations: Implications for valid employee selection. Journal of Applied Psychology, 69, 574-580.

Warner, Jack L., Berman, John J., Weyant, James M., & Ciarlo, James A. (1983). Assessing mental health program effectiveness: A comparison of three client follow-up methods. Evaluation Review, 7, 635-658.

Spencer, Cassie S., & Warner, Jack L. (1983). Oral exams manual. Denver, Colorado: Colorado Department of Personnel.

Warner, Jack L. (1983). Exam plan manual. Denver, Colorado: Colorado Department of Personnel.

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Dembo, Richard, Weyant, James M., & Warner, Jack L. (1982). The impact of intake experiences on clients' dropping out of treatment at a community mental health center. Journal of Psychiatric Treatment and Evaluation, 4, 345-353.

Hedrick, Jan, & Warner, Jack L. (1981). Training and experience evaluation manual. Denver, Colorado: Colorado Department of Personnel.

Warner, Jack L. (1981). Alternative methods for collecting data on mental health treatment outcome. Program Evaluation Bulletin, 1, 3-8.

Flowers, John, H., Warner, Jack L., & Polansky, Michael (1979). Response and encoding factors in "Ignoring" irrelevant information. Memory and Cognition, 7, 86-94.

FY 2023		
Apr-23 AKLS	\$3,000	
May-23 Workshop	\$6,500	Covers 10/2023, 4/2024, 10/2024, 4/2025)
<b>FY2023</b>	<b>\$9,500</b>	

FY 2024		Under current proposed contract state would pay \$30,000 for FY 2023, 2024, and 2025
Oct-23 AKLS	\$3,000	
Apr-24 AKLS	\$3,000	Total w/proposed changes would be \$28,000
<b>FY2024</b>	<b>\$6,000</b>	

FY2025		
Oct-24 AKLS	\$3,000	
Apr-25 AKLS	\$3,000	
May-25 Workshop	\$6,500	
<b>FY2025</b>	<b>\$12,500</b>	
<b>TOTAL</b>	<b>\$28,000</b>	

**12 AAC 36.040. SIMPLIFIED APPLICATION FOR REEXAMINATION.** (a) Except as provided in (c) of this section, an applicant who has failed an examination may apply for reexamination by written notice to the board, accompanied by the required examination fee, if applicable, stating that the applicant wishes to take the next examination to be offered for the profession for which the applicant has applied. The board will approve an applicant for the next applicable examination, as follows:

(1) NCEES Principles and Practices of Engineering Examination and the NCEES Principles and Practices of Surveying Examination, as follows:

(A) for the spring April examination, the filing deadline for the written notice to the board for reexamination is five days before the examination registration deadline set by NCEES;

(B) for the fall October examination, the filing deadline for the written notice to the board for reexamination is five days before the examination registration deadline set by NCEES;

(2) Alaska Land Surveying Examination (AKLS) to be held at least 45 days after receipt of the applicant's written notice;

(3) repealed 5/4/2013.

(b) Repealed 5/4/2013.

(c) An applicant may apply for reexamination under (a) of this section no more than four times within the five years after the date that the board approved the applicant's original application for examination. An applicant shall apply under 12 AAC 36.010 if the applicant has not passed the examination after five attempts or within five years after the date that the board approved the applicant's original application for examination, whichever comes first. This subsection does not apply to an applicant for reexamination for the Alaska Land Surveying (AKLS) examination.

**Authority:** AS 08.48.091 AS 08.48.101 AS 08.48.171

**Sec. 08.48.091. Examinations.** Examinations shall be held at least once each year at places determined by the board. A candidate failing an examination may apply for reexamination in accordance with regulations adopted by the board.

**Sec. 08.48.101. Regulations; bylaws; code of ethics.** (a) The board may adopt regulations to carry out the purpose of this chapter, including regulations

(1) describing the contents of an examination;

(2) establishing the conduct of an examination;

(3) establishing a minimum score for passing an examination;

(4) establishing bylaws governing its meetings and activities;

(5) publishing a code of ethics or professional conduct for those persons regulated by this chapter, including corporations, limited liability companies, and limited liability partnerships under AS 08.48.241;

(6) establishing continuing education requirements for persons regulated by this chapter that must be completed before a certificate may be renewed; the continuing education requirements may not exceed standards established by a national accrediting body or other recognized professional organization. (b) *[Repealed, Sec. 6 ch 19 SLA 1998]*.

**Sec. 08.48.171. General requirements and qualifications for registration.** An applicant for registration as an architect, engineer, land surveyor, or landscape architect must be of good character and reputation and shall submit evidence satisfactory to the board of the applicant's education, training, and experience. However, an applicant for registration as a land surveyor may not be required to submit evidence of more than eight years of any combination of education, experience, or training.



**12 AAC 36.920. BOARD BYLAWS.** The board will conduct its meetings and activities under the bylaws established by the board in the pamphlet entitled “Bylaws,” **as currently enacted and** [DATED MAY 2014} adopted by reference.

Authority: AS 08.48.101

Editor’s note: The pamphlet entitled "Bylaws" adopted by reference in 12 AAC 36.920 may be obtained from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, State Board of Registration for Architects, Engineers, and Land Surveyors, State Office Building, 9th Floor, 333 Willoughby Avenue, Juneau, Alaska 99801; phone (907) 465-1676.

**Sec. 08.48.101. Regulations; bylaws; code of ethics.** (a) The board may adopt regulations to carry out the purpose of this chapter, including regulations

- (1) describing the contents of an examination;
- (2) establishing the conduct of an examination;
- (3) establishing a minimum score for passing an examination;
- (4) establishing bylaws governing its meetings and activities;
- (5) publishing a code of ethics or professional conduct for those persons regulated by this chapter, including corporations, limited liability companies, and limited liability partnerships under AS 08.48.241;
- (6) establishing continuing education requirements for persons regulated by this chapter that must be completed before a certificate may be renewed; the continuing education requirements may not exceed standards established by a national accrediting body or other recognized professional organization. (b) *[Repealed, Sec. 6 ch 19 SLA 1998].*

**Task: Work on and clarify definitions of terms “responsible charge,” “direct control,” and similar terms.**

**Responsible charge in the field** (starting from AELS materials, revised by Loren Leman)

Personally delivering or directing work in the field, the successful accomplishment of which primarily rests upon this person who often must decide many questions about project challenges, changed conditions, suitability of materials, execution of field services, and resolution of other issues with limited access to and dependence upon others.

**Responsible charge** (starting from AELS materials, revised by Loren Leman)

Personally delivering or directing work that often requires application of technical principles, resourcefulness, and originality. This work may include investigations, surveys, calculations, permit compliance, plans, drawings, designs, construction observation, and submittal reviews; specifications; documentation and directing drafting, word processing, and other support services; interacting with other team members; public involvement; and project management.

**Responsible charge** (from NCEES model law)

Direct control and supervision of engineering or surveying work.

**Responsible charge** (from NCARB model law)

The control over and detailed professional knowledge of the development and execution of the project, including Technical Submissions, as is ordinarily exercised by an Architect applying the required professional standard of care.

**Sub-professional work** (from AELS)

Time spent as a rod man, chainman, recorder, draftsman, clerk of works, instrument man, inspector, or similar work where personal responsibility and technical knowledge are slight.

**Professional work** (from AELS)

Time the applicant has been occupied in architecture, engineering or land surveying work of higher grade and responsibility than sub-professional work.

**Task: Revise regulations to make them consistent with statutes and clarify definition of “responsible charge” and similar terms.**

**Problem we are trying to solve—and approach**

Our direction from the AELS Board was to start a regulation project to make the regulations at 12 AAC 36.185(a)(7) through (i) consistent with the statutes at AS 8.48.221(a) and to work on a definition for “direct supervision” and similar terms.

Harriett Dinegar in the Department of Law provided her interpretation of AS 8.48.221(a). A registrant may seal a document when:

1. The work is done by the registrant or under his/her direct supervision,
2. The work is within the registrant's field of practice, OR
3. The work is of minor importance.

She interpreted this as 1 OR 2 OR 3. While most, if not all, of our Board members bristled at her interpretation, because it is inconsistent within the context of the overall statutes, regulations, Board actions and history, and common professional practice, we acknowledge that is how it could be interpreted, even if not intended that way. Two other interpretations are:

(1 AND 2) OR 3 or 1 AND (2 OR 3).

The second option is better, and we believe this is how it is understood by registrants. However, to correct this in statute will require legislation to insert an “AND,” after the first condition, which means this must go through the Legislature and be approved by the Governor. That is a heavy lift, and we don’t suggest running a statute fix-up bill through the Legislature just for that. But if we have other statute changes we want to enact, this can be one of them.

That gets us to where we are now with the regulations and a possible regulation project that the AELS Board has already approved. The regs are slightly out of compliance with the statutes, but as the attorney acknowledges, in case of conflict, statutes win. We are not sure how important it is for us to modify the regs now so they are fully compliant with the statutes.

And so, while we probably do need a regulation project to make other fixes, we suggest that we really do not want to make the regulations consistent with the Department of Law interpretation of this part of the statutes. Rather, as we develop enough “critical mass” for a statute project, we should fix the statutes. In the meanwhile, we recognize the inconsistency and understand we likely will have an inability to enforce the regulation on this point if it becomes an issue. We are not aware that it has been or will be an issue. But because the motion from the Board was specific about a method to fix the regulations to match the statutes, if the Board agrees with us, it should pass a corrective motion at our next meeting.

**Sorting out terms**

The other issue we ran into as we got into this is the variety of terms that essentially mean the same thing, or something very similar. Sometimes we use the same term to identify action by both a registrant and an aspiring registrant (which we will call a professional-in-training). For example, we use the term

“responsible charge” to identify when a registrant can seal documents. But we also use that term to define work of greater responsibility that a person who has passed the first exam for his/her profession and is building up qualifying work experience. We require 24 months of “responsible charge,” which we mean to be work of greater responsibility with more creative, original thinking and management.

Because “responsible charge” connotes a level of professional responsibility that a potential registrant is hoping for, and a registrant presumably already has, we conferred with David Cox at NCEES about this. He advised that several other states have moved to using the term “progressive experience,” or something similar to identify this qualifying time for gaining experience. So we chose that term, at least as a placeholder for now, to replace “responsible charge” as applied to professionals-in-training.

### **Progressive Experience**

Means personally delivering or managing work that often requires application of technical principles, resourcefulness, and originality. This may include investigations, surveys, calculations, permit compliance, plans, drawings, designs, specifications, construction observation, and submittal reviews; documentation, fieldwork, and directing drafting, word processing, and other support services; interacting with other team members; public involvement; and project management. The professional-in-training may encounter project challenges, changed conditions, questions about suitability of materials, execution of field services, and resolution of other issues that require unique decisionmaking. The required minimum of 24 months of progressive professional experience is to prepare an applicant for taking “responsible charge” as a professional architect, engineer, or land surveyor.

### **Direct supervision and similar terms.**

These terms are found throughout our statutes and regulations, especially in AS 8.48.221(a) and 12 AAC 36.185 and 12 AAC 990(18) through (22) and (30). Direct supervision, direct supervisory control, personal supervision, responsible charge, responsible control, direct control, direct professional knowledge and similar terms have related meanings that depend somewhat on context. They mean the registrant who seals a document has directly participated, reviewed, observed, inspected, or managed the work sufficiently to attest to its accuracy, suitability, integrity, and conformance with professional standards normally practiced in Alaska, especially for health, safety and welfare of the public, regardless of whether the work is personally done, or is aided by an employee, subcontractor, or independent contractor.

David Cox told us that NCARB will be taking up the definition of “responsible charge” at a meeting later in 2022. NCEES expects to follow suit shortly after that. I expect that members of our AELS Board will participate in those discussions.

These are current definitions that we believe are somewhat lacking in specificity.

### **Responsible charge (from NCEES model law)**

Direct control and supervision of engineering or surveying work.

### **Responsible charge (from NCARB model law)**

The control over and detailed professional knowledge of the development and execution of the project, including Technical Submissions, as is ordinarily exercised by an Architect applying the required professional standard of care.

We present these findings for consideration by the Board for our regulation project. We recognize that we are both engineers, and so especially solicit input from architects, our landscape architect, and land surveyors.

Respectfully submitted,

Loren Leman, P.E.

Jeff Garness, P.E.

Ad hoc committee members

April 20, 2022

## **Notes from AELS Legislative Liaison Committee meeting by Zoom on July 29, 2022**

Participating:

Loren Leman, Chairman

Bob Bell

Catherine Fritz

Ed Leonetti

Jeff Garness

Sara Neal, Staff

After working through connectivity issues for about 10 minutes, Chairman Leman called the committee meeting to order at 1:40 pm.

The meeting had two main purposes: 1) to advance to the full Board the recommendation to start a new regulation project that would include revising the use of “responsible charge” and similar terms when referring to a professional-in-training; and 2) to discuss the propriety of proposing statutory changes to the Administration or Legislature for consideration and possible action by both.

Sara Neal and Catherine Fritz reminded us of the subcommittee work by Loren Leman and Jeff Garness to start tackling the issue of definition of responsible charge and similar terms, and to try to sort out when these terms would apply to a professional registrant and what terms should apply to a professional-in-training. Loren and Jeff produced a white paper on this topic on April 20, 2022 that is in the Board packet.

The committee agreed that this paper is a good start and voted unanimously to move this topic on to the full Board with our recommendation that we start a new regulation project. The changes proposed are not critical, but they will become increasingly more important as we try to align statutes and regulations, and make terms more consistent with what other states are doing, as represented by NCEES, NCARB and other organizations. And we recognize that regulations projects often take a long time to complete, so getting started is probably wise.

For the second item on our agenda, we acknowledged that statute revisions are necessary, but also agreed that advancing proposed changes opens us up to amendments by legislators and others that might not be in our best interest. For example, while several of us on the Board might agree with selected changes to Board make-up, we might not like what the Legislature produces, given the opportunity to consider changes. Chairman Leman cautioned us to move carefully and deliberately until we had developed a “critical mass” for legislative consideration. Although we plan to discuss this at our August meeting, we should take this up again during our November meeting when we have a better idea about what the Administration will look like, as well as the Legislature.

Catherine asked members to continue to review proposed statute changes and each identify one item that has already been identified as problematic for the Board to discuss possible changes to advance.

With no further business on our agenda, after struggling with connection difficulties for some of the participants, the committee meeting concluded at 2:10 pm and the meeting was adjourned.

Respectfully submitted,

Loren Leman, Chairman

THE ALASKA BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS  
EXAMINER'S REPORT FOR NOVEMBER 9-10, 2022

**[61]** Applications received for the [November 9-10, 2022] Board Review: ([38] comity applications and [23] exam applications)

LICENSE TYPE	COMITY	EXAM	TOTAL
AGRICULTURE ENGINEER	0	0	0
ARCHITECT	1	0	1
CHEMICAL ENGINEER	2	0	2
CIVIL ENGINEER	17	13	30
CONTROL SYSTEMS ENGINEER	0	0	0
ELECTRICAL ENGINEER	9	4	13
ENVIRONMENTAL ENGINEER	1	2	3
FIRE PROTECTION ENGINEER	0	0	0
INDUSTRIAL ENGINEER	0	0	0
LAND SURVEYOR	1	1	2
LANDSCAPE ARCHITECT	0	0	0
MECHANICAL ENGINEER	3	3	6
METALLURGICAL AND MATERIALS	0	0	0
MINING AND MINERAL PROCESSING	1	0	1
NAVAL ARCHITECT AND MARINE	1	0	1
PETROLEUM ENGINEER	0	0	0
STRUCTURAL ENGINEER	2	0	2

**Submissions of NCEES/NCARB Transmittals by Comity Applicants**

NCEES	NCARB
25	1

**Exam Results: Quarterly results for JULY- SEPTEMBER 2022**

EXAM	PASS	FAIL	NO SHOW	EXAM	PASS	FAIL	NO SHOW	EXAM	PASS	FAIL	NO SHOW
FE	14	11	0	PE	10	5	0	AKLS	9	2	0
FS	2	0	0	PS	1	1	0	SE	0	0	0





**THE ALASKA BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS**  
**EXAMINER'S REPORT FOR NOVEMBER 9-10, 2022**

**FY21 thru FY23 PROFESSIONAL LICENSE STATISTICS- (this information uses dates beginning 07/01-06/30 for each fiscal year)**

**INDIVIDUAL LICENSES:**

LICENSE TYPE	FY23 Total License Count	FY22 Total License Count	FY21 Total License Count
AGRICULTURE ENGINEER	8	0	0
ARCHITECT	29	25	29
CHEMICAL ENGINEER	0	4	4
CIVIL ENGINEER	0	107	137
CONTROL SYSTEMS ENGINEER	0	1	1
ELECTRICAL ENGINEER	12	22	37
ENVIRONMENTAL ENGINEER	2	3	2
FIRE PROTECTION ENGINEER	1	6	5
INDUSTRIAL ENGINEER	0	0	0
LAND SURVEYOR	0	10	10
LANDSCAPE ARCHITECT	0	4	2
MECHANICAL ENGINEER	17	27	46
METALLURGICAL AND MATERIALS ENGINEER	0	0	0
MINING AND MINERAL PROCESSING ENGINEER	0	0	1
NAVAL ARCHITECT AND MARINE ENGINEER	0	3	0
PETROLEUM ENGINEER	0	2	3
STRUCTURAL ENGINEER	8	15	10

**FIRM LICENSES:**

LICENSE TYPE	FY23 Total License Count	FY22 Total License Count	FY21 Total License Count
Authorized Corporation	3	19	14
Authorized Limited Liability Corporation	11	25	16
Authorized Limited Liability Partnership	1	0	1

# MEMORANDUM

## State of Alaska Department of Law

TO: AAG Patty Burley  
AAG Cam Jimmo

DATE: October 17, 2022

FILE NO.: JU2017200613

FROM: Rebecca C. Polizzotto  
Chief Assistant Attorney General  
and Regulations Attorney  
Legislation, Regulations, and  
Legislative Research Section

TEL. NO.: (907) 465-4039

SUBJECT: Proposed amendments to  
18 AAC 72

Steven C. Weaver

Digitally signed by Steven C.  
Weaver  
Date: 2022.10.17 09:23:55 -08'00'

### I. INTRODUCTION

Through the advising assistant attorneys general, we have been asked to address a concern of the State Board of Registration for Architects, Engineers, and Land Surveyors whether elements of proposed Department of Environmental Conservation amendments to 18 AAC 72 (wastewater treatment and disposal—specifically, certain proposed amendments to regulations for certification of wastewater system installers—improperly regulate the practice of engineering within the meaning of AS 08.48. We conclude that, absent specific statutory authority in AS 44.46 and AS 46.03, certain amendments proposed for 18 AAC 72.400 - 18 AAC 72.440 (certified installer program) indeed regulate the practice of engineering within the meaning of AS 08.48.331 and 08.48.341. Accordingly, we would disapprove those amendments if presented to us for final review.

### II. ISSUES PRESENTED

Under 18 AAC 72.400 - 18 AAC 72.440, the Department of Environmental Conservation requires certification of an installer of a conventional onsite wastewater system. A conventional onsite wastewater system is one that, among other things, "uses a septic tank followed by a discharge into a conventional soil absorption system in undisturbed native soil, with or without a sand liner." 18 AAC 72.990(15) (definitions). In turn, one feature of a conventional soil absorption system is that it "uses natural subsurface undisturbed soils, with or without a sand liner, for the treatment media." 18 AAC 72.990(16). The observed percolation rate for soils is "the percolation rate . . . as observed by a person who may install a domestic wastewater treatment and disposal system as described in 18 AAC 72.015." 18 AAC 72.990(45).

Generally, only an engineer registered under AS 08.48, a person supervised by one, or a person whose work is inspected by one, may install or modify a conventional onsite wastewater system. 18 AAC 72.015(b). But a certified installer under 18 AAC 72.400 - 18 AAC 72.440 may install or modify a system that serves a *private residence* or that serves a *single commercial building* with an expected peak design flow of 500 gallons per day (gpd) or less. See 18 AAC 72.015(c); 18 AAC 72.990 (definitions of "facility," "gpd," and "small commercial facility").

(Emphasis added.) In addition, 18 AAC 72.410(d) provides for approval of a homeowner to install or modify a system "that serves the homeowner's owner-occupied private residence." Under certain conditions, the engineer or certified installer may install the systems without department approval. *See* 18 AAC 72.035(d).

Other regulations with the strong involvement of registered engineers are 18 AAC 72.060 (waiver or modification), 18 AAC 72.220 (plan review), and 18 AAC 72.265 (soils analysis and report). Under 18 AAC 72.060(b), a department waiver of a provision of 18 AAC 72.005 - 18 AAC 72.055 (domestic wastewater treatment and disposal) must be based on a report by a registered engineer. Also, a registered engineer must prepare and seal plans for a conventional onsite system with an average daily design flow of 2,500 gpd or more, or for a system with an average daily design flow of less than 2,500 gpd but that is to be located in an area that poses a high risk to public health, safety, or the environment. *See* 18 AAC 72.200(a)(4) and 18 AAC 72.205(b). Lastly, 18 AAC 72.265(9)(A) requires a registered engineer to conduct a percolation test for a soil absorption system.

In December 2021 and March 2022, the Department of Environmental Conservation issued public notice of proposed regulations to expand the range of facilities where a certified installer could construct and install a conventional onsite wastewater system without department approval. A certified installer could install a conventional onsite system if the system served "only a single private residence, a multi-family dwelling, or a small commercial facility operated independently on a single lot with a total "on lot design flow" of not more than 1,500 gpd." Proposed 18 AAC 72.511(a). A single private residence could include units for up to two families, perhaps to include garage apartments or "in-law" apartments. A multi-family dwelling could hold more than two families, subject only to the 1,500 gpd system limit. But a "small" commercial facility still would be a single building subject to the 500 gpd limitation. *See* proposed 18 AAC 72.990(93).

Involvement by a registered engineer would apply only to a combination of residential dwellings and commercial buildings owned by the same entity with a total facility-wide design flow of not more than 2,500 gpd. Those systems would not need prior department approval if "a person" completes work according to a registered engineer's design and the engineer supervises construction. Proposed 18 AAC 72.511(a). A registered engineer would still have to prepare and seal plans for a conventional onsite system with an average daily design flow of 2,500 gpd or more. *See* proposed 18 AAC 72.515(a) and (b).

As proposed, not all department waivers would require the report of a registered engineer. With respect to a separation distance between a wastewater system and, for example, a drinking water line, a waiver request would not need a report from a registered engineer if "a site of the proposed system is remote from a community with access to professional engineering services and the resulting cost of bringing a registered engineer to the site would be overly burdensome" or, for a request for reduction "equal to or less than five percent of the required separation distance," the request is submitted by a person "certified under 18 AAC 72.405 for systems being installed or modified by that person." Proposed 18 AAC 72.540(b)(1).

Finally, most soil percolation tests would be conducted by a registered engineer, but evidently not all. *See* proposed 18 AAC 72.265(2); 18 AAC 72.530(f)(3) Table 4, Note a. As proposed in 18 AAC 72.990(58), "observed percolation rate" would mean the rate at which water will pass through a soil as measured by a person certified under 18 AAC 72.405 or a registered engineer during a percolation test conducted in accordance with standard engineering practice. As proposed in 18 AAC 72.990(59), "observed soil texture" and "observed soil type" would mean "the soil texture or soil type as observed by a person certified under 18 AAC 72.405 or a registered engineer."

The proposed regulations caught the attention of the State Board of Registration for Architects, Engineers, and Land Surveyors, and on February 24, 2022, the chair sent a public comment to express concern that "AELS Statue [*sic*] 08.48.341 does not provide an exemption that would allow 'Certified Installers' to prepare waiver reports, interpret percolation test data, or perform design services associated with any commercial septic systems, regardless of size." (February 24, 2022 letter). In a September 20, 2022 letter to the commissioner of environmental conservation, the chair reiterated the concern that work outside an exemption in AS 08.48.341(6) constituted an impermissible "practice of engineering" within the meaning given in AS 08.48.341(4). The agency attorneys have approached us for an analysis of the controlling statutes.

### III. ANALYSIS OF STATUTORY AUTHORITY

For the scope of the practice of engineering, we look to AS 08.48.341(14) (definitions):

"[P]ractice of engineering" means professional service or creative work, the adequate performance of which requires the specialized knowledge of applied mathematics and sciences, *dealing with the design of structures*, machines, equipment, utilities systems, materials, processes, *works, or projects*, public or private; the teaching of advanced engineering courses in institutions of higher learning; the direction of or the performance of engineering surveys, consultation, investigation, evaluation, planning, and *professional observation of construction of public and private structures*, works, or projects and engineering review of drawings and specifications by regulatory agencies; "practice of engineering" may by regulation of the board include architectural building design of minor importance, but it does not include comprehensive architectural services[.] (Emphasis added.)

But under AS 08.48.331(6) (exemptions), the reach of AS 08.48 does not take in

a person preparing drawings or specifications for  
(A) a building *for the person's own use and occupancy as a single family residence and related site work* for that building;

(B) farm or ranch buildings and their grounds unless the public health, safety, or welfare is involved;

(C) *a building that is intended to be used only as a residence by not more than*

*(i) four families and that is not more than two stories high and the grounds of the building; or*

*(ii) two families and that is not more than three stories high and the grounds of the building, if the building is located in a municipality that has adopted a building or residential code that applies to the building and if the building complies with the building or residential code;*

(D) a garage, workshop, or similar building that contains less than 2,000 square feet of floor space *to be used for a private noncommercial purpose* and the grounds of the building[.] (Emphasis added.)

The plain statutory language appears to work against the Department of Environmental Conservation: AS 08.48.331(6) does not provide an exemption that would allow a certified installer to prepare waiver reports or interpret percolation test data. Additionally, the definitions of "private residence" and "multi-family dwelling" in 18 AAC 72.990 may need to be harmonized with AS 08.48.331(6). Finally, the exemption in AS 08.48.331(6) would not let a certified installer "perform design services" with respect to a commercial septic system, even if *existing* 18 AAC 72.200(a)(4) and 18 AAC 72.205(b) already allowed limited leeway with respect to design services. The Department of Environmental Conservation would need equally powerful statutory authority to countervail the board's arguments.

The authorities for proposed 18 AAC 72.265, 18 AAC 72.511, and 18 AAC 72.515 are much the same: AS 44.46.020, 44.46.025; and AS 46.03.020 - 46.03.110. All of these authorities are general, in that they do not regulate an activity that resembles a profession. For example, AS 44.46.020(a)(2) assigns the department "primary responsibility for the adoption and enforcement of regulations setting standards for the prevention and abatement of all water, land, subsurface land, and air pollution." The setting of fees falls within AS 44.46.025. Regulation of "collection and disposal of sewage and industrial waste" is included in the general authority to adopt pollution abatement regulations under AS 46.03.020(10)(D). Under AS 46.03.050, the department "has jurisdiction to prevent and abate the pollution of the waters of the state." Water quality standards under 18 AAC 70, more than wastewater discharge standards under 18 AAC 72, are the realm of AS 46.03.070: "After public hearing, the department may adopt standards and make them public and determine what qualities and properties of water indicate a polluted condition . . . ." The process described in AS 46.03.080 applies to classification of waters to which water quality standards apply. Prior authorization to construct, modify, or operate a sewerage system or treatment works is described in AS 46.03.100: arguably a general authority for department waivers.

Most significantly, the department cites these general authorities to support the certified installer program: AS 44.46.020, 44.46.025; AS 46.03.020, 46.03.050, and 46.03.100. None of these authorities addresses a certified installer program explicitly.

If the legislature wishes the Department of Environmental Conservation to regulate certain roles or practices of professionals, the legislature knows how to pass statutes expressly giving the agency that power. Specifically, AS 46.30, not to be confused with AS 46.03, sets out the statutory process by which the department certifies water and wastewater works *operators*. The legislature also passed specific regulations-adoption authority: under AS 46.30.080, the agency has adopted regulations under 18 AAC 74. To take another example, the legislature authorizes the department, in AS 46.03.375, to certify "persons who install, test, close, repair, or significantly change the configuration of underground petroleum storage tanks and tank systems."

Absent authority similar to AS 46.03.375 or AS 46.30, we should look closely at how the agency proposes to certify installers, particularly to the extent that (1) certification affects centralized licensing under AS 08; and (2) the agency is relying upon largely general authority under AS 44.46 and AS 46.03. The more that the department relies on merely general authorities, the more powerful is the explicit language of AS 08.48.341 and the limited exemption in AS 08.48.331(6). Based upon our analysis, we would disapprove the regulatory provisions in question--specifically 18 AAC 75.265(2), provisions in 18 AAC 75.511 - 18 AAC 75.540, and the definitions of "multi-family dwelling," "observed percolation rate," "observed soil texture," "observed soil type," and "private residence" in 18 AAC 72.990--based upon our analysis as set out above.

Please let us know if you have additional questions.

SCW/RCP/hjh

**From:** [Catherine Fritz](#)  
**To:** [wwdevsvc@muni.org](mailto:wwdevsvc@muni.org)  
**Cc:** [Neal, Sara J \(CED\)](#)  
**Subject:** Re: MOA policy re one and two-family homes plan review  
**Date:** Friday, September 23, 2022 5:16:55 AM

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**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 again, Adam,

I recently became aware that my statement below in green highlight is not technically correct and warrants clarifying. I should have stated that civil engineers cannot practice structural engineering of SIGNIFICANT STRUCTURES without the SE license. Civil engineers are trained and examined in basic structural engineering and there is no problem for them to do basic structural engineering as defined below.

Very sorry if I created confusion. Please reach out to our Exec Administrator, Sara Neal, if you have questions.

Thx,

Catherine Fritz, AELS Board Chair

On Tuesday, June 14, 2022, 03:38:48 PM AKDT, Catherine Fritz <jnucatherine@yahoo.com> wrote:

Adam,

Thank you for your time on the phone today, and thanks for explaining that this is an update to current policy of 3rd party plan review that has been in effect since 2013.

Here's the statute regarding stamping documents with the professional seal:

**Sec. 08.48.221. Seals.** (a) ... When a registrant issues final drawings, specifications, surveys, plats, plates, reports, or similar documents, the registrant shall stamp the documents with the seal and sign the seal. The board shall adopt regulations governing the use of seals by the registrant... The registrant, by affixing the registrant's seal to final drawings, specifications, surveys, plats, plates, reports, or similar documents, and by signing the seal, **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.**

It's important NOT to require that your 3rd party reviewers place their professional stamp (seal) on drawings that other people prepared because, by stamping the drawings, the architect or engineer has responsibilities noted in highlight above. However, it is totally fine for you to require that your 3rd party reviewers have an applicable professional license to do the work - that's up to you. Of course you'll still need to make sure that the code expertise you are seeking is relevant for the specific type of design professional discipline. For example, some civil engineers specialize in roads, or waste water systems - they may not have the code expertise you need.

The requirement for licensing as a structural engineer took effect July 31, 2017. **Civil engineers may no longer practice structural engineering** (unless they have obtained the structural license also). Here's the regulation that defines structural engineering:

**12 AAC 36.990. DEFINITIONS.** (a)... 42) "structural engineering" means the branch of professional engineering that embraces the studies and activities relating to the investigation, evaluation, analysis, design and construction of

buildings, bridges, and other structures such as walls, columns, slabs, beams, trusses, or similar members requiring force-resisting and load bearing members and their connections, or similar members used singly or as a part of a larger structure, and the organizational and economic aspects of these studies and activities;...

Please contact our Executive Administrator, Sara Neal (cc'd above) if you have questions. She will forward your questions to myself or others on the Board who can help.

Best wishes,

Catherine Fritz, Architect  
AELS Board Chair  
(907) 957-2068





THE STATE  
of ALASKA  
GOVERNOR MIKE 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

September 22, 2022

Alaska Department of Environmental Conservation  
Commissioner Jason Brune  
P.O. Box 111800  
Juneau, AK 99811

Dear Commissioner Brune,

In February 2022, our AELS Board provided written public comment on the proposed revisions to 18 AAC 72. Those comments outlined AELS' concerns that sections of the proposed regulations related to the role of "Certified Installers" appear to conflict with AELS statute regarding the authorized practice of engineering. Specifically, there is no exemption in AS 08.48.331 that allows "Certified Installers" to prepare waiver reports, interpret percolation test data, or perform design services associated with commercial wastewater treatment systems of any size. Without that exemption, we consider that work to be "the practice of engineering. As a further note, it is our assertion that the wording in the proposed regulations, and the "Onsite Wastewater System Installation Manual", needs to be amended to clarify that the design-build authority of Certified Installers is limited, regardless of the design flow, to only those residential structures that meet the criteria outlined in AS 08.48.331, Paragraph 6.

We brought these concerns to ADEC's attention during the public comment period and through direct conversation between our attorney and ADEC's attorney. Additionally, members of our AELS Board met with ADEC's agency representative on September 19, 2022, to further explain our concerns, including those regarding public health/safety/welfare.

If ADEC adopts the regulations as written, a certified installer does this work, and a formal complaint is filed with the AELS Board, we will be in the position of having to investigate, and potentially pursue action against, that person for practicing engineering without a license. This is a scenario that can, and should be, avoided.

As previously offered, we are happy to further discuss viable solutions.

Sincerely,

A handwritten signature in blue ink that reads "Catherine Fritz".

Catherine Fritz, Architect  
AELS Board Chair

**From:** [Neal, Sara J \(CED\)](#)  
**To:** [commerce\\_aels@list.state.ak.us](mailto:commerce_aels@list.state.ak.us)  
**Subject:** House Bill 148 "Alaska Coordinate System of 2022"  
**Date:** Monday, October 24, 2022 12:06:00 PM

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Dear Alaska AELS Registrants-

The Alaska Legislature has recently signed into law House Bill 148 "Alaska Coordinate System of 2022." This system was developed by the National Geodetic Survey (NGS) and is based off satellite and gravity measurements which will provide more accurate and refined coordinates within Alaska. Furthermore, the Coordinate System of 2022 will utilize meters and international feet. Although this coordinate is signed into law, the NGS has not fully released the parameters for the system but plans to have it completed in 2024 or 2025. Until the new system has been fully developed and implemented, there is no update for registrants.

*Sara Neal*

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

**From:** [Neal, Sara J \(CED\)](#)  
**To:** [Dorvel, Paul E. \[US-US\]](#)  
**Subject:** Response to public comment submitted on 12AAC36.180  
**Date:** Tuesday, October 4, 2022 11:20:00 AM

---

Hello Paul,

In June 2022, during public comment of proposed AELS regulation changes, we received the following question from you:

"... Do I need to change my seal if these modifications are enacted?"

The AELS Board reviewed this question at its August 16, 2022 meeting and determined that you are not required to make changes to your seal as long as your current seal is "substantially similar" and includes all the required information. The two-letter identifier of the branch of engineering for which you are licensed needs to be included before the license number. For example, EE-0000 represents Electrical Engineer, license number 0000.

Please contact our Executive Administrator, Sara Neal if you have further questions.

Thank you,

Catherine Fritz, Architect  
AELS Board Chair

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**From:** Neal, Sara J (CED) <[sara.neal@alaska.gov](mailto:sara.neal@alaska.gov)>  
**Sent:** Thursday, June 2, 2022 11:51 AM  
**To:** Dorvel, Paul E. [US-US] <[PAUL.E.DORVEL@leidos.com](mailto:PAUL.E.DORVEL@leidos.com)>  
**Subject:** EXTERNAL: FW: Notice of Proposed Regulations (Alaska State Board of Registration for Architects, Engineers, and Land Surveyors - 12 AAC 36)

Hi Paul,

Thank you for your question regarding the proposed seal regulation change.

I will bring your question to the August board meeting for the board to discuss and possibly add to the regulation change an effective date.

*Sara Neal*

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

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**From:** Regulations and Public Comment (CED sponsored)  
<[regulationsandpubliccomment@alaska.gov](mailto:regulationsandpubliccomment@alaska.gov)>  
**Sent:** Thursday, June 2, 2022 10:40 AM

**To:** Neal, Sara J (CED) <[sara.neal@alaska.gov](mailto:sara.neal@alaska.gov)>

**Subject:** FW: Notice of Proposed Regulations (Alaska State Board of Registration for Architects, Engineers, and Land Surveyors - 12 AAC 36)

See question below.

---

**From:** Dorvel, Paul E. [US-US] [<mailto:PAUL.E.DORVEL@leidos.com>]

**Sent:** Thursday, June 2, 2022 10:08 AM

**To:** Regulations and Public Comment (CED sponsored) <[regulationsandpubliccomment@alaska.gov](mailto:regulationsandpubliccomment@alaska.gov)>

**Subject:** RE: Notice of Proposed Regulations (Alaska State Board of Registration for Architects, Engineers, and Land Surveyors - 12 AAC 36)

You don't often get email from [paul.e.dorvel@leidos.com](mailto:paul.e.dorvel@leidos.com). [Learn why this is important](#)

**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,

Thank you for this message. I reviewed and see some changes in the seal design. Do I need to change my seal if these modifications are enacted?

Paul Dorvel

EE- 9089

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**From:** Regulations and Public Comment (CED sponsored)

<[regulationsandpubliccomment@alaska.gov](mailto:regulationsandpubliccomment@alaska.gov)>

**Sent:** Thursday, June 2, 2022 10:58 AM

**Subject:** EXTERNAL: Notice of Proposed Regulations (Alaska State Board of Registration for Architects, Engineers, and Land Surveyors - 12 AAC 36)

Dear Licensee,

The Alaska State Board of Registration for Architects, Engineers, and Land Surveyors proposes to update various regulations relating to applications, registration by comity, exam postponements, application deadlines, education and work experience requirements, eligibility, verification, dates of experience, standards, examination, course requirements, retired status, seal requirements, and definitions.

Attached are copies of the public notice and draft of the proposed regulation changes.

Thank you,

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

**From:** [REDACTED]  
**Subject:** AELS Public Comment 12AAC36.067  
**Date:** Thursday, September 29, 2022 3:52:00 PM

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Hello [REDACTED]

Thank you for submitting the following public comment for the regulation change on 12 AAC 36.067:

*"Thank you for the opportunity for review of these changes, I have one comment - Regarding the edits to 12 AAC 36.067, one common question in our office is whether the work experience requirement is to the exam day, the day the board meets to authorize the individual to take the exam, or the day the applicant submits their application. The language "responsible charge experience cannot be projected", seems to require all 2 years of responsible charge time to occur before submitting your application, which can be months before being approved and being able to schedule the exam. Is this intentional?"*

The regulation is referring to subprofessional and professional experience only. This experience can be projected up to the date of the exam, but cannot exceed 3 months. The required responsible charge experience has to be completed before the board reviews the application as it is board policy that a board member evaluates responsible charge experience to ensure it meets the requirements for the discipline/profession the applicant is applying for.

Please let me know if you have further questions,

*Sara Neal*

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

**From:** [Neal, Sara J \(CED\)](#)  
**To:** [Hayward Warren](#)  
**Subject:** AELS Public Comment - 12 AAC 36.105  
**Date:** Thursday, September 29, 2022 4:15:00 PM

---

Hello Mr. Warren,

Thank you for submitting the following public comment for the regulation change on 12 AAC 36.105:

*"Jun - I received the notice of proposed regulation changes and have a question regarding the provisions of 12 AAC 36.105(h). The excerpt below notes the requirements for being granted a civil engineering registration. The exam requirements for this list "the NCEES Structural Engineering I Examination or NCEES Structural Engineer II examination (or both)". It was my understanding from previous correspondence that passing the "NCEES 16-hour Structural Exam" was also being considered in the pending changes for being granted a civil engineering registration. Based on the below I don't see where the NCEES 16-hour Structural Exam is listed - so checking to see if that's something that wasn't approved or if I'm missing it somewhere in the proposed changes. I've passed the NCEES 16-hour Structural Exam but did not take an 8-hour Principles and Practices of Engineering (PE) Examination (since many jurisdictions and the NCEES recognize the 16-hour SE exam at a Principles and Practices of Engineering Exam). Based on my passage of the 16 hour SE exam alone - I'm checking to see if there's any path for me to apply for an Alaska SE or CE registration in the proposed changes. Thanks "*

During the Aug 2022 board meeting, it was decided to add the NCEES SE - Structural 16-hour exam as a qualifying exam for a CE license in Alaska if the applicant has not taken a PE exam.

12 AAC 36.105 (h) 5 has been changed to read as follows:

(5) 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 the NCEES PE Structural Examination may be granted a civil engineering registration

NCEES changed the name of the exam from the NCEES SE - Structural 16-hour to the NCEES PE Structural Examination so AELS used the new name in its regulation change. The regulation changes are waiting to be reviewed by the Department of Law. Once approved they will be signed into regulation by the Lt. Governor. [Please sign up for AELS's Listserv](#) for updates on the regulation change.

If you have further questions, please let me know,

*Sara Neal*

Executive Administrator

Board of Registration for Architects, Engineers and Land Surveyors

[aelsboard@alaska.gov](mailto:aelsboard@alaska.gov)

(907)465-2540

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** AELS Public Comment - 12 AAC 36.180(b)  
**Date:** Thursday, September 29, 2022 4:32:00 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Hello [REDACTED],

Thank you for submitting the following public comment for the regulation change on 12 AAC 36.180(b):

*"To whom it may concern,  
I have a comment/question regarding 12 AAC 36.180(b) with the latest proposed regulation changes (image provided below). The first sentence under the professional engineer seals appears to require that the two-character identifier shall be included with the license number. The second sentence seems to require that the alpha characters are to be excluded from the license number. The graphics depict including the two characters. Please confirm which method should be used and revise the language/graphics as necessary.*

*12 AAC 36.180(b) is repealed and readopted to read:*

*(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:*



*The seal must reflect the branch of engineering two-character identifier (XX) authorized by the board. This identifier shall be placed before the registrant's license number as shown in the examples. The license number noted shall be only the numeric characters of the registrant's license number and exclude alpha characters. This appears to conflict' With the previous sentence"*

The intent of this regulation was to clarify that if a registrant's license number included the four-letter alpha prefix that was part of the old license numbering system (AELC, AELE, AELM, AELP etc.), they could drop the four-letter alpha prefix on their stamp and only include the two-letter branch of engineering identifier spelled out in the regulation.

**Branch of Engineering Identifier**

AG – Agricultural engineer

IN – Industrial engineer

EC – Chemical engineer

ME – Mechanical engineer

CE – Civil engineer

MM – Metallurgical and Materials engineer

CS – Control systems engineer

EM – Mining and Mineral Processing engineer

EE – Electrical engineer

NM – Naval architecture and Marine engineer

EV – Environmental engineer

NU – Nuclear engineer

FP – Fire protection engineer

EP – Petroleum engineer

Please let me know if you have further questions.

*Sara Neal*

Executive Administrator

Board of Registration for Architects, Engineers and Land Surveyors

[aelsboard@alaska.gov](mailto:aelsboard@alaska.gov)

(907)465-2540



**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** AELS Public Comment - Retire License  
**Date:** Thursday, September 29, 2022 3:59:00 PM

---

Hello Mr. Lang,

Thank you for submitting the following comment during the public comment period for AELS's regulation changes:

*"I can't find the section that refers to retired status and I'm getting close to retiring.  
Kenneth Lang"*

To retire your license, you will need to complete the [2022-2023 Renewal Form](#), mark the "Retired Registration – One-time Fee" option, and submit it via mail with the \$25 fee using the address on the form.

Please let me know if you have further questions,

*Sara Neal*

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

## **AELS BOARD UPDATE**

### **Prepared August 17, 2022**

The Alaska AELS Licensing Board met for its regular quarterly meeting on August 16-17, 2022 in Fairbanks. The Board reviewed and approved (either full approval or conditional approval) a total of 91 applications. 8 of these were for architectural licensing by comity, and 1 was for architectural licensing by examination.

The Board reviewed public comments from the regulation changes package that had originally started in 2019. This regulation change package was primarily clean-up and modernization items that will bring regulations more in line with national standards, be more efficient, and provide better service to registrants. One of the new provisions provides the opportunity for AELS staff to review straight-forward comity applications that follow adopted national standards. This means, for example, that an architect applicant with a current NCARB certificate that satisfies all education, examination, and experience requirements will be able to be reviewed by staff rather than waiting for the quarterly meeting to be considered by the Board. Staff will still refer complicated comity applications to the Board for review. Following final review by AK Dept of Law, the updated regulations are expected to take effect in the near future.

Standing committees of the Board have been very active. They reported on several items that will soon become new regulation projects. The Continuing Education Committee gave an update of their work to date that reflects the goals of simplifying and clarifying the CE requirements. While not yet ready for a regulation project, this important work will continue over the next several months and will be organized into a regulation change project that will include the opportunity for feedback from registrants. The Board also reflected on some of the “lessons learned” from the last CE audit, and encourages all registrants to maintain good records of CE activities throughout the 24 month period (don’t wait until the last minute!) and make sure that you “check the correct box” on your biennial license renewal. Make sure you really completed the required 24 PDHs before you check the box that indicates such so you don’t get involved in a license enforcement action!

The Legislative Committee is developing on a statute clean-up project that also began in 2019. Changes in statute will require approval by the legislature to enact. They are also working on a regulation project to clarify the meaning of “responsible charge.” Stay tuned for more information on both of these issues.

The Outreach Committee will be renewing the annual AELS newsletter that has been idle for several years. They are also developing events that will be associated with future Board meetings, like Board interaction with UAA engineering and land surveying students and faculty as part of the November, 2022 meeting.

Please reach out with questions and/or comments, and thanks for your interest in AELS Board issues and activities.

Catherine Fritz, AIA  
Randall Rozier, AIA

## Outreach Activity Report

**Board:** AELS

**Date & Time of Event:** 11/21/22

**Person Reporting:** Sterling Strait

**# of Attendees:** 40ish

**Employees: / Board Members:** Sterling Strait

**Type of Outreach:** General Notification

**Attendees:**

**Description of Event:**

Regular lunch meeting for the Structural Engineers Association of Alaska.

I gave a brief update on recent AELS Board activities and discussions.

# NCARB UPDATE

SEPTEMBER 2022 ISSUE

## IN THIS ISSUE:

### EXPLORING POTENTIAL PATHWAYS

NCARB leaders continued to evaluating the value of multiple paths to architectural licensure and how its programs might evolve in the future, while maintaining rigor that leads to competency.

[READ MORE](#) ➔

### CREATING A CULTURE OF GROWTH

NCARB staff participated in various learning sessions in September, including a seminar on NCARB's fiscal year and manager leadership courses.

[READ MORE](#) ➔

### EXPANDING OUR REACH

CEO Mike Armstrong and other NCARB staff members met with the International Code Council (ICC) to discuss opportunities for enhanced collaboration and greater international awareness of their missions.

[READ MORE](#) ➔



*Volunteers for the Certificate Alternative Review Team (CART) participate in a two-day training event at NCARB's office in Washington, D.C.*

# MESSAGE FROM THE CEO

Dear Colleagues:


Over the past year or so, NCARB leaders have intentionally referenced the concept of “multiple paths” to acknowledge the reality that not everyone comes to licensure in the exact same way. While a majority of licensees still pursue a straight path of NAAB-accredited education, steady work in a firm to acquire AXP credits, and a subsequent period focused on taking and passing the ARE, there are many who divert from this script. We can look no further than our first and second vice presidents. First Vice President/President-elect Jon Baker attended classes adding up to roughly one year in an accredited program before leaving school and utilizing the California option to obtain licensure through additional experience, and Second Vice President Ken Van Tine started his education in community college before transferring to an accredited program.

Serious concerns were raised at our June Annual Meeting about limiting access to mutual recognition arrangements with other countries to the subset of NCARB Certificate holders who obtained a degree from a NAAB-accredited program. In subsequent visits to Member Boards, we’ve heard the same concern. As we finalize our agreement with the United Kingdom, we are encouraged to hear that our U.K. counterparts are making progress in educating their peers regarding the value of multiple paths. In most cases, we are raising awareness to a global regulatory community that only allows a single path. At our September Board meeting, we met for the first time with the senior leaders of the Consortium of Community College Architectural Programs (CCCAP) to explore how NCARB can evolve its programs in a manner that incorporates the reality of multiple paths. And, in 17 of our member jurisdictions, multiple paths to licensure are codified in statute.

Make no mistake—this characterization of licensure paths does not propose a rejection or dilution of existing traditional pathways. This is a “yes, and” conversation. We are on record as an organization that insists on rigor, but it must be rigor for a reason. Arguably, the steps administered by our 17 Member Boards and through such examples as our Certification Alternative Review Team (CART) and the ARE accommodations process contain added rigor to guard against any concerns of “shortcuts.”

Our commitment to continuous improvement necessitates reevaluating processes and administration, making sure that “steps” along the path have not unintentionally turned into counterproductive impediments. We are relying upon our licensing board and committee volunteers, our data, our regulatory counterparts, our consultants, and our adjacent communities to continue shining a light on all the paths that will deliver competency to protect the public.

Thanks for being part of this Go Further journey with us!



Michael Armstrong  
Chief Executive Officer



## CEO ENGAGEMENTS

- September Alliance\* Executives Meeting | September 7
- International Code Council (ICC) Annual Conference | September 11 - 13
- September NCARB Executive Committee Meeting | September 20
- September Leadership Transition & Continuity Session | September 21
- September NCARB Board of Directors Meeting | September 22-24
- AIA Maryland/NCARB Meeting | September 26
- “Art of Construction” Podcast Recording | September 27
- Federation of Associations of Regulatory Boards (FARB) Regulatory Law Seminar | September 29 - October 1

\*The architectural alliance includes the American Institute of Architects (AIA), the American Institute of Architecture Students (AIAS), the Association of Collegiate Schools of Architecture (ACSA), the National Architectural Accrediting Board (NAAB), the National Organization of Minority Architects (NOMA), and NCARB.

# SEPTEMBER OUTREACH

## SCHOOL PRESENTATIONS

- University of Nebraska, Lincoln—Lincoln, NE
- Ball State University—Muncie, IN
- Pennsylvania State University—University Park, PA | September 13
- Cooper Union (Virtual) | September 19
- Illinois Institute of Technology—Chicago, IL | September 22
- Judson University—Chicago, IL | September 23
- University of Utah—Salt Lake City, UT
- Utah Valley University—Orem, UT
- Tulane University (Virtual) | September 27
- Oklahoma State University—Stillwater, OK | September 28
- University of Oklahoma—Norman, OK

## FIRMS

- SK+I Architecture—Bethesda, MD | September 1

## ORGANIZATIONS

- AIA Indiana + Young Architects Forum (YAF) Indianapolis | September 15

## CONFERENCES

- AIA Nebraska | September 9
- AIA Aspire Conference for KY/GA/NC/SC—Asheville, NC | September 11-13
- AIA Women's Leadership Conference

- Chicago Architecture/Design College Day
- Chicago Design + Career Day—Chicago, IL | September 24
- AIA Utah | September 28-29
- AIA Oklahoma | September 29-30

## INTERNATIONAL

- Participated in the AIA United Kingdom International Conference.
- CEO Michael J. Armstrong; Vice President of Experience + Education Harry M. Falconer, Jr., FAIA, NCARB, HonD, Hon. FCARM; and Assistant Vice President of Innovation Patricia Ramallo, AIA, NCARB, CAE, LEED AP BD+C & Homes, met with the International Code Council's (ICC) Vice President of Global Services to open discussions on collaboration opportunities that could enhance our organizations' recognition internationally.
- Met virtually with representatives of the South African Council for the Architectural Profession to discuss architect licensing in the United States and South Africa and interests in consideration of mutual recognition.
- Attended the virtual meeting of the International Union of Architects' (UIA) Professional Practice Commission.
- Met virtually with the new U.S. Department of Commerce International Trade Administration analyst, who covers the architecture/engineering/construction services portfolio, to introduce NCARB and our international relations efforts and mutual recognition agreements.

# OCTOBER OUTREACH

## SCHOOL PRESENTATIONS

- The School of Architecture—Paradise Valley, AZ
- Arizona State University—Tempe, AZ
- Washington State University—Pullman, WA
- Thomas Jefferson University—Philadelphia, PA
- Portland State University—Portland, OR

## ORGANIZATIONS

- AIA Memphis
- South Florida NOMA

- AIA Middle Tennessee
- AIA El Paso

## CONFERENCES

- Texas Society of Architects
- Region 4 Educator / Practitioner Conference
- NE Regional Licensing Advisors Retreat
- Philadelphia Architecture + Design College Day
- NOMA Annual Conference

## ORGANIZATIONAL DEVELOPMENT AND OFFICE LIFE

- The Manager Essentials leadership training continues. Manager staff members have completed 339 total learning hours since the program launched in early June. Learners report a 4.6 out of 5-star class rating and a 100% good use rating. A mid-program check-in and review was conducted.
- Learning and development efforts included mandatory all-staff training on preventing sexual harassment and discrimination with customized sessions for managers and individual contributors. A session addressing the NCARB fiscal year, which begins on July 1 each year and ends on June 30, was delivered with learners reporting a 92% good use rating.

## SENIOR OFFICER, BOARD OF DIRECTORS, AND EXECUTIVE OFFICE ENGAGEMENT

- President Bayliss Ward, Region 5 Director Lenora Isom, and CEO Mike Armstrong attended the International Code Council's (ICC) Annual Conference.
- The Board of Directors held their first full meeting of the fiscal year on September 22 – 24, 2022, preceded by an Executive Committee Meeting.
- Armstrong served as a panelist on licensure mobility for the Federation of Associations of Regulatory Boards (FARB) Regulatory Law Seminar.



The graphic features a blue background with a grid of six circular headshots of speakers: Mai Lin Petrine, Michael Armstrong, Leyser Q. Hayes, Alexis Morris, Nahale Kalfas, and another woman. To the right, the FARB logo is displayed above the seminar title and dates. Below the title, the topics of the mobility models are listed, and a registration link is provided at the bottom.

**FARB** FEDERATION OF ASSOCIATIONS OF REGULATORY BOARDS

**Regulatory Law Seminar**  
Sept 29 - Oct 1, 2022

**Mobility Models:**  
Interstate Compacts,  
Universal Licensure &  
Expedited Endorsements

Register at  
<https://tinyurl.com/FARBRLS2022>

*In September, NCARB CEO Mike Armstrong was a panelist for a session on licensure mobility at FARB's Regulatory Law Seminar.*

# NCARB IN ACTION

## KEEP UP WITH WHAT'S NEW



### NCARB IN THE NEWS

- **District FRAY Magazine:** [National Building Museum's "INTERSECTIONS" Platforms Black Design](#)
- **Hunker:** [5 Latinas in Architecture on Their Career Journeys and What They Hope to See Next](#)

### NCARB PRESS

- [ARE Update: Get the Latest ARE 5.0 Guidelines](#)

### TOP BLOG POSTS

- [Architect Spotlight: Joshua Arcurio](#)
- [Understanding PSI Policies That Differ From Prometric's](#)
- [2022 Interschool Student Design Competition Returns to the National Building Museum](#)
- [NCARB Scholars: Going Further for Architectural Education](#)



# NCARB SOCIAL

## THIS MONTH'S FEED



**@Qubits\_Toy**

After practicing as a registered California architect for 18 years I am today especially proud to have achieved Certification by [@NCARB](#) opening the opportunity to design and build in North Carolina, etc. [#STEM](#) started my architectural career and it still provides excitement.



**@Farah\_Arch**

Tips for obtaining your Architecture license via [@ncarb](#): <https://ncarb.org/blog/top-10-tips-to-consider-pursuing-your-architecture-license...>

"Don't wait too long between exams and don't be afraid of failing—fails are a way to study for that division!" – Farah Ahmad, RA, LEED AP BD+C



**@PPI2Pass**

The NCARB Certificate offers reciprocity among the 55 U.S. jurisdictions as well as select international locations through mutual recognition arrangements/agreements, or MRAs. Learn more: <https://www.ncarb.org/blog/next-steps-establishing-reciprocity-architects-between-the-us-and-uk>



**@aia.uk**

Thank you to those who joined AIA UK, NCARB [@ncarb](#), and ARB in-person Wednesday September 28 at [@rocalondongallery](#). We hope you found this session informative!

**JOIN THE CONVERSATION ON SOCIAL MEDIA!**



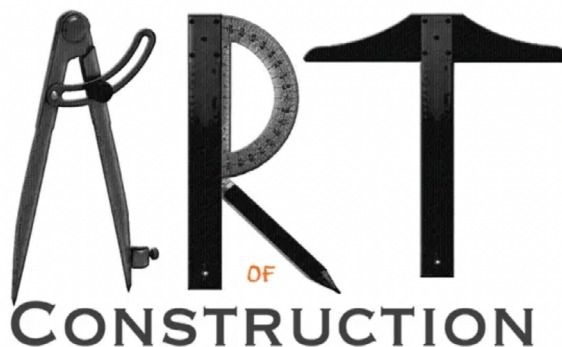
# DEPARTMENT HIGHLIGHTS

## ADMINISTRATION

- The Human Resources team has filled five recent vacancies and is working to fill six additional positions. The team continues the software upgrade implementation process for a new HR management tool, which includes enhanced performance management and compensation analysis capabilities. The HR team also started preparations for the 2023 Benefits Open Enrollment process.
- The annual financial audit process is underway. Testing will be complete at the end of September, and a draft report will be ready for the Audit Committee in October.
- Prepared for the Member Board Chairs and Executives Leadership Summit, which will be held in Salt Lake City, Utah, in October.
- Logistical planning is also underway for the December Committee Summit (to be held in Washington, DC), the January Board of Directors meeting, and the March Regional Summit.

## COUNCIL RELATIONS

- The Diversity, Equity, and Inclusion (DEI) Committee met to begin strategizing an approach to address the committee's charges.
- Joined NCARB CEO Michael Armstrong at his interview with the Art of Construction podcast, where he represented both NCARB and the Alliance for Responsible Professional Licensing (ARPL) to explain the architect licensing model and advocate for reasonable regulation.
- Attended the FARB Regulatory Law Seminar to learn more about the current legal issues affecting regulatory boards and the latest trends in professional licensing.



NCARB CEO Mike Armstrong advocated for reasonable regulation in a September episode of the Art of Construction podcast.

## CUSTOMER RELATIONS

- Collaborated with the Examination Department to review applications for the FY23 Re-Think Tank. Over 70 recently licensed architects applied, and 12 have been selected.
- Collaborated with the Information Systems and Continuous Improvement teams to launch the automated initial licensure transmittals.
- Attended the Council on Licensure Enforcement & Regulation (CLEAR) Annual Educational Conference to better understand the focus and challenges facing the domestic and international regulatory community.
- Collaborated with the Executive Office and Continuous Improvement teams to continue the next phase of candidate/customer focus groups, which are intended to better align NCARB's programs and services with customer needs.
- Collaborated with the Continuous Improvement team and a workforce management vendor to provide information for a new management tool.



*The Examination and Marketing & Communications Departments worked together to release PDF versions of each divisional practice exam.*

## EXAMINATION

- Collaborated with the Marketing & Communications Department to release an update to the *ARE Guidelines*, which included more information on provisional feedback, auditing of ESL accommodations, divisional practice exams, and PSI policies.
- Collaborated with Marketing & Communications to release PDF versions of each divisional practice exam to support supervisors and mentors in their efforts to support licensure candidates.
- The Examination Committee met and began their charge to re-evaluate current ARE 5.0 policies.
- The Forms Assembly Subcommittee completed training on item quality assurance reviews and conducted their initial review of newly authored items to be released to candidates in the future.
- The Practice Management and Project Management item writing workgroups completed their first item authoring assignment. Volunteers received additional item writing training and reviewed and approved the newly authored items at their first meeting.
- The Project Planning & Design and Project Development & Documentation item writing workgroups kicked off with their welcome webinar and began their first item authoring assignment.
- Collaborated with the Customer Relations Department to review applications for the FY23 Re-Think Tank. Over 70 recently licensed architects applied, and 12 have been selected. Planning is ongoing for the Re-Think Tank's October kick-off meeting.
- The Competency Task Force held its first in-person meeting. Members gathered to discuss definitions of entry-level competence and receive training on competency framework development.

## EXPERIENCE + EDUCATION

- The Education Committee met and began their work of reviewing NCARB's education-related programs for currency, relevance, equity, and applicability. During the meeting, they met with the department chair of the Community College of Denver architecture program to learn about their program and articulation agreement with the University of Colorado at Denver.
- Volunteers for the Certificate Alternative Review Team met in Washington, DC, for two days of training.
- The Experience Committee held a virtual meeting in preparation for their upcoming in-person meeting.
- Began work on a competency study with ACE (Architect's Council of Europe), South Africa, and Costa Rica.
- Vice President Harry M. Falconer Jr., FAIA, NCARB, HonD, Hon. FCARM, and Assistant Vice President of Innovation Patricia Ramallo, AIA, NCARB, CAE, LEED AP BD+C & Homes, delivered the workshop "U.S. Architect Registration from the U.K. & Abroad" at the AIA U.K. International Conference in London, in collaboration with the Architects Registration Board (ARB).

## INFORMATION SYSTEMS

- Began a testing strategy for the redesign of My NCARB's navigation. My NCARB is the online customer portal candidates use to access their NCARB Record.
- Started auditing the alerts and messages sent in My NCARB related to education.
- Reviewed the user experience (UX) of the redesigned education section of My NCARB.
- Continued collaboration with subject matter expert groups to implement fields for affirming names and pronouns in My NCARB.



*Martin Smith, NCARB's Assistant Vice President of Experience + Education, presented to students at Penn State's College of Arts and Architecture.*



## MARKETING & COMMUNICATIONS

- In collaboration with the NOMA, conducted a third set of focus groups to ideate solutions based on disparities highlighted in the joint Baseline on Belonging study.
- Continued work on the FY22 Annual Report, which will be released later this fiscal year.
- Finalized a summary of findings from the Analysis of Practice, which was shared with the Board of Directors at their meeting in September.
- In collaboration with the Examination and Customer Relations teams, updated the *ARE 5.0 Guidelines* to clarify PSI policies for candidates.
- Supported the 2022 Interschool Student Design Competition, which brings together architecture students from local programs in DC, Maryland, and Virginia. NCARB has sponsored this initiative since 2017, and participating students receive a complimentary NCARB Record for one year.

## OFFICE OF THE CIO | DATA & INNOVATION

### DATA & ANALYTICS TEAM

- Presented findings from the most recent edition of NCARB by the Numbers at the 2022 AIA Utah Annual Conference in Salt Lake City.

### INNOVATION TEAM

- Engaged a consultant to support the design of NCARB's Agile Transformation Road and train a group of internal volunteers to become certified Scrum Masters.
- Facilitated an idea validation exercise with the Lineup team as they explored potential use cases for the platform.



A student working on a computer sits a table with other students who are drawing architecture sketches.

# OFFICE OF THE COO | CONTINUOUS IMPROVEMENT & EXECUTIVE OFFICE

## CONTINUOUS IMPROVEMENT TEAM

- Successfully launched automated initial licensure transmittals, which can now process in 10 minutes, compared to the previous expedited transmittal process, which took two business days. Prior to the expedited process, the average transmittal took 10 business days to complete.
- Collaborated with the Customer Relations Exam Support team to begin the development of an internal knowledge base framework.
- Gathered requirements and proposed process enhancements for exam accommodations, including an exploration of potentially allowing candidates to self-submit documentation for accommodations through an automated process.
- Created a transparent view of potential improvements for customers navigating the Foreign Architect Path.
- Collaborated with an external vendor to provide workforce management integration and administrative training for the Customer Relations Department.
- Collaborated with the Organizational Health team to define department success metrics with a focus on being thought leaders in the areas of belonging, growth, employee well-being, transparency, inclusion, and professional development.

## EXECUTIVE OFFICE

- Conducted research to prepare for the Louisiana State Board of Architectural Examiners' strategic plan refresh.
- Supported an Executive Committee meeting and Board of Directors meeting.
- Facilitated a leadership development, transition, and continuity session with Board officers and the past president.
- The Governance Work Group presented initial recommendations to the Board of Directors and engaged the board in a feedback session to inform next steps on the workgroup's charge to assess the current NCARB governance structure and identify opportunities to evolve in alignment with best governance practices and with an eye to diversity, equity, and inclusion.
- The Policy Advisory Committee reviewed policy resolutions from the 1960s and 1970s as part of a resolution history project, in which older resolutions are reviewed for consistency and currency with current NCARB policies and the profession.
- The Professional Conduct Committee completed case reviews as part of their monthly review of alleged incidents warranting discipline under NCARB's *Professional Conduct Committee: Rules of Procedure*.
- Continued support of the Analysis of Practice research project with delivery of an executive summary of the research and Phase III report for the three-phase intensive research project.

## In This Issue

[ARE Update](#)[NCARB Member Board Support Webinar](#)[Volunteer Updates](#)[Advocacy & External Engagement](#)[Upcoming Events](#)[Welcome New Members](#)

## ARE Update

In September, NCARB released an [ARE Update](#) that included *Guidelines* changes to help candidates better prepare for the Architect Registration Examination® (ARE®) and understand exam policies. The latest version of the *Guidelines* includes the following changes:

- Detailed instructions to view provisional feedback
- A note that NCARB will be conducting random audits to verify the validity of applications for English as a Second Language (ESL) accommodations
- More detailed information about the divisional practice exams
- Clarification on two PSI policies that are different from Prometric's
- An update on NCARB's Approved Test Prep Provider Program
- An update to the ARE 5.0 Reference Matrix

NCARB now offers [PDF versions](#) of each divisional practice exam. The PDF format of the ARE 5.0 Practice Exams are recommended for Member Boards, supervisors, and mentors who may wish to understand the practice exams' content but don't have access to the Practice Exam Dashboard in their NCARB Record.

If you have any questions, reach out to Council Relations at [council-relations@ncarb.org](mailto:council-relations@ncarb.org).

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## NCARB Member Board Support Webinar

NCARB held a webinar on Tuesday, October 25 for our Member Board Executives and staff. During this webinar, Katrina Humphrey, Assistant Vice President of Customer Relations and Casandra Walker, Assistant Vice President of Customer Relations gave an overview of NCARB's programs and exam services.

If you were not able to attend the webinar, you can find the recording on the [Member Board Executives Community site](#).

If you have any questions, reach out to Council Relations at [council-relations@ncarb.org](mailto:council-relations@ncarb.org).

## Volunteer Updates

NCARB volunteers have officially kicked off committee work for this year, with over 250 volunteers serving across 36 committees, subcommittees, and task forces. FY23 charges are furthering efforts around education, experience, ARE forms assembly and item development, and more. We have also established a Diversity, Equity, and Inclusion Committee to continue exploring and refining best practices for governance. We are thrilled to work with returning volunteers as well as new committee members to support NCARB and our strategic objectives.

The volunteer leadership across our committees is central to NCARB—from facilitating the Board of Director elections to hosting summit events and reviewing our audit. Now that committees have launched, our volunteers will also lend their expertise and experience to big-picture conversations on NCARB, pathways to licensure, and the wider architecture community.

## Advocacy & External Engagement

### Legislative Update

- **Montana**
  - On August 31, the Montana Department of Labor and Industry held a webinar to discuss its intent to reform licensing and regulatory standards. DLI will hold several similar webinars in anticipation of the 2023 legislative session. With the support of the Montana Governor and Lieutenant Governor, the DLI seeks to review regulations to improve economic development and reduce red tape in Montana. NCARB and the Council of Landscape Architectural Registration Boards (CLARB) recently submitted a joint letter to educate stakeholders on reasonable regulations and already streamlined paths to licensure. NCARB is working with our ARPL partners to continue to observe the department's informational webinars and will help inform efforts aimed at reforming professional regulations. [Learn more about the Montana DLI initiatives.](#)
- **Greg Mills v. Arizona Board of Technical Registration**
  - The Supreme Court of Arizona has made a ruling in the case of Greg Mills (Mills) vs. the Arizona Board of Technical Registration (the board). Last year, the Arizona board sent a consent agreement to Mills to stop practicing engineering, that he refused to sign. Mills disagreed with the board's assertion that he was practicing engineering and subsequently sued the board. The case was brought before the Supreme Court that ruled Mills can continue challenging the board, but in a lower court. NCARB has been working with the Arizona board, NCEES, and legal counsel, and has submitted an amicus brief defending the Arizona board's authority. We will continue to update you with any relevant developments.
- NCARB's [Legislative Tracking Tool](#) allows you to explore relevant legislation we are monitoring in your jurisdiction and nationwide. To learn how to use the tool and more features, visit the [How-To Guide here](#). Do you have any legislation of interest or concern in your jurisdiction? Feel free to contact [Rob Anderson](#).



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### Resources – Did You Know?

- The Alliance for Responsible Professional Licensing (ARPL) continues to focus on enhanced public relations and earned media strategies. These two strategies allow us to reach key audiences more effectively, such as policymakers and the public. The Alliance worked with Illinois House of Representatives Amy Elik and Natalie Manley on a recent [article in Governing Magazine](#). The article discusses how overly broad reform may jeopardize the public and disadvantage hardworking professionals. ARPL has worked on several similar news stories, op-eds, and more over the past few months. [Check out more of ARPL's latest industry news stories and reports](#).

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### Upcoming Events

Please be sure to mark your calendars for the upcoming events:

- **December 2–3, 2022:** Committee Summit | Washington, D.C.
- **March 2, 2023:** MBE Workshop | Honolulu, HI
- **March 3–4, 2023:** [Regional Summit](#) | Honolulu, HI
  - [Regional Summit Funding Packet](#)
- **June 15–17, 2023:** Annual Business Meeting | Tampa, FL

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### Welcome New Members

We would like to welcome the following new members and new Member Board Executives:

- **Jessica Harris** joined the Pennsylvania Board as their new Member Board Executive.
- **Sydney Muhle** joined the Washington Board as their new Member Board Executive.
- **Nicole Kasin** joined the South Dakota Board as their new Member Board Executive.
- **Marla Pike** joined the New Hampshire Board as their new Member Board Executive.

## **NCARB and NOMA Release New Report on Diversity, Equity, and Inclusion in Architecture Firm Culture**

Washington, DC—*The Baseline on Belonging: Firm Culture & Career Development* report is the latest studying attrition from the licensure path by underrepresented groups, released by the National Council of Architectural Registration Boards (NCARB) and National Organization of Minority Architects (NOMA). The *Baseline on Belonging: Firm Culture & Career Development* report examines aspects of working within an architecture firm and advancing a career in architecture.

[Read the Summary](#) | [Read the Full Report](#)

The latest *Baseline on Belonging* report provides an in-depth look at aspects of the study related to experiences working within a firm—including firm culture, compensation, growth opportunities, exposure to discrimination, compensation for licensure, and reasons for leaving the profession. The report found several disparities facing people of color—especially Black or African American respondents—related to firm culture, including discrimination and belonging in the workplace.

The information revealed by this report, combined with data from previous reports, provides a more comprehensive picture of barriers facing underrepresented groups pursuing licensure and will hopefully inspire meaningful changes throughout the industry.

“Organizations frequently discuss the importance of diversification and inclusivity to its business and culture; however, the findings from this recent report indicate we must do a better job at putting this into practice,” said Tiffany Brown, MBA, NOMA, Assoc. AIA, NOMA Executive Director. “The NOMA and NCARB research uncovers the need for leadership at architecture firms of all sizes to take a hard look at how they are addressing the disparities to create opportunities for those underrepresented and an inclusive workplace for all.”

The research found Black or African American respondents—especially African American women—were more likely to face hurdles on the path to licensure related to firm culture. They were less likely to feel like they belonged in their firm, less likely to say their firm values diversity and inclusion, and less likely to say they felt valued by their firm, compared to white men. Additionally, they were more likely to face disparities that limit their career growth.

“The architecture industry must continue to evolve to create a more equitable path to licensure and to create environments that allow underrepresented groups to thrive,” said NCARB President Bayliss Ward, NCARB, AIA. “The research from NCARB and NOMA illuminates aspects of firm culture that must be addressed in order to move toward a more inclusive future.

The *Baseline on Belonging* survey was released in early 2020 to over 70,000 individuals and received over 5,000 complete responses. The Firm Culture & Career Development report is the fourth and final report from the initial survey and highlights several key findings for additional study:

1. People of color, especially Black or African American respondents, were more likely to report issues related to workplace culture, with 24% of African Americans indicating they had considered leaving architecture due to their firm's culture
2. Many disparities between African American and white respondents were greater at large firms (compared to mid-sized firms)
3. Women were more likely to report barriers at their firm that **limited their career growth**—especially African American women
4. People of color and women were more likely to report facing or witnessing discrimination in their work environment
5. White men were more likely than their female counterparts—especially women of color—to indicate they'd received benefits that would advance their career as a result of earning their license

These findings are a first step in identifying and addressing pinch points of architecture firm culture that impact many phases of the path to licensure. To better understand the underlying cause of the disparities highlighted in the report, NCARB and NOMA are conducting focus groups and follow-up surveys. The two organizations will draft an action plan for consideration by the six architectural collateral organizations, outlining possible steps to address the impediments highlighted in the *Baseline on Belonging* study.

To learn more about next steps and how to participate in further study, subscribe to our [mailing list](#). To learn more about the *Baseline on Belonging* study and download the full report, visit [www.ncarb.org/belong](http://www.ncarb.org/belong).

## About NCARB

The National Council of Architectural Registration Boards' membership is made up of the architectural licensing boards of the 50 states, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. NCARB, in collaboration with these boards, facilitates the licensure and credentialing of architects to protect the health, safety, and welfare of the public.

To achieve these goals, NCARB works with its Member Boards and volunteers to develop and facilitate standards for licensure, including the national examination and experience program. NCARB also recommends regulatory guidelines for licensing boards and helps architects expand their professional reach through the NCARB Certificate. Connect with NCARB on [Twitter](#), [Facebook](#), and [YouTube](#).

## **About the National Organization of Minority Architects (NOMA):**

The National Organization of Minority Architects (NOMA) was formed over 50 years ago to represent the needs of African American architects. Founded in 1971, the purpose of NOMA was to bolster and provide support for the handful of Black licensed architects around the country. Today, NOMA is a haven for architects of all origins who seek inclusion in the design industry. We continue to [advocate for the licensure of African American architects](#) (who account for only two percent of all licensed architects today), as well as those from other underrepresented backgrounds.

NOMA has more than 35 professional chapters across the U.S. and over 80 student chapters, National Organization of Minority Architecture Students (NOMAS) — mentored by regional NOMA chapters. NOMA Columbus (Ohio) and NOMA Utah are the newest chapters in 2022. NOMA and NOMAS membership is predominantly African-American, with other minority members including Native American, Hispanic, Middle Eastern, East Indian, and Asian, as well as an increasing segment of non-minority members who support NOMA's mission. NOMA supports its student members by providing mentorship, scholarships, and job opportunities to ensure their successful transition into the profession. [www.noma.net](http://www.noma.net)

**From:** [Neal, Sara J \(CED\)](#)  
**To:** [Neal, Sara J \(CED\)](#)  
**Subject:** NCEES: WZ Update  
**Date:** Monday, October 3, 2022 8:04:04 AM

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**From:** Mohammad Qureshi <drmoque@gmail.com>  
**Sent:** Saturday, October 1, 2022 8:28 AM  
**Cc:** Elizabeth Johnston <lise.johnston@ieee.org>; Karl Tonander <karl.tonander@outlook.com>  
**Subject:** WZ Update

You don't often get email from [drmoque@gmail.com](mailto:drmoque@gmail.com). [Learn why this is important](#)

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Dear Board Members and Administrators,

The officers for the Western Zone of the NCEES would like to provide an update on our activities for the year and to introduce ourselves.

As we start the year, our primary focus is on two items. First, we are preparing for the zone meeting in Houston scheduled for April 27-29, 2023. This meeting will be a joint meeting with the other 3 zones (we are calling it the All Zones Interim Meeting). This meeting also means that some due dates we all need to be aware of are closer than we think. **Nominations for Zone service awards will be due to our Awards Committee by February 1<sup>st</sup>. Nominations for Secretary-Treasurer will also be due to our Nominating committee by February 1<sup>st</sup>.** This will allow time for both committees to submit names to NCEES staff by February 24. Since Board action is required for nominations, please be aware that you may need to start your deliberations very soon.

**We would like to make you aware that Karl Tonander, our current Secretary-Treasurer, has indicated he does not plan to seek re-election.**

Secondly, we are filling positions on the Zone Committees. Please let one of us know If you are interested in serving on any of the following committees:

- Awards
- Leadership Development
- Nominating

For a detailed description of what these committees do, please see the Zone Meeting and

Continuity Guidelines which can be found attached to this letter.

As for the introductions, I am your Zone Vice President. My previous service to the Zone and NCEES consists of serving as the Zone Assistant Vice President from 2020-2022, serving as a member and vice chair for the Committee on Examinations for Professional Engineers (EPE), and as member of the Advisory Committee on Council Activities (ACCA). I have served on the California Board since 2014 including terms as Vice President and President of the California Board.

Elizabeth Johnston is your Assistant Zone Vice President. Elizabeth is the current chair of the NCEES Exam Policies & Procedures Committee (EPP). She is the Chief Electrical Engineer of a 70-person multi-disciplinary Architecture, Engineering, and Survey firm. She has been a member of the Alaska Board since 2017 including terms as Secretary, Vice-Chair, and Chair. She currently is leading a rewrite of the State's Continuing Education regulations.

Karl Tonander is in his second year serving as Zone Secretary-Treasurer. He also served four years on the Committee on Law Enforcement (two as chair) and two years on the Committee on Uniform Procedures and Legislative Guidelines (UPLG). He has been a member of the New Mexico Board since November 2014, including two terms as Board Chair, and leads the annual ethics sessions. By day he is CEO of a 170-person regional engineering, environmental, and geomatics consulting firm.

If you have any questions or concerns, feel free to contact any of us!

Sincerely,

Mohammad "Dr. Q"  
Qureshi  
Zone Vice President  
[drmoque@gmail.com](mailto:drmoque@gmail.com)

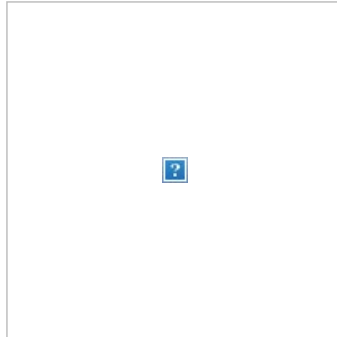
Elizabeth Johnston  
Zone Asst. Vice President  
[lise.johnston@ieee.org](mailto:lise.johnston@ieee.org)

Karl Tonander  
Zone Secretary-Treasurer  
[karl.tonander@outlook.com](mailto:karl.tonander@outlook.com)

**From:** [NCEES](#)  
**To:** [Neal, Sara J \(CED\)](#)  
**Subject:** Updated NCEES manuals  
**Date:** Tuesday, October 25, 2022 6:05:52 AM

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Dear Member Board Members and  
Administrators:

Several NCEES manuals have been updated based on motions passed at the 2022 annual meeting. New versions of the *Bylaws*, *Manual of Policy and Position Statements*, *Model Rules*, *NCEES Engineering Education Standard*, and *NCEES Surveying Education Standard* are posted at [ncees.org/about/publications](https://ncees.org/about/publications). The *Continuing Professional Competency Guidelines* has also been updated; it is posted online as well.

In addition to our public Publications page, we have a full list of publications, including manuals, standards, and white papers, in the Board Resources section of [ncees.org/resources](https://ncees.org/resources) (click on "[Publications and presentations](#)"; MyNCEES login required).

Sincerely,

David Cox  
NCEES Chief Executive Officer

[Unsubscribe](#)

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
<b>Revenue</b>										
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	\$ 957,475
General Fund Received								\$ -	-	\$ 17,581
Allowable Third Party Reimbursements	6,302	13,376	19,678	13,692	10,892	24,584	4,143	-	4,143	1,375
<b>TOTAL REVENUE</b>	<b>\$ 1,318,394</b>	<b>\$ 214,615</b>	<b>\$ 1,533,009</b>	<b>\$ 922,997</b>	<b>\$ 172,197</b>	<b>\$ 1,095,194</b>	<b>\$ 937,128</b>	<b>\$ 146,310</b>	<b>\$ 1,083,438</b>	<b>\$ 976,431</b>
<b>Expenditures</b>										
Non Investigation Expenditures										
1000 - Personal Services	230,912	151,062	381,974	179,399	201,499	380,898	173,287	159,806	333,093	172,213
2000 - Travel	35,307	32,347	67,654	29,385	26,313	55,698	15,812	2,110	17,922	15,391
3000 - Services	70,609	38,839	109,448	45,487	59,467	104,954	35,084	43,162	78,246	41,295
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	228,899
Investigation Expenditures										
1000-Personal Services	94,056	136,643	230,699	110,690	121,182	231,872	71,024	75,160	146,184	55,524
2000 - Travel	-	-	-	-	-	-	-	-	-	-
3023 - Expert Witness	-	-	-	-	-	-	-	-	-	-
3088 - Inter-Agency Legal	-	-	-	-	-	-	-	1,996	1,996	85
3094 - Inter-Agency Hearing/Mediation	-	134	134	58	-	58	-	-	-	-
3000 - Services other	-	-	-	-	670	670	208	429	637	15
4000 - Commodities	-	-	-	-	-	-	-	-	-	-
Total Investigation Expenditures	94,056	136,777	230,833	110,748	121,852	232,600	71,232	77,585	148,817	55,624
<b>Total Direct Expenditures</b>	<b>432,105</b>	<b>359,656</b>	<b>791,761</b>	<b>365,518</b>	<b>409,158</b>	<b>774,676</b>	<b>295,445</b>	<b>282,663</b>	<b>578,108</b>	<b>284,523</b>
Indirect Expenditures										
Internal Administrative Costs	216,777	183,444	400,221	-	176,749	176,749	187,122	160,058	347,180	207,091
Departmental Costs	68,567	103,670	172,237	-	96,635	96,635	66,632	61,722	128,354	68,456
Statewide Costs	19,550	33,286	52,836	-	32,978	32,978	32,186	32,250	64,436	28,626
<b>Total Indirect Expenditures</b>	<b>304,894</b>	<b>320,400</b>	<b>625,294</b>	<b>-</b>	<b>306,362</b>	<b>306,362</b>	<b>285,940</b>	<b>254,030</b>	<b>539,970</b>	<b>304,173</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 736,999</b>	<b>\$ 680,056</b>	<b>\$ 1,417,055</b>	<b>\$ 365,518</b>	<b>\$ 715,520</b>	<b>\$ 1,081,038</b>	<b>\$ 581,385</b>	<b>\$ 536,693</b>	<b>\$ 1,118,078</b>	<b>\$ 588,696</b>
<b>Cumulative Surplus (Deficit)</b>										
Beginning Cumulative Surplus (Deficit)	\$ 743,460	\$ 1,324,855		\$ 859,414	\$ 1,416,893		\$ 873,570	\$ 1,229,313		\$ 838,930
Annual Increase/(Decrease)	581,395	(465,441)		557,479	(543,323)		355,743	(390,383)		387,735
Ending Cumulative Surplus (Deficit)	\$ 1,324,855	\$ 859,414		\$ 1,416,893	873,570		\$ 1,229,313	\$ 838,930		1,226,665
						*				* No fee changes needed
<b>Statistical Information</b>										
Number of Licenses for Indirect calculation	8,785	7,847		8,152	7,331		7,488	7,386		8,122
<b>Additional information:</b>										
<ul style="list-style-type: none"> <li>• 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 *</li> <li>• Most recent fee change: New fee added FY20</li> <li>• 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</li> </ul>										



Appropriation	(Multiple Items)
Sub Unit	(All)
PL Task Code	AEL1

Sum of Budgetary Expenditures	Object Type Name (Ex)			
Object Name (Ex)	1000 - Personal Services	2000 - Travel	3000 - Services	Grand Total
1011 - Regular Compensation	117,894.06			117,894.06
1014 - Overtime	1,377.86			1,377.86
1016 - Other Premium Pay	258.11			258.11
1023 - Leave Taken	14,528.52			14,528.52
1028 - Alaska Supplemental Benefit	8,219.97			8,219.97
1029 - Public Employee's Retirement System Defined Benefits	1,985.28			1,985.28
1030 - Public Employee's Retirement System Defined Contribution	6,677.08			6,677.08
1034 - Public Employee's Retirement System Defined Cont Health Reim	4,333.06			4,333.06
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	1,346.05			1,346.05
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	25,369.09			25,369.09
1039 - Unemployment Insurance	148.78			148.78
1040 - Group Health Insurance	40,022.21			40,022.21
1041 - Basic Life and Travel	20.72			20.72
1042 - Worker's Compensation Insurance	887.30			887.30
1047 - Leave Cash In Employer Charge	2,842.02			2,842.02
1048 - Terminal Leave Employer Charge	1,749.52			1,749.52
1053 - Medicare Tax	1,869.14			1,869.14
1077 - ASEA Legal Trust	112.72			112.72
1079 - ASEA Injury Leave Usage	9.00			9.00
1080 - SU Legal Trst	20.08			20.08
1970 - Personal Services Transfer	(1,933.75)			(1,933.75)
2000 - In-State Employee Airfare		1,661.42		1,661.42
2001 - In-State Employee Surface Transportation		109.98		109.98
2002 - In-State Employee Lodging		1,276.00		1,276.00
2003 - In-State Employee Meals and Incidentals		510.00		510.00
2005 - In-State Non-Employee Airfare		2,533.95		2,533.95
2006 - In-State Non-Employee Surface Transportation		280.53		280.53
2007 - In-State Non-Employee Lodging		3,209.74		3,209.74
2008 - In-State Non-Employee Meals and Incidentals		2,010.00		2,010.00
2009 - In-State Non-Employee Taxable Per Diem		608.00		608.00
2010 - In-State Non-Employee Non-Taxable Reimbursement		1,636.59		1,636.59
2013 - Out-State Employee Surface Transportation		38.04		38.04
2015 - Out-State Employee Meals and Incidentals		632.00		632.00
2020 - Out-State Non-Employee Meals and Incidentals		658.50		658.50
2022 - Out-State Non-Employee Non-Taxable Reimbursement		225.78		225.78
2970 - Travel Cost Transfer		-		-
3000 - Training/Conferences			1,220.00	1,220.00
3001 - Test Monitor/Proctor			8,500.00	8,500.00
3002 - Memberships			20,425.00	20,425.00
3044 - Courier			92.17	92.17
3045 - Postage			17.51	17.51
3046 - Advertising			1,613.61	1,613.61
3085 - Inter-Agency Mail			8,528.21	8,528.21
3088 - Inter-Agency Legal			998.04	998.04
<b>Grand Total</b>	<b>227,736.82</b>	<b>15,390.53</b>	<b>41,394.54</b>	<b>284,521.89</b>

FY 2022 CBPL COST ALLOCATIONS

		Direct Revenues	General Fund Received	3rd Party Reimbursement	Total Revenues	Direct Expense	Percentage of board licenses/total licensees:	Department certified transactions % by Fiscal Revenue \$	Indirect Expense (Total Non-PCN Allocated)	Percentage of program direct Personal Services:	Total Indirect Expenses	Total Expenses	2022 Annual Surplus (Deficit)	FY21 Direct Expense	FY21 Indirect Expenses	FY21 Total Expenses	
Name	Task Code																
Acupuncture	ACU1	\$ 2,315	\$ 306	\$ -	\$ 2,621	\$ 3,921	\$ 3,232	\$ 762	\$ 3,994	1,205	\$ 5,199	\$ 9,120	\$ (6,499)	\$ 3,734	\$ 5,489	\$ 9,223	
Architects, Engineer	AEL1	\$ 957,475	\$ 17,581	\$ 1,375	\$ 976,431	\$ 284,522	230,294	\$ 3,783	234,077	70,096	304,173	588,695	387,736	282,663	254,030	536,693	
Athletic Trainers	ATH1	\$ 5,930	\$ 80	\$ -	\$ 6,010	\$ 1,044	1,673	\$ 598	2,271	314	2,585	3,629	2,381	8,349	4,381	12,730	
Audiology and Speech Pathologists	AUD1	\$ 69,567	\$ 1,536	\$ -	\$ 71,103	\$ 20,790	23,052	\$ 2,049	25,101	6,053	31,154	51,944	19,159	26,607	33,237	59,844	
Barbers & Hairdressers	BAH1	\$ 1,035,686	\$ 21,523	\$ -	\$ 1,057,209	\$ 320,315	212,856	\$ 4,805	217,661	84,847	302,508	622,823	434,386	281,634	257,801	539,435	
Behavior Analysts	BEV1	\$ 6,210	\$ 319	\$ -	\$ 6,529	\$ 5,855	2,580	\$ 854	3,434	1,256	4,690	10,545	(4,016)	4,966	5,106	10,072	
Chiropractors	CHI1	\$ 24,005	\$ 6,407	\$ -	\$ 30,412	\$ 147,678	10,803	\$ 2,175	12,978	25,257	38,235	185,913	(155,501)	137,019	45,115	182,134	
Collection Agencies	COA1	\$ 62,375	\$ 2,208	\$ -	\$ 64,583	\$ 31,054	22,287	\$ 1,439	23,726	8,706	32,432	63,486	1,097	33,147	29,527	62,674	
Concert Promoters	CPR1	\$ 3,250	\$ 1,836	\$ -	\$ 5,086	\$ 3,095	482	\$ 631	1,113	951	2,064	5,159	(73)	574	1,181	1,755	
Construction Contractors	CON1	\$ 912,525	\$ 20,197	\$ -	\$ 932,722	\$ 469,007	319,355	\$ 4,326	323,681	79,623	403,304	872,311	60,411	496,407	327,180	823,587	
Home Inspectors	HIN1	\$ 23,410	\$ 743	\$ -	\$ 24,153	\$ 9,583	3,686	\$ 1,136	4,822	2,930	7,752	17,335	6,818	6,676	6,036	12,712	
Dental	DEN1	\$ 138,195	\$ 275,253	\$ -	\$ 413,448	\$ 187,263	66,860	\$ 2,781	69,641	43,708	113,349	300,612	112,836	225,301	124,531	349,832	
Dietitians/Nutritionists	DTN1	\$ 21,365	\$ 401	\$ -	\$ 21,766	\$ 5,499	10,094	\$ 1,368	11,462	1,582	13,044	18,543	3,223	13,508	9,466	22,974	
Direct Entry Midwife	MID1	\$ 17,065	\$ 1,165	\$ -	\$ 18,230	\$ 18,245	1,333	\$ 816	2,149	4,591	6,740	24,985	(6,755)	22,687	5,555	28,242	
Dispensing Opticians	DOP1	\$ 9,220	\$ 23,308	\$ -	\$ 32,528	\$ 6,798	4,395	\$ 1,506	5,901	2,079	7,980	14,778	17,750	15,035	8,485	23,520	
Electrical Administrator	EAD1	\$ 184,943	\$ 3,000	\$ -	\$ 187,943	\$ 107,134	27,362	\$ 2,146	29,508	11,828	41,336	148,470	39,473	67,402	33,175	100,577	
Euthanasia Services	EUT1	\$ 1,500	\$ 6,151	\$ -	\$ 7,651	\$ 131	312	\$ 484	796	40	836	967	6,684	1,833	981	2,814	
Geologists	GEO1	\$ 240	\$ 100	\$ -	\$ 340	\$ 1,290	284	\$ 669	953	393	1,346	2,636	(2,296)	793	1,039	1,832	
Guardians/Conservators	GCO1	\$ 2,043	\$ 9,346	\$ -	\$ 11,389	\$ 3,421	454	\$ 286	740	1,053	1,793	5,214	6,175	637	919	1,556	
Guide-Outfitters	GUI1	\$ 1,193,160	\$ 27,909	\$ -	\$ 1,221,069	\$ 409,590	46,359	\$ 3,657	50,016	110,023	160,039	569,629	651,440	405,369	134,630	539,999	
Marine Pilots	MAR1	\$ 18,650	\$ 1,951	\$ -	\$ 20,601	\$ 38,881	4,140	\$ 1,153	5,293	7,693	12,986	51,867	(31,266)	51,354	18,279	69,633	
Foreign Pleasure Craft	FPC1	\$ 94,283	\$ 812	\$ -	\$ 95,095	\$ 10,424	-	\$ 854	854	3,201	4,055	14,479	80,616	9,368	3,707	13,075	
Marital & Family Therapy	MFT1	\$ 38,880	\$ 53,761	\$ -	\$ 92,641	\$ 23,651	4,026	\$ 1,582	5,608	6,745	12,353	36,004	56,637	37,587	14,725	52,312	
Massage Therapists	MAS1	\$ 400,630	\$ 230,859	\$ -	\$ 631,489	\$ 261,538	39,753	\$ 3,173	42,926	61,780	104,706	366,244	265,245	197,556	88,077	285,633	
Mechanical Administrator	MEC1	\$ 115,080	\$ 2,773	\$ -	\$ 117,853	\$ 121,729	17,410	\$ 1,809	19,219	10,932	30,151	151,880	(34,027)	56,147	23,772	79,919	
Medical	MED1	\$ 945,106	\$ 272,744	\$ -	\$ 1,217,850	\$ 907,475	234,179	\$ 4,603	238,782	226,402	465,184	1,372,659	(154,809)	899,162	569,260	1,468,422	
Mortuary Science	MOR1	\$ 7,105	\$ 581	\$ -	\$ 7,686	\$ 7,716	3,771	\$ 875	4,646	2,290	6,936	14,652	(6,966)	4,042	5,193	9,235	
Naturopaths	NAT1	\$ 83,690	\$ 110	\$ -	\$ 83,800	\$ 1,768	1,503	\$ 905	2,408	435	2,843	4,611	79,189	7,091	3,750	10,841	
Nurse Aides	NUA1	\$ 403,929	\$ 15,541	\$ -	\$ 419,470	\$ 293,537	104,287	\$ 2,714	107,001	61,265	168,266	461,803	(42,333)	226,749	146,755	373,504	
Nursing	NUR1	\$ 2,224,194	\$ 614,726	\$ 833	\$ 2,839,753	\$ 1,751,709	694,541	\$ 5,331	699,872	379,830	1,079,702	2,831,411	8,342	1,448,247	911,621	2,359,868	
Nursing Home Administrators	NHA1	\$ 3,100	\$ 14,064	\$ -	\$ 17,164	\$ 5,300	1,503	\$ 652	2,155	1,169	3,324	8,540	8,540	6,051	3,390	9,441	
Optometry	OPT1	\$ 25,770	\$ 100,227	\$ -	\$ 125,997	\$ 42,853	6,578	\$ 1,405	7,983	10,893	18,876	61,729	64,268	73,836	31,493	105,329	
Pawnbrokers	PAW1	\$ 2,155	\$ 722	\$ -	\$ 2,877	\$ 9,272	681	\$ 576	1,257	2,847	4,104	13,376	(10,499)	60	685	745	
Pharmacy	PHA1	\$ 444,975	\$ 29,810	\$ 1,650	\$ 476,435	\$ 434,595	185,494	\$ 4,633	190,127	116,727	306,854	741,449	(265,014)	432,923	320,184	753,107	
Physical/Occupational Therapy	PHY1	\$ 412,136	\$ 8,330	\$ -	\$ 420,466	\$ 109,867	61,784	\$ 3,581	65,365	32,838	98,203	208,070	212,396	134,328	92,146	226,474	
Prescription Drug Monitoring Program	PDMP	\$ 32,490	\$ 222	\$ -	\$ 32,712	\$ 12,968	-	\$ -	-	-	-	12,968	19,744	1,728	-	1,728	
Professional Counselors	PCO1	\$ 267,862	\$ 10,910	\$ -	\$ 278,772	\$ 148,004	33,288	\$ 3,105	36,393	43,011	79,404	227,408	51,364	154,477	77,160	231,637	
Psychology	PSY1	\$ 33,536	\$ 42,146	\$ -	\$ 75,682	\$ 85,474	11,484	\$ 2,373	13,857	22,301	36,158	121,632	(45,950)	67,981	32,539	100,520	
Public Accountancy	CPA1	\$ 646,145	\$ 17,196	\$ 720	\$ 664,061	\$ 230,968	52,711	\$ 1,830	54,541	67,792	122,333	353,301	310,760	212,245	102,906	315,151	
Real Estate	REC1	\$ 820,700	\$ 17,842	\$ -	\$ 838,542	\$ 270,986	115,175	\$ 2,361	117,536	70,253	187,789	458,775	379,767	261,752	170,261	432,013	
Real Estate Appraisers	APR1	\$ 62,165	\$ 9,845	\$ 3,600	\$ 75,610	\$ 132,111	11,058	\$ 2,239	13,297	37,386	50,683	182,794	(107,184)	104,618	36,203	140,821	
Social Workers	CSW1	\$ 326,730	\$ 49,705	\$ -	\$ 376,435	\$ 180,156	33,316	\$ 3,101	36,417	47,862	84,279	264,435	112,000	197,763	74,517	272,280	
Storage Tank Workers	UST1	\$ 6,790	\$ 874	\$ -	\$ 7,664	\$ 11,242	1,786	\$ 724	2,510	3,444	5,954	17,196	(9,532)	5,406	3,472	8,878	
Veterinary	VET1	\$ 69,880	\$ 19,480	\$ -	\$ 89,360	\$ 123,779	23,109	\$ 2,348	25,457	37,343	62,800	186,579	(97,219)	138,572	70,255	208,827	
No longer existent board/commission (ie Athletic)												-	-				
Totals All Boards		\$ 12,156,460	\$ 1,934,600	\$ 8,178	\$ 14,099,238	\$ 7,252,238	\$ 2,629,330	\$ 88,198	\$ 2,717,528	\$ 1,710,974	\$ 4,428,502	\$ 11,680,740	\$ 2,418,498	\$ 6,763,380	\$ 4,088,214	\$ 10,851,594	

ABL & Corporations	080801005	\$ 7,124,804	\$ -	\$ 7,124,804	\$ 1,405,967	\$ 138,033	\$ 8,723	\$ 146,756	\$ 158,895	\$ 305,651	\$ 1,711,618	
Fines & Forfeit GF		75,306		75,306							-	
Revenue Transfer In (Carry Forward Net) CFWD		9,356,591		9,356,591							-	
Reimbursable Service Agreements AR 080801007		-		-							-	
RSA 0822041- DHSS Nurse Aide Program		145,000		145,000	145,000						145,000	
RSA 0822011- DHSS PFS- DOA BJA PDMP		116,799		116,799	116,799						116,799	
RSA 0822010- DHSS EPI PDMP		336,469		336,469	336,469						336,469	
RSA 0822012 Child Support Assistance		985		985	985						985	
RSA 0822009- DHSS PFS- PDMP		89,402		89,402	89,402						89,402	
RSA 0822238- Emergency Medical Licenses		80,000		80,000	80,000						80,000	
Interagency clearing		916		916	916						916	
Real Estate Recovery Fund ZSU1		101,260		101,260	43,243						43,243	
DWAD - Emergency Authorizations		350		350	-						-	
RSA 0822010- DHSS EPI PDMP Third Par 080801108			2,533	2,533	2,533						2,533	
Total CBPL		\$ 29,584,342	\$ 1,934,600	\$ 10,711	\$ 31,529,653	\$ 9,473,551	\$ 2,767,363	\$ 96,921	\$ 2,864,284	\$ 1,869,869	\$ 4,734,153	\$ 14,207,704

DIVISION INDIRECT EXPENSES	Total	Prof Lic	Corp & Bus Lic
<b>Percentage of program direct Personal Services:</b>			
Business Supplies	28,432	24,275	4,157
Office Equipment	46,620	43,685	2,935
State Vehicles	4,060	3,695	365
Storage and Archives	12,685	12,356	329
Legal Support	51,845	51,845	-
Central Mail Services Postage	38,648	19,602	19,046
Software Licensing and Maintenance	96,529	90,358	6,171
Division Administrative Expenses - all other	192,266	192,266	-
Division allocated by percentage of direct personal services:	471,085	438,082	33,003
<b>Percentage of board licenses/total licensees:</b>			
Investigations indirect Personal Services	420,043	398,051	21,992
Division Administration Personal Services	1,831,020	1,761,446	69,574
Division allocated by percentage of board licenses/total licensees:	2,251,063	2,159,497	91,566
<b>Total Division Indirect Expenses</b>	<b>2,722,148</b>	<b>2,597,579</b>	<b>124,569</b>
DEPARTMENT INDIRECT EXPENSES	Total	Prof Lic	Corp & Bus Lic
<b>Percentage of program direct Personal Services:</b>			
Commissioner's Office	168,220	153,080	15,140
Administrative Services - Director's Office	59,823	54,439	5,384
Administrative Services - Human Resources	93,556	85,136	8,420
Administrative Services - Fiscal	89,898	81,807	8,091
Administrative Services - Budget	61,186	55,679	5,507
Administrative Services - Information Technology	122,146	111,153	10,993
Administrative Services - Information Technology - Network & Database	25,235	22,964	2,271
Administrative Services - Mail	10,900	9,919	981
Administrative Services - Facilities - Maintenance	-	-	-
Department allocated by percentage of direct personal services:	630,964	574,177	56,787
<b>Percentage of board licenses/total licensees:</b>			
Department administrative services support: Fiscal, IT, Procurement	516,300	469,833	46,467
<b>Receipting transaction % by Personal Services:</b>			
Department certified transactions % by Fiscal Revenue \$	96,921	88,198	8,723
<b>Total DEPARTMENT INDIRECT EXPENSES</b>	<b>1,244,185</b>	<b>1,132,208</b>	<b>111,977</b>
STATEWIDE INDIRECT EXPENSES	Total	Prof Lic	Corp & Bus Lic
<b>Percentage of program direct Personal Services:</b>			
Accounting and Payroll Systems	54,521	49,614	4,907
State Owned Building Rental (Building Leases)	354,120	322,249	31,871
State OIT Server Hosting & Storage	9,785	8,904	881
State OIT SQL	22,402	20,386	2,016
State Software Licensing	-	-	-
Human Resources	52,542	47,813	4,729
IT Non-Telecommunications (Core Cost)	241,355	219,633	21,722
IT Telecommunications	29,452	26,801	2,651
Risk Management	3,643	3,315	328
Statewide allocated by percentage of direct personal services:	767,820	698,715	69,105
FY22 TOTALS BY METHODOLOGY	Total	Prof Lic	Corp & Bus Lic
Percentage of program direct Personal Services:	1,869,869	1,710,974	158,895
Percentage of board licenses/total licensees:	2,767,363	2,629,330	138,033
Receipting transaction % by Personal Services:	96,921	88,198	8,723
<b>Grand Total</b>	<b>4,734,153</b>	<b>4,428,502</b>	<b>305,651</b>

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

# GUIDANCE MANUAL

*on laws governing architecture, engineering, land surveying, &  
landscape architecture*

August 2022 Edition

## 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 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.

This manual is updated periodically. The most recent version is available on the AELS website: [ProfessionalLicense.Alaska.gov/BoardofArchitectsEngineersLandSurveyors.aspx](https://ProfessionalLicense.Alaska.gov/BoardofArchitectsEngineersLandSurveyors.aspx)

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## PURPOSE

Published by the Alaska State Board of Registration for Architects, Engineers, and Land Surveyors (AELS), the intent of this guidance manual is to provide aid to those seeking to understand the laws that govern architecture, engineering, land surveying, and landscape architecture. The intended audiences of this publication include government, building, planning, and public officials as well as architects, engineers, land surveyors, and landscape architects.

The Alaska Statutes, Regulations, Municipal Building and Zoning Codes, and Ordinances will take precedence over any conflict with information contained in this manual. Contact information for the AELS Board, State Fire Marshal's Office, and Offices of Building and Planning Officials is included in this document.

## INTRODUCTION

Professional registration laws (statutes) work together with regulations, building and zoning codes, and ordinances to protect the public's health, safety, and welfare. Jurisdictions and boards, such as the AELS Board, exist to protect the public from harm created by unprofessional practice. This harm may be in the form of unsafe structures, hazardous site conditions, dangerous road design, wasted public money, or other perilous conditions. Building officials promulgate and enforce building code requirements to protect public health and safety. Planning and public safety officials enforce similar regulations.

This Guidance Manual focuses on basic information concerning the practice of architecture, engineering, land surveying, and landscape architecture. Professionals in these disciplines must complete education criteria, satisfy training standards, and pass rigorous technical and practice examinations (Alaska Statute 08.48; AELS Regulation 12 AAC 36). The scope of the services provided is broad and diverse in the built environment. The public is protected through compliance with these laws and enforcement by Alaska State Registration Officials.

Architects, engineers, land surveyors, and landscape architects are charged with safeguarding the public's health, safety, and welfare through execution of their professional responsibilities and duties. This Guidance Manual addresses professional activities found within the Alaska Statute as well as recommended minimum practices and AELS Board policies. Information found within this manual aims to address frequently asked questions without modification to any statutory requirements.

Architects, engineers, land surveyors, and landscape architects are advised to contact local building, planning, and public safety officials with regard to specific site and building regulations, ordinances, codes, permits, and to address requirements that may vary between jurisdictions.



## DEFINITIONS OF PRACTICE

Practice includes consultation, evaluation, planning, design, the preparation and filing of plans, drawings, specifications, and other contract documents, the administration of contracts pertaining to projects principally directed at the safe functional and aesthetic use, and the conservation and integration of natural and built environments.

For this section, the definition of design is referenced in 12AAC 36.990 (5). Planning and design mean the consideration and application of technical and/or aesthetic principles to provide solutions to a problem or project.

AS 08.48.341 defines architecture, engineering, land surveying and landscape architecture as follows:

(12) “practice of architecture” means professional service or creative work in the design of buildings, the teaching of advanced architectural courses in institutions of higher learning, consultation, investigation, evaluation, planning, design, and professional observation of construction of public or private buildings, works, or projects, and architectural review of drawings and specifications by regulatory agencies; “practice of architecture” may by regulation of the board include mechanical, electrical, or structural design of minor importance;

(13) “practice of engineering” means professional service or creative work, the adequate performance of which requires the specialized knowledge of applied mathematics and sciences, dealing with the design of structures, machines, equipment, utilities systems, materials, processes, works, or projects, public or private; the teaching of advanced engineering courses in institutions of higher learning; the direction of or the performance of engineering surveys, consultation, investigation, evaluation, planning, and professional observation of construction of public and private structures, works, or projects and engineering review of drawings and specifications by regulatory agencies; “practice of engineering” may by regulation of the board include architectural building design of minor importance, but it does not include comprehensive architectural services;

(14) “practice of land surveying” means the teaching of land surveying courses at an institution of higher learning, or any service or work the adequate performance of which involves the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the relevant requirements of law for adequate evidence of the act of measuring and locating land, geodetic and cadastral surveys for the location and monumentation of property boundaries, for the platting and planning of land and subdivisions of land, including the topography, alignment, and grades for streets, and for the preparation and perpetuation of maps, record plats, field note records and property descriptions that represent these surveys; (see *Common Services Provided* section for additional information)

(15) “practice of landscape architecture” means professional services or creative work in site investigation, reconnaissance, research, planning, design, and preparation services related to drawings and construction documents, observation of construction, and location, arrangement, and design of incidental and necessary tangible objects and features for the purpose of

- (A) preservation and enhancement of land uses and natural land features;
- (B) location and construction of aesthetically pleasing and functional approaches for structures, roadways, and walkways;
- (C) establishing or maintaining trails, plantings, landscape irrigation, landscape lighting, and landscape grading; or
- (D) generalized planning of the development of land areas in a manner that is sensitive to the area's natural and cultural resources.

#### 12 AAC 36.069. Standards for Registration as a Landscape Architect

In accordance with AS 08.48.331(b), and except as exempted in AS 08.48.331(a), design or creative work involving any of the following constitutes the practice of an aspect of landscape architecture that affects the public health or safety and thus requires registration as a landscape architect:

- (1) grading, clearing, or shaping of land;
- (2) landscape irrigation;
- (3) outdoor planting plans;
- (4) outdoor play apparatus;
- (5) outdoor structures.

In regards to "outdoor play apparatus," per AS 08.48.281, another design professional may practice landscape architecture if the services being performed by the person are within the scope of practice authorized by another license that is held by the person, and it is within the registrant's area of expertise. Historically, architects and civil engineers prepared site plans, including sites that contain playground equipment, and may design playgrounds. Regardless of whether the designer is an architect, civil engineer, or landscape architect, he or she should have the education and experience with playgrounds to be qualified to design them.

## EXEMPTIONS

Unless specifically exempt under AS 08.48.331 all projects (public, commercial and private) that require the involvement of architects, engineers, land surveyors and landscape architects, must utilize Alaska registered professionals in positions of responsible charge<sup>1</sup>.

The State of Alaska exempts the following activities from the licensing regulations under AS 08.48.331, which reads:

### Sec. 08.48.331. Exemptions

(a) This chapter does not apply to:

- (1) a contractor performing work designed by a professional architect, engineer, or landscape architect or the supervision of the construction of the work as a supervisor or superintendent for a contractor;
- (2) workers in building trades crafts, earthwork, groundskeeping, or nursery operations, and superintendents, supervisors, or inspectors in the performance of their customary duties;
- (3) an officer or employee of the United States government practicing architecture, engineering, land surveying, or landscape architecture as required by the person's official capacity;
- (4) an employee or a subordinate of a person registered under this chapter if the work or service is done under the direct supervision of a person registered under this chapter;
- (5) associates, consultants, or specialists retained by a registered individual, a partnership of registered individuals, a corporation, a limited liability company, or a limited liability partnership authorized to practice architecture, engineering, land surveying, or landscape architecture under this chapter, in the performance of professional services if responsible charge of the work remains with the individual, the partnership, or a designated representative of the corporation, limited liability company, or limited liability partnership;
- (6) a person preparing drawings or specifications for
  - (A) a building for the person's own use and occupancy as a single family residence and related site work for that building;
  - (B) farm or ranch buildings and their grounds unless the public health, safety, or welfare is involved;
  - (C) a building that is intended to be used only as a residence by not more than:
    - (i) four families and that is not more than two stories high and the grounds of the building; or

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<sup>1</sup> "Responsible charge" means the direct control and personal supervision of work (per AS 08.48.341(20)).

- (ii) two families and that is not more than three stories high and the grounds of the building, if the building complies with any applicable building or residential code adopted by a municipality where the building is located;
  - (D) a garage, workshop, or similar building that contains less than 2,000 square feet of floor space to be used for a private noncommercial purpose and the grounds of the building;
  - (7) a specialty contractor licensed under AS 08.18 while engaged in the business of construction contracting for work within the specialty to be performed or supervised by the specialty contractor, or a contractor preparing shop or field drawings for work that the specialty contractor has contracted to perform;
  - (8) a person furnishing drawings, specifications, instruments of services, or other data for alterations or repairs to a building or its grounds that do not change or affect the structural system or the safety of the building, or that do not affect the public health, safety, or welfare;
  - (9) a person who is employed by a postsecondary educational institution to teach engineering, architectural, or landscape architectural courses; in this paragraph, "postsecondary educational institution" has the meaning given in AS 14.48.210;
  - (10) an officer or employee of an individual, firm, partnership, association, utility, corporation, limited liability company, or limited liability partnership, who practices engineering involved in the operation of the employer's business only, and further provided that neither the employee nor the employer offers engineering services to the public; exclusions under this paragraph do not apply to buildings or structures whose primary use is public occupancy;
  - (11) a person while involved in revegetation, restoration, reclamation, rehabilitation, or erosion control for disturbed land;
  - (12) a person while maintaining or directing the placement of plant material;
  - (13) an employee, officer, or agent of a regulatory agency of the state or a municipality when reviewing drawings and specifications for compliance with the building codes of the state or a municipality if the drawings and specifications have been signed and sealed by a professional architect or professional engineer or the preparation of the drawings and specifications is exempt under this section from the requirements of this chapter; in this paragraph, "building codes" includes codes relating to building, mechanical, plumbing, electrical, and fire standards.
- (b) The requirement to be registered as a landscape architect under this chapter only applies to a person who practices an aspect of landscape architecture that the Board has determined affects the public health or safety.

**Additional Clarification on AS 08.48.331(a)(10) Industrial Exemption:**

AS 08.48.331(a)(10) contains certain limitations and should not be interpreted as a blanket exemption. Unlicensed individuals, regardless of their employer, are not authorized to design buildings or other structures whose primary use is public occupancy, nor are they authorized to provide professional services to the public. Based on these limitations, qualified organizations may design, using their own employees (licensed or not), their general system; however, the connection from that system to another entity's property must be designed by an Alaska licensed professional, otherwise the designing organization would be providing engineering, architectural, land surveying, and/or landscape architectural services to the public.

Land surveys and legal descriptions that relate to property rights always require the use of licensed land surveyors. The industrial exemption (AS 08.48.331(a)(10) explained above does not apply to land surveys and legal descriptions because the location of easements and similar land rights<sup>2</sup> impacts the adjoining properties.

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<sup>2</sup> A common analogy compares a parcel's land rights as a bundle of sticks. Each stick representing a right of use that assigns one stick the right to occupy the property, a second stick the right to build a structure on the property, a third stick the right to landscape the property, and so forth. In this example and as commonly occurs, a public utility may have a utility easement which gives them two sticks that represent their rights to construct and maintain utility lines on or within that easement.

## COMMON SERVICES PROVIDED

The following descriptions reference general areas of responsibility for architects, engineers, land surveyors, and landscape architects. These descriptions are not all-inclusive and are intended to give general guidance that more fully defines the professional field of practice for each discipline.

### The Architect

General areas of responsibility for architects are based on the definition of the practice of architecture. A practicing architect is a person who has a valid registration issued by the state within which he or she intentionally assumes responsibility for providing professional services, including but not limited to safeguarding the health, safety and property and promoting the public's welfare for enhancement of both the natural and built environment. These enhancements shall be functional, aesthetically appropriate, sustainable, and cost effective. The result of the architect's professional service shall contribute to the physical, sociocultural, and emotional wellbeing of the public.



The following list provides examples of professional services that architects typically provide:

- Overall Project Management: design team coordination and interface with Owner and/or Contractor, construction management and inspection; project planning and programming; scheduling; cost estimating; application of federal, state, and local design standards.
- Site Layout: analysis of site options for purposes of site selection; analysis of specific site features for proposed development; land use laws; building layout impacts on the site.
- Building Codes and Fire Safety: occupancy groups and intended uses; types of construction; occupant loads; application of specific code requirements as they pertain to design features; barrier-free access; fire ratings and assemblies; product and material specifications; specialized functions and operations such as hazardous materials; abatement of hazardous materials.
- Building Circulation and Egress: corridors; travel distances; exits and exit widths; door systems; roof access; stairways, escalators, and elevator requirements; vestibules; signage.
- Space Planning: furniture and partition systems; built-in casework and fixtures; sound attenuation and transmission; detailed knowledge of building types (schools, hospitals, recreation facility, etc.) and specialized detailed knowledge of all spaces within that building type.
- Materials Selection: appropriate interior and exterior finish materials; wall and floor construction systems;

- Energy and Sustainability: building envelope systems and assemblies including insulation and vapor barriers; recycled materials; construction solid waste streams; coordination and integration of systems by other design professionals.

### The Engineer

In the State of Alaska, engineers may obtain a certificate of registration in any one or more of the following branches of engineering. The branches, listed below in alphabetical order, are identified by their two-letter abbreviations. Engineers shall enter their branch abbreviation within the seal on stamped documents below their signature and preceding their registrant number as stipulated in 12 AAC 36.180(b) SEAL:

AG – Agricultural	EC – Chemical
CE – Civil	CS – Control Systems
EE – Electrical	EV – Environmental
FP – Fire Protection	IN – Industrial
ME – Mechanical	MM – Metallurgical and Materials
EM – Mining and Mineral Processing	NM – Naval Architecture and Marine
NU – Nuclear	EP – Petroleum
SE – Structural	

Examples for all disciplines except Structural:



Example for Structural:



12 AAC 36.205: A person who holds a current certificate of registration as an engineer in the State of Alaska may practice in that branch/those branches of engineering, as defined in 12 AAC 36.990(a), even if the engineering practice includes activities that are included in another branch of engineering defined in 12 AAC 36.990(a).

The following section includes further explanations of the general areas of responsibility for each of the above branches. The descriptions are not all-inclusive but intended to give general guidance on the Scope of Practice for the different branches of engineering.

#### Definitions of Professional Engineering Branches (12 AAC 36.990(a))

**"agricultural engineering"** means the branch of professional engineering that embraces studies and activities related to facility engineering of plant, animal, and commodity environments and structures; machinery involving power, electrical and electronic machines, controls and sensors; natural resource engineering involving soil, water and plant systems; process engineering involving food, feed, fiber, fuel products; and the organizational and economic aspects of these studies and activities;

**"chemical engineering"** means the branch of professional engineering that embraces studies and activities relating to applied chemistry, both industrial and nonindustrial, concerned with chemical materials, their composition, locations, transportation, and storage; chemical and physical-chemical processes naturally occurring or artificially operated, their matter and energy changes, the conditions of temperature, concentration and media for those changes, including apparatus and analytical control; chemical products, their quality, quantity, applications, uses, and values; preparation of materials for public or industrial use, including water supply, waste abatement, and pollution control; and the organizational and economic aspects of these studies and activities;

**"civil engineering"** means the branch of professional engineering that embraces studies and activities relating to research, design, and construction of fixed works for irrigation, drainage, waterpower, water supply and treatment, flood control, inland waterways, harbors, municipal improvements, railroads, highways, tunnels, airports and airways, sewerage, refuse disposal, foundations, structures, and bridges, and the organizational and economic aspects of these studies and activities;

**"control systems engineering"** means the branch of professional engineering that embraces studies and activities relating to sensor technologies and measurement; signals and transmission, final control elements regarding valves, pressure relieving devices, and other final control elements, control systems analysis and implementation; and the organizational and economic aspects of these studies and activities;

**"electrical engineering"** means the branch of professional engineering that embraces studies and activities relating to generation, transmission and utilization of electrical energy, fire detection and alarm systems, control systems, electronic systems, and to telecommunications systems and facilities, including the design of electrical, electronic and magnetic circuits and components, and the technical



control of their operation and of the design of electrical, fire alarm gear, control, electronic and telecommunications gear, and the organizational and economic aspects of these studies and activities;

**"environmental engineering"** means the branch of professional engineering that embraces studies and activities relating to wastewater, storm water, potable water, and water resources; ambient air, emissions sources, and control strategies; solid, hazardous, and special waste; environmental assessments, remediation, and emergency response and applicable codes, standards, regulations, guidelines; and the organizational and economic aspects of these studies and activities<sup>3</sup>;

**"fire protection engineering"** means the branch of professional engineering that embraces studies and activities relating to fire protection analysis, fire protection management, fire science and human behavior, fire protection systems, fire building systems, and the organizational and economic aspects of these studies and activities;

For the purposes of AS 08.48.331(a)(14), "designing fire detection or suppression systems" includes those studies and activities related to the installation, maintenance, and inspection of those systems, including the direction of or the performance of fire protection systems surveys, consultation, investigation, evaluation, planning, and observations of construction and the organizational and economic aspects of those studies and activities.

**"industrial engineering"** means the branch of professional engineering that embraces studies and activities relating to facilities engineering and planning involving facility requirements, design alternatives, material handling techniques and equipment, systems analysis and design including processes, costing and performance measurement, logistics including production planning and control, distribution and storage and warehousing methods, methods to measure work, workstation design and analysis, and safety, quality engineering and control, and the organizational and economic aspects of these studies and activities;

**"mechanical engineering"** means the branch of professional engineering that embraces studies and activities relating to the generation, transmission and utilization of energy in the thermal and mechanical form; engineering issues relating to the production of tools, machinery and their products; mechanical processes, heating, air conditioning, refrigeration, product transport, fire and smoke suppression, and plumbing; and the research, design, production, operation, control, and the organizational and economic aspects of these studies and activities;

**"metallurgical and materials engineering"** means the branch of professional engineering that embraces studies and activities relating to the production of metals, metal objects, materials, testing procedures, metal processing, failure analysis procedures and the development of metal alloys, the research, design, construction, and development of devices and facilities of production, and the organizational and economic aspects of these studies and activities;

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<sup>3</sup> Hazardous building materials surveys and abatement work are conducted within the framework of OSHA and EPA. Those entities are the most appropriate to regulate the requirements.

**"mining and mineral processing engineering"** means the branch of professional engineering that embraces studies and activities relating to the exploration, location, and recovery of mineral commodities, and the research, design, construction, and development of structures, devices, and facilities of production, and the organizational and economic aspects related to these studies and activities;

**"naval architecture and marine engineering"** means the branch of professional engineering that embraces the studies and activities relating to the mechanics of rigid and deformable bodies, exterior loads on military, public, commercial or private vessels or marine facilities, structural designs, applications, and considerations, vibration considerations including local, vortex induced, flow induced, and global vibrations, intact and damaged hydrostatic stability, methods and procedures, dynamic stability in waves, hydrodynamics, wind and waves, hull forms and design, marine engineering involving thermodynamics, internal fluid flow, propulsion and power generators, machine design, HVAC/refrigeration and electrical systems, materials corrosion and corrosion control, navigation and vessel control, hull outfitting, weight engineering, shipbuilding and repair engineering, rules and regulations, human factors, and safety systems, and the organizational and economic aspects of these studies and activities;

**"nuclear engineering"** means the branch of professional engineering that embraces the studies and activities relating to nuclear power systems and science, nuclear components and systems, construction, operational regulations, emergency planning, licensing regulation, codes and standards, nuclear fuel and waste management, nuclear radiation, protection, radiation shielding, interaction of radiation with matter, nuclear criticality, kinetics, neutronics, and nuclear measurements and instruments, and the organizational and economic aspects of these studies and activities;

**"petroleum engineering"** means the branch of professional engineering that embraces studies or activities relating to the exploration, location, and recovery of natural fluid hydrocarbons, and the research, design, production, operations of devices, facilities of production, and the organizational and economic aspects of these studies and activities;

**"structural engineering"** means the branch of professional engineering that embraces the studies and activities relating to the investigation, evaluation, analysis, design and construction of buildings, bridges, and other structures such as walls, columns, slabs, beams, trusses, or similar members requiring force-resisting and load bearing members and their connections, or similar members used singly or as a part of a larger structure, and the organizational and economic aspects of these studies and activities.

## The Land Surveyor

The Alaska statutory definition of Land Surveying covers a broad range of activities performed in support of the platting and planning of land. Those activities generally include measurement, delineating, describing, locating, subdividing, and mapping the surface of the earth and improvements thereon.



The actual statute reads:

### AS Sec. 08.48.341

(7) “land surveyor” means a professional land surveyor;

(14) “practice of land surveying” means the teaching of land surveying courses at an institution of higher learning, or any service or work the adequate performance of which involves the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the relevant requirements of law for adequate evidence of the act of measuring and locating land, geodetic and cadastral surveys for the location and monumentation of property boundaries, for the platting and planning of land and subdivisions of land, including the topography, alignment, and grades for streets, and for the preparation and perpetuation of maps, record plats, field note records and property descriptions that represent these surveys;

While AS Sec. 08.48.341 (14) attempts to define land surveying activities in an inclusive and durable manner, the AELS board recognizes many of the regulated activities are highly complex and that the effects of these activities may not become apparent until years later.

The language does not address technology, accuracy, or generated products, however when performed in support of the platting or planning of land the following sample activities fall under the practice of land surveying per AS 08.48.341 (*note that this is NOT a complete list of covered activities*):

- Performing topographic surveys – performed using photogrammetry, LiDAR, Structure from Motion (SfM), Global Navigation Satellite System (GNSS –which includes GPS), total station, sonar, or any other measurement method
- Making topographic maps or contour maps or existing ground surfaces –digital or printed.

- Performing volumetric surveys – surveys used to determine volumes regardless of the measurement method (see topographic surveys)
- Mortgage/as-built surveys – these show the relationship between improvements and property boundaries
- Using a drone (UAV/UAS) to take photos used to produce maps or other data products for the platting or planning of land
- Taking photos to produce maps or other data products (regardless of where the camera is mounted) for the platting or planning of land
- Collecting scan data (LiDAR) of land or improvements regardless of where the scanner is mounted for the platting or planning of land
- Performing hydrographic surveys – measurements to determine the location of the land or improvements under the water;
- Preparing Site Plans - these may also include information that falls under the practice of engineering, where the site plan shows both boundaries or control and civil design, the sheet must be sealed by both the land surveyor and engineer in responsible charge for their respective work
- Preparing Survey Control Sheets – maps showing survey control to be used to place improvements
- Publishing GIS webpages showing property lines overlaid on an aerial image
- Establishing the elevation of a building
- Producing elevation information for a Federal Emergency Management Agency (FEMA) Elevation certificate.
- Writing a metes and bounds legal description
- Preparing a map showing easements or property boundaries
- Preparing a map/plan showing the proposed improvements (limits of excavation, luminaires, storm drain improvements, etc.) and the property/right-of-way lines, where a plan shows both boundaries or control and civil design, the sheet must be sealed by both the land surveyor and engineer in responsible charge for their respective work
- Determining right-of-way impacts for proposed improvements
- Creating parcel maps/exhibits for the acquisition of land
- Creating a shore fisheries plat
- Locating the position of wetland limits (as marked by a wetlands scientist or other qualified professional)
- Using a GNSS/GPS device to control the operation of grading machinery
- Developing machine control models for land development (buildings, parking lots, roads, etc.)

The following activities fall under the definition of land surveying, and must be performed by, or under the direct supervision of a registered land surveyor in Alaska:

- The platting of land is making maps or plans of land describing the land and its features. This does not include generalized maps made to orient end users

- e.g. road maps, maps showing the general location of features (such as a map for park users), maps showing the location of exits in a building do not need to be prepared by a licensed land surveyor.

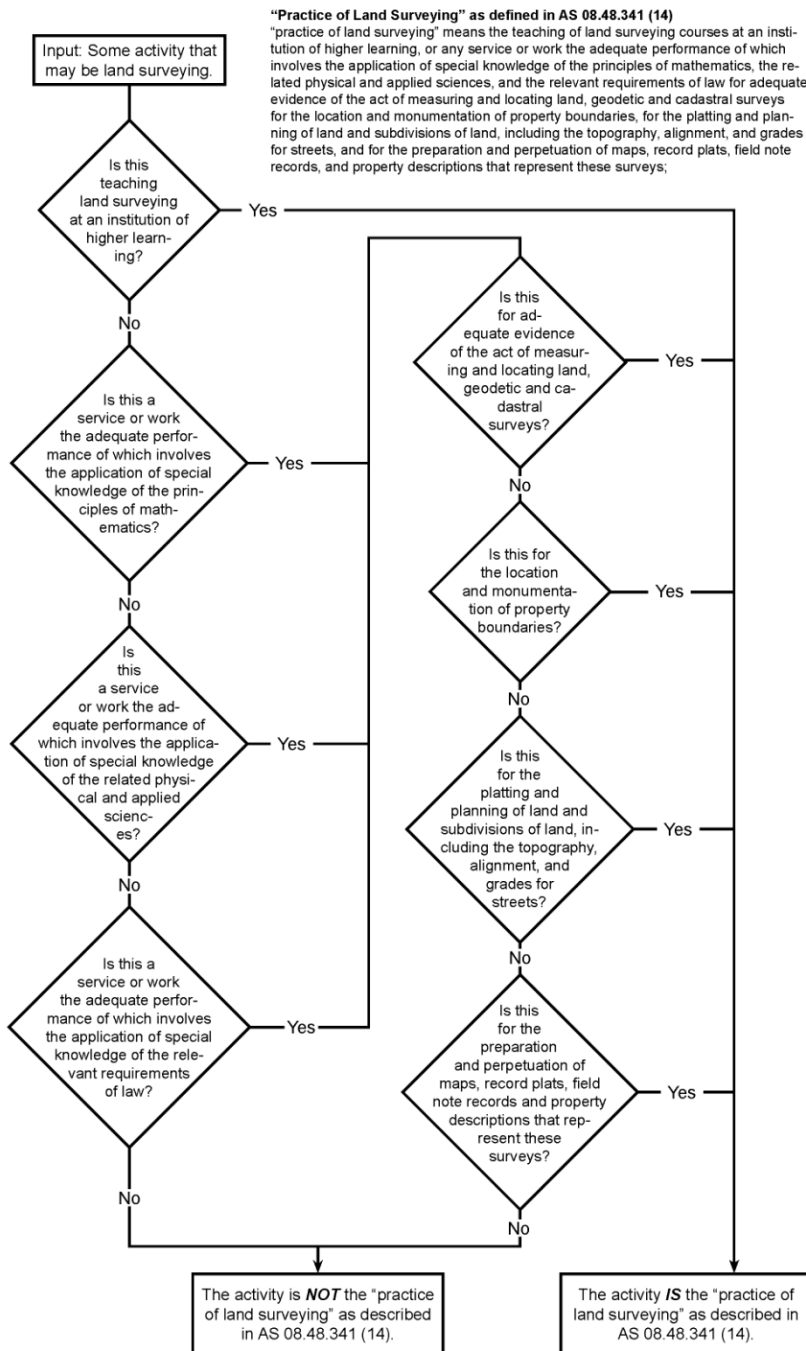
Additionally, the Preparation of Orthophotos and Orthomosaic Imagery may fall under the definition of land surveying when prepared for use in activities described in AS 08.48.341(14) such as:

1. measuring and locating land
2. platting and planning of land
3. preparation of topographic maps

If the use is limited to activities that are included in AS 08.48.341(14), then the orthomosaic imagery must be prepared by or under the supervision of a land surveyor registered in Alaska. If orthoimagery and mapping will be relied upon or used for the activities covered under AS 08.48.341(14), such imagery and mapping must be prepared under the direct supervision of a professional land surveyor registered in Alaska.

If the use is outside of these activities, a registered land surveyor may not be required. Additionally, AS 08.48.331 (3) exempts “an officer or employee of the United States government practicing architecture, engineering, land surveying, or landscape architecture as required by the person’s official capacity” from licensure requirements.

The flowchart on the following page is intended to assist in determining if an activity falls under AS 08.48.341(14) practice of land surveying. An 11X17 version of the Practice of Land Surveying Flowchart is available under the Land Surveyors section of the [AELS FAQs](#) webpage.



### The Landscape Architect

The general areas of responsibility for landscape architects based on the statutory definitions of landscape architecture is not all-inclusive but rather, intended to give general guidance on the definition of the practice of landscape architecture.



1. Planning:
  - a. Site Analysis
  - b. Visual Assessment
  - c. Environmental Assessment
  - d. Recreation Assessment
  - e. Vegetation Management
  - f. Urban and Town Planning
  - g. Regional Planning
  - h. Parks and Recreational Facilities
  - i. Land Development
  - j. Historic preservation and Reclamation
2. Design:
  - a. Site layout
  - b. Grading
  - c. Drainage
  - d. Planting
  - e. Landscape Irrigation
  - f. Landscape Lighting
  - g. Pedestrian/Bicycle/Equestrian/Vehicular circulation
  - h. Site Furnishings and Amenities
  - i. Recreational Facilities including Children's Play Apparatus
  - j. Outdoor landscape structures
  - k. Wetland and Wildlife Habitat Mitigation/Restoration
  - l. Soil Stabilization
  - m. Bio-infiltration, Green Infrastructure, and Low Impact Development
  - n. Urban Design

3. Construction:
  - a. Site Construction Management and Administration
4. Other registered disciplines (practices) overlap with landscape architecture and, depending on the work, could be stamped by other registrants per AS 08.48.281(b).

## GUIDELINES FOR CONSTRUCTION DRAWINGS

Drawings and specifications submitted to building, planning or public safety officials must be scaled, include dimensions, and clearly show the project in its entirety. The minimum required drawings depend on the size, nature and complexity of the project. Construction drawing packages may include the sheets/drawings/plans as referenced in Appendix A.

### Specifications

Specifications should be included on the drawings or in booklet form, and further define construction components, materials and expectations for construction quality, finishes, and all pertinent equipment. Schedules may be incorporated in the project manual in lieu of on drawings.

### Project Changes

The responsible design professional shall notify the building official of significant changes throughout the bidding and construction process and provide revised drawings, calculations, and/or other appropriate documents. For clarity, all revisions shall be on the drawings and be submitted.

## SEALING PROFESSIONAL WORK

The law and applicable codes in Alaska have requirements that professional submissions must be sealed by the professional who prepared the documents and/or supervised the preparation. Specific Alaskan laws require that drawings used for construction bear the seal of an Alaskan registered architect, engineer, land surveyor, and/or landscape architect, as appropriate. Additionally, the International Building Code as adopted by 13 AAC 50-55 contains this requirement.

Registered architects, engineers, land surveyors, and landscape architects are responsible for their professional design services. The public, as well as building officials, rely on the professional's expertise. As a result, professional submissions, such as drawings, specifications, and calculations, should clearly show the identity of the professional who prepared them. Drawings must have a signed and dated seal and otherwise comply with the requirements of state laws. Ultimately, the responsibility for any deficiencies may not be clear without the required proper professional identification.

The State Fire Marshal or the designated building official require that all drawings have the seal of an architect, engineer, land surveyor, or landscape architect, as appropriate. Alternately, a notation on the drawings and/or building permit applications must note the reason for the lack of a seal or the state law exempting the preparation of the drawings by registered professionals. (AS 08.48.331)

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Constructions drawing packages should include, at a minimum, the following sheets/drawings/plans :"

**Commented [NSJ(3)]:** August 2022 – Removed Cover Sheet through Electrical Systems and added it as Appendix A at the end



### Stamping by Professional Expertise

Architects, engineers, land surveyors, and landscape architects, as design professionals, are responsible for performing design services within their area of expertise. Registered professionals may not perform design services outside their area of expertise or registration. They shall not seal work performed by others unless they were prepared under the registrants' direct supervision.

Sealing plans for which a registrant does not have the expertise and registration is a violation of AS 08.48. Sealing or stamping work outside of expertise is NOT permitted! A registrant may not sign or seal a drawing or document dealing with professional services in which the registrant is not qualified to sign or seal by virtue of education, experience, and registration as specified in 12 AAC 36.185(a)(1). In addition, the preparation of and the sealing, signing and dating of plans, documents or calculations by an out of state individual who is not registered in the State of Alaska is a violation of AS 08.48.

### Clarification of Registration Numbers

For alpha-numeric license numbers, the board advises engineering registrants to use the two letter, branch of engineering identification and only the numeric portion of their license number on their seal. For example AELC1234, would be CE 1234 versus CE AELC1234.

### Sealing and Signing

The minimum acceptable standards for the sealing and submittal of drawings and documents are that all final documents must include a seal, a signature, and a date.

A digital signature may be used over the seal. A "digital signature" means a digital code, generated and authenticated by public-key encryption, which is attached to an electronically transmitted document to verify its contents and the sender's identity. This does not prohibit the Registrant from placing an original wet seal or seal impression and an original signature. The Registrant must maintain the security of the electronic signature consistent with maintaining the protection of their seal. If an original signature is utilized, the Registrant or the owner of the documents shall retain an original copy of the documents.

Signatures shall be located over the seals. Dates shall be included by electronically or manually inserting them within the seals or within 2" of the seals. Seals shall be large enough so text within them is legible.

### Stamping and Signing of Plans

All design work so performed shall be sealed and signed as specified in 12 AAC 36.185(a)(3). Additionally, per 12 AAC 36.185(g), the registrant shall include on all documents that are required to be signed and sealed: its business name, physical address, and telephone number; the project name or identification; the project address or location; and the certificate of authorization number issued to the corporation, limited liability company, or limited liability partnership to practice architecture, engineering, land surveying, or landscape architecture, if applicable.

When document(s) are stamped by multiple registrants for design of minor importance, the document(s) shall identify the "work of minor importance on the document(s) near the registrant's seal

and take responsibility for all work prepared under the registrant's seal" in compliance with 08.48.221(b).

Each sheet of final drawings approved for construction shall bear the signed and dated seal of the responsible professional(s) (i.e., architect, engineer, surveyor, or landscape architect). Cover sheets that do not include design elements do not require a seal. Alaska Statute 08.48.221 Seals specifically states, "When a registrant issues final drawings, specifications, surveys, plats, plates, reports, or similar documents, the registrant shall stamp the documents with the seal and sign the seal." The board discussed the statute and agreed unanimously that final drawings, specifications, surveys, plats, plates, reports, or similar documents include, but is not limited to, parcel exhibits, parcel plats, legal descriptions, and similar professional works that may or may not be part of other documents.

Drawings, specifications, or other documents shall be sealed and signed as follows:

**Preliminary Documents** do not necessarily require stamping and signing. If they are sealed, they shall be clearly identified as Preliminary or Draft Documents.

**Record Drawings<sup>4</sup>** are documentation regarding what has been installed. Record drawings are not required for all projects but in some cases are mandated by contract or regulation. In some cases, record drawings are produced solely from contractor-supplied information. They reflect the actual construction, versus what was originally approved for construction (the sealed design drawings). In other cases, the record drawings are based upon information compiled by the design professional during their inspection/documentation of the construction project. When record drawings are generated from information obtained solely from the contractor, and not the product of inspections performed by the design professional (or someone under their oversight), these drawings must not be sealed by the design professional. In such cases the standard practice is to make redline changes to the original design drawings, without resealing them, and provide a disclaimer that the drawing was produced from contractor provided information. In some cases, inspection of the construction and preparation of record drawings is required by contract or regulation to be performed and sealed by a design professional or a person acting under its responsible charge.

**As Built Surveys** are prepared after construction to re-establish horizontal and vertical control points, locate structures and improvements, and show dimensions. Also referred to as Works-as-Executed by

<sup>4</sup> This section is not referring to "Record of Survey" drawings as defined under AS 34.65.030 Records of Survey: After making a survey in conformity with the practice and definition of land surveying, a land surveyor shall record with the district recorder a record of the survey within 90 days if the survey discloses

- (1) material evidence or physical change that in whole or in part does not appear on a plat of record previously filed or recorded in the office of the district recorder or in the records of the Bureau of Land Management;
- (2) a material discrepancy with a plat of record previously filed or recorded in the office of the district recorder or in the records of the Bureau of Land Management; or
- (3) evidence that by reasonable analysis might result in alternate positions or boundaries from those of record.

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Record drawings are not final documents, but rather statements regarding what has been installed. Record drawings are typically produced from contractor-supplied information to show changes that occur to the final drawings during construction. If combined with Specifications, they are referred to as Record Documents. The Contractor is required to record changes to the final drawings resulting from Change Orders, Field, Orders, etc. by marking up the final drawings and then conveying them to the Owner. Some engineers leave the original stamp from the issuance of the drawings for construction on the record drawings along with the disclaimer that it was produced from contractor provided information. Record drawings should not have a new signed and dated stamp, unless the changes in construction have been directly overseen by the licensed professional.

the Contractor, these documents do not always require stamping and signing. As Built surveys that show improvements in relation to the property boundaries are required to be stamped and signed.

**Mortgage Surveys**, often erroneously called “As Built”, show improvements and other site features relative to property boundaries. These documents always require stamping and signing.

**Standard details** are intended to be used in multiple projects with little or no change, and the appropriateness of their inclusion into a particular project is the responsibility of the engineer of record for that project. The registrant that initially designed the detail is responsible for including limitations of the detail’s application.

**Specifications** that accompany final drawings carry with them the stamping and signing of the various professionals from the final drawings and do not necessarily require further stamping and signing. For documents such as Soils Reports, other required reports, and stand-alone specifications not accompanied by plans, a signed and dated seal must be on the front page.

**Shop Drawings and Field Drawings** are prepared by contractors, subcontractors or vendors to show how a particular aspect of the work is to be fabricated and installed. Shop and field drawings are not contract documents and are not prepared by a design professional. These drawings demonstrate how an aspect of the work will satisfy the contract documents by completing the information cycle between drawings prepared by licensed professionals and the actual construction. Shop and Field drawings do not require a seal, signature and date unless an Alaska Registered Professional prepares them.

For more information, please refer to AS 08.48.221 and 12 AAC 36.185.

#### Certificates of Authorization

**Joint Ventures** - if one of the two or more entities have a certificate of authorization the joint venture is not required to get a certificate of authorization. For more information on Certificates of Authorization for other entities, please refer to AS 08.48.241.

#### Site Adaptation & Field Alterations of Sealed Documents

Except as specified in 12 AAC 36.195, a person may not alter or contribute to the altering of any document that has been sealed by a registrant authorized under AS 08.48. In Alaska, a registrant may site adapt or field alter sealed documents prepared by another registrant of the same discipline if the registrant

1. has written permission
  - a. to adapt or alter the sealed documents from the registrant who sealed the original sealed documents; or
  - b. from the legal owner of the original sealed documents; the legal owner of the original sealed documents must have written proof of ownership of the sealed documents from the registrant who sealed the documents;
2. reviews the sealed documents and makes all necessary revisions to bring the sealed documents into compliance with applicable codes, regulations, and job-specific requirements;

3. affixes to the calculations of the
  - a. sited adapted documents a sealed certification, "I certify that I have reviewed the relevant calculations for the site adapted documents in accordance with 12 AAC 36.185," or the registrant shall independently prepare and seal all calculations for the site adapted documents; or
  - b. field altered documents a sealed certification, "I certify that I have reviewed the relevant calculations for field altered documents in accordance with 12 AAC 36.185 and that the alterations will have no significant effect on other design considerations of the originally sealed documents," or the registrant shall independently prepare and seal all additional calculations for field adapted documents:
4. reissues the sealed documents after review with the title block and seal of the registrant performing the site adaptation, or in the case of field altered documents have provided additional sealed drawings with the title block and seal of the registrant performing the work; and
5. maintains professional control over the use of the site-adapted or field altered sealed documents as if they were any other original sealed documents of the registrant and maintains the sealed documents on file.

## APPENDIX A

**Commented [NSJ(5)]:** August 2022 – added as Appendix A

### GUIDELINES FOR CONSTRUCTION DRAWINGS

Drawings and specifications submitted to building, planning or public safety officials must be scaled, include dimensions, and clearly show the project in its entirety. The minimum required drawings depend on the size, nature and complexity of the project. Construction drawing packages may include the following sheets/drawings/plans:

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Construction drawing packages should include, at a minimum, the following sheets/drawings/plans

#### Cover Sheet

The cover sheet or following sheet should contain the following information:

1. Project identification
2. Project address and location map including legal description
3. Identification of all design professionals
4. Design/Code Criteria:
  - a. Land use zone/setback requirements/parking requirements
  - b. Applicable local, state, and/or federal design standards
  - c. Relevant code information including, but not limited to:
    - a. Occupancy group/separation requirements
    - b. Construction type
    - c. Height and number of stories
    - d. Square footage/allowable area of each occupancy by floor
    - e. Occupant load
    - f. Exiting requirements
    - g. Design loads including seismic/wind zones
    - h. Fire sprinklers/standpipes
    - i. Special Inspection requirements

#### Survey Control Sheet

The survey control sheet contains the information required to relate the proposed improvements to their intended real-world location.

#### Land Survey/Plot Plan/Boundary Survey

The Land Survey should show the surveyed boundary of land with existing structures, easements, and setbacks.

#### Site Development Plan

These plans should include the existing conditions and proposed features:

1. property lines
2. streets
3. easements
4. encroachments\*

5. setbacks
6. any existing buildings or structures
7. the proposed structure
8. proposed utility services
9. required parking,
10. drainage and grading information (referenced to finish floor and adjacent streets)
11. drainage inflow and outfall locations
12. any areas required to be maintained for drainage purposes

\*Encroachments are improvements owned by others that exist partially, or completely, on the subject parcel.

### Landscape Plan

Using a landscape site plan, additional landscape plans should include:

1. vegetation management
2. site layout
3. aesthetics of overall project design
4. site circulation, access, and exiting
5. recreation facilities including playground structures
6. landscape grading and drainage including green infrastructure, bio infiltration, and/or Low Impact Development
7. new plantings
8. plant schedule
9. site furnishings and amenities
10. landscape irrigation
11. irrigation schedule
12. environmental impacts
13. barrier free routes and design

### Plans

Plans, including floor, basements, and roofs, should include:

1. rooms with their intended uses identified
2. dimensions and locations of elements such as openings, vertical circulation components, casework, fixtures
3. door and window schedules
4. fire assemblies, fire barriers, draft stops, and fire rescue areas
5. area and occupancy separations
6. exterior and interior finishes
7. wall, floor, ceiling, and roof assemblies
8. extent of demolition for existing buildings

### Foundation Plans

Foundation plans should show:

1. foundations and footings (size, location, thickness, etc.)
2. materials and reinforcing
3. embedded anchoring such as anchor bolts, hold-downs, post bases, etc.
4. soils boring locations

### Exterior Elevations

Exterior elevations should show all building elevations and indicate building materials.

### Building and Wall Sections

Building and wall sections should show materials of construction, and details of assemblies, including penetrations

### Framing Plans

Framing plans should include:

1. structural members to sizes, methods of attachment, location, spacing, and materials
2. sheathing characteristics, slabs, or decking
3. lateral force-resisting elements locations.

### Mechanical System

The entire mechanical system, including units, unit sizes, mounting details, ductwork and duct sizes should be shown. Indicate fire dampers (where required) and provide equipment schedules.

### Plumbing System

Plumbing systems should include:

1. fixtures
2. piping
3. slopes
4. materials
5. fitting types (DWV type fittings, etc.)
6. sizes
7. point of connections to site utilities
8. size and pressure
9. utility lines size and water pressure

### Electrical System

Electrical systems should show:

1. interior, exterior, and site electrical fixtures
2. circuit protection requirements (ground-fault, arc-fault and short circuit protection)

3. wiring sizes and circuiting
4. grounding
5. panel
6. schedules,
7. single line diagrams
8. load calculations
9. fixture schedules (unless each fixture is labeled on drawings)
10. point of connection to utility
11. provision for disconnect



## AELS CONTACT INFORMATION

For further information or assistance concerning AELS Board requirements, contact the AELS Board or the Division of Corporation, Business and Professional Licensing:

### AELS Board

#### JUNEAU OFFICE

Division of Corporation, Business and Professional Licensing  
333 Willoughby Ave., 9<sup>th</sup> Floor\*  
Juneau, AK 99811-0806  
P: 907.465.2540 (Executive Administrator)  
907.465.1226 (Licensing Examiner)  
F: 907.465.2974

#### ANCHORAGE OFFICE

Division of Corporations, Business and Professional Licensing  
550 West 7th Avenue, Suite 1500  
Anchorage, AK 99501  
P: 907.269.8160 (Investigator)  
F: 907.269.8156

***\*No US mail delivery to physical address. For USPS use:***

State of Alaska/ DCCED  
Division of Corporation, Business and Professional Licensing  
AELS Board  
P.O. Box 110806  
Juneau, AK 99811-0806

### Board & Division Web Addresses:

AELS Board Homepage:

[ProfessionalLicense.Alaska.gov/BoardofArchitectsEngineersandLandSurveyors.aspx](https://www.commerce.alaska.gov/BoardofArchitectsEngineersandLandSurveyors.aspx)

AELS Statutes and Regulations

<https://www.commerce.alaska.gov/web/Portals/5/pub/aelsstatutesregs.pdf>

Registration status for individual professionals and firms may be checked by querying the Division database at: <https://www.commerce.alaska.gov/CBP/Main/>

AELS FAQs:

<https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofArchitectsEngineersandLandSurveyors/FAQs.aspx>

### Reporting Potential Violations

To report a potential violation or submit a complaint, contact the AELS Investigator in the Anchorage Office (contact information provided above). Please be aware anonymous complaints are NOT accepted or investigated.

## STATE FIRE MARSHAL'S OFFICE

The State Fire Marshal is an Alaska state building official who conducts plan reviews for all construction outside of exempted occupancies that have been granted deferrals. The State Fire Marshal adopts building codes as authorized by AS 18.70 and defined by 13 AAC 50.55.

State Fire Marshal's Office

State of Alaska

Department of Public Safety/ Division of Fire and Life Safety

5700 E. Tudor Road

Anchorage, AK 99507-1225

P: 907-269-5491

F: 907-338-4375

## BUILDING OFFICIALS AND PERMITTING CONTACTS

### **Municipality of Anchorage**

4700 S. Bragaw St.  
Anchorage, AK 99507  
Phone: (907) 343-8301  
<https://www.muni.org/pages/default.aspx>

### **City of Kenai**

210 Fidalgo Ave, Suite 200  
Kenai, AK 99611  
(907) 283-7353  
<http://www.ci.kenai.ak.us/>

### **City of Soldotna**

177 N. Birch St.  
Soldotna, AK 99669  
(907) 262-9107  
<https://soldotna.org/>

### **City of Homer**

3575 Heath St.  
Homer, AK 99603  
(907) 235-3170  
<http://www.cityofhomer-ak.gov/>

### **City of Whittier**

P.O. Box 608  
Whittier, AK 99693  
(907) 472-2340  
<http://www.cityofwhittier.org/>

### **City of Unalaska**

P.O. Box 610  
Unalaska, AK 99692  
(907) 581-1260  
<http://ci.unalaska.ak.us/>

### **City of Fairbanks**

800 Cushman St.  
Fairbanks, AK 99701  
Phone: (907) 459-6720  
<http://www.fairbanksalaska.us/>

### **City of Kodiak**

710 Mill Bay Rd.RM. 208  
Kodiak, AK 99615  
(907) 486-8070  
<http://www.city.kodiak.ak.us/>

### **City of Sitka**

100 Lincoln St.  
Sitka, AK 99835  
(907) 747-1807  
<http://www.cityofsitka.com/>

### **City of Valdez**

P.O. Box 307  
Valdez, AK 99686  
(907) 835-4313  
<http://www.ci.valdez.ak.us/>

### **City of Palmer**

645 E. Cope Industrial Way  
Palmer, AK 99645  
(907) 745-2371  
<http://www.cityofpalmer.org/>

### **Kenai Peninsula Borough**

144. N. Binkley Street  
Soldotna, AK 99669  
(907) 262-4441  
<http://www.kpb.us/>

### **City of Juneau**

155. S. Seward Street  
Juneau, AK 99801  
(907) 586-0770  
<http://www.juneau.org/>

### **City of Seward**

P.O. Box 1397  
Seward, AK 99644  
(907) 224-4071  
<http://www.cityofseward.us/>

### **City of Ketchikan**

2930 Tongass Ave.  
Ketchikan, AK 99901  
(907) 228-4737  
<http://www.ktn-ak.us/>  
(907) 262-4441  
<http://www.kpb.us/>

### **City of Cordova**

P.O. Box 1210  
Cordova, AK 99574  
(907) 424-6200  
<http://www.cityofcordova.net/>

### **City of North Pole**

125 Snowman Lane  
North Pole, AK 99705  
(907) 488-2281  
<http://www.northpolealaska.com/>

### **City of Wasilla**

290 East Herning Ave.  
Wasilla, AK 99654-7091  
(907) 373-9020  
<http://www.cityofwasilla.com/>

### **City and Borough of Wrangell**

P.O. Box 531  
Wrangell, AK 99929  
907-874-2381

<http://www.wrangell.com>

### **Borough of Petersburg**

12 South Nordic Drive  
Petersburg, AK 99833 907-772-  
(907) 772.4425  
<https://www.ci.petersburg.ak.us>

***Statutes and Regulations***  
**Architects, Engineers,  
Land Surveyors, and  
Landscape Architects**

***April 2019***



DEPARTMENT OF COMMERCE, COMMUNITY,  
AND ECONOMIC DEVELOPMENT

***DIVISION OF CORPORATIONS, BUSINESS  
AND PROFESSIONAL LICENSING***

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State of Alaska  
Department of Commerce, Community, and Economic Development  
Division of Corporations, Business and Professional Licensing  
State Board of Registration for Architects, Engineers, and Land Surveyors  
333 Willoughby Avenue, 9th Floor, State Office Building  
P.O. Box 110806  
Juneau, Alaska 99811-0806  
(907) 465-2540  
Internet Address:  
<https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofArchitectsEngineersandLandSurveyors.aspx>

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**CHAPTER 48.**  
**ARCHITECTS, ENGINEERS, LAND SURVEYORS, AND LANDSCAPE ARCHITECTS**

**Article**

1. **Board of Registration (§§ 08.48.011—08.48.141)**
2. **Registration and Practice (§§ 08.48.171—08.48.265)**
3. **Unlawful Acts (§§ 08.48.281—08.48.295)**
4. **General Provisions (§§ 08.48.311—08.48.351)**

**ARTICLE 1.**  
**BOARD OF REGISTRATION.**

**Section**

11. **Board created**
21. **Appointments and terms**
31. **Qualifications**
41. **Removal of members**
51. **Organization and meetings**
55. **Executive Secretary of the Board; Investigator**
61. **Finances**
71. **Records and reports**
91. **Examinations**
101. **Regulations; bylaws; code of ethics**
111. **Power to revoke, suspend, or reissue certificate**
121. **Disciplinary action and procedure**
131. **Injunction**
141. **Legal counsel**

**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 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 branch of the profession of engineering, 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.

**Sec. 08.48.021. Appointments and terms.** (a) The governor shall give each member of the board a certificate of appointment, and the member shall file with the lieutenant governor a written oath or affirmation for faithful discharge of the member's official duty.

(b) [Repealed, Sec. 49 ch 94 SLA 1987].

(c) For purposes of determining appointments and terms under AS 08.01.035, notwithstanding the reference in that section relating to eligibility for reappointment after serving a full or partial term,

(1) a member who has served all of two successive terms on the board may not be reappointed to the board unless [FOUR] **two** years have elapsed since the person last served on the board; and

(2) for purposes of (1) of this subsection, a person who serves for two years or more of a four-year term is considered to have served a full term.

**Sec. 08.48.031. Qualifications.** Each member of the board must have been a resident in the state for three consecutive years immediately preceding appointment and, except for the public member, must be registered and have a minimum of five years of professional practice in the member's respective field.

**Sec. 08.48.041. Removal of members.** The governor may remove a member of the board for misconduct, incompetency, or neglect of duty.

**Sec. 08.48.051. Organization and meetings.** The board shall hold at least four regular meetings each year. Special meetings may be held as the bylaws of the board provide. The board shall elect or appoint annually from its members the following officers: chair, vice-chair, and secretary.

**Sec. 08.48.055. Executive [SECRETARY] Administrator of the Board; Investigator.** (a) The department, in consultation with the board, shall employ two persons who are not members of the board. One shall serve as the executive [secretary] administrator of the board. The other shall serve as investigator for the board. The

**Commented [NSJ(1):** 10/3/2022 – Only if another profession gets added to the board  
Asking Jun about adding a “Notwithstanding” statement to allow both an EE and a ME to sit on board at same time

**Commented [NSJ(2):** 10/3/2022 – Committee Approves

**Commented [NSJ(3):** Found an old note indicating the board was considering defining these roles in the by-laws

**Commented [NSJ(4):** Committee Approves



executive[secretary] **administrator** is the principal executive officer of the board and is in the partially exempt service under AS 39.25.120.

- (b) The executive [secretary] **administrator** of the board **employed under (a) of this section** shall:
  - (1) perform duties as prescribed by the board
  - (2) **review and approve comity applications as prescribed by the board.**
- (c) The investigator employed under (a) of this section
  - (1) shall conduct investigations into alleged violations of this chapter and into alleged violations of regulations and orders of the board;
  - (2) shall, at the request of the board, conduct investigations based on complaints filed with the department or with the board; and
  - (3) is directly responsible and accountable to the board, except that only the department has authority to terminate the investigator's employment, and the department shall provide day-to-day and administrative supervision of the investigator.

**Sec. 08.48.061. Finances.** (a) All money derived under the provisions of this chapter shall be deposited in the general fund.

- (b) Each member of the board is entitled to receive per diem and travel expenses as authorized by law for other boards and commissions.
- (c) The board may make expenditures from appropriated funds for any purpose that is reasonably necessary for the proper performance of its duties under this chapter. This may include the expenses of the board delegates to meetings of councils of architect examiners, engineering examiners, land surveyor examiners, or landscape architect examiners, or any of their subdivisions. The total amount of disbursements issued in payment of the expenses incurred under this chapter may not exceed the amount of money appropriated by the legislature.

**Sec. 08.48.071. Records and reports.** (a) The following record of the board's proceedings and of all applications for registration or authorization shall be kept by the Department of Commerce, Community, and Economic Development under AS 08.01.050:

- (1) the name, age, and last known address of each applicant;
- (2) the date of application;
- (3) the place of business of the applicant;
- (4) the education, experience, and other qualifications;
- (5) the type of examination required;
- (6) whether or not the applicant was rejected;
- (7) whether or not a certificate of registration or authorization was granted or endorsed;
- (8) the date of the action of the board;
- (9) other action taken by the board;
- (10) other information that may be considered necessary by the board.
- (b) The record of the board is prima facie evidence of the proceedings of the board, and a transcript, certified by the secretary, is admissible as evidence with the same effect as if the original were produced.
- (c) *[Repealed, Sec. 6 ch 19 SLA 1998, June 28, 1998].*
- (d) Board records and papers of the following class are of a confidential nature and are not public records: examination material for examinations not yet given, file records of examination problems, solutions, letters of inquiry and reference concerning applicants, board inquiry forms concerning applicants, investigation files if an investigation is still pending, and all other matters of a like confidential nature.
- (e) The Department of Commerce, Community, and Economic Development shall, under AS 08.01.050, preserve the records under (a) of this section for the previous five years.
- (f) The Department of Commerce, Community, and Economic Development shall assemble statistics relating to the performance of its staff and the performance of the board, including but not limited to
  - (1) the number of architects, engineers, land surveyors, and landscape architects registered over a five-year period;
  - (2) the rate of passage of examinations **[ADMINISTERED] required** for registration by the board;
  - (3) the number of persons making application for registration as a professional architect, engineer, land surveyor, or landscape architect over a five-year period;
  - (4) an account of registration fees collected under AS 08.01.065;
  - (5) a measure of the correspondence workload of any licensing examiner employed by the department to carry out this chapter.

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**Sec. 08.48.091. Examinations.** Examinations shall be held at least once each year **[AT PLACES DETERMINED BY THE BOARD]**. A candidate failing an examination may apply for reexamination in accordance with regulations adopted by the board.

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**Sec. 08.48.101. Regulations; bylaws; code of ethics.** (a) The board may adopt regulations to carry out the purpose of this chapter, including regulations

- (1) describing the contents of an examination;
- (2) establishing the conduct of an examination;

- (3) establishing a minimum score for passing an examination;
  - (4) establishing bylaws governing its meetings and activities;
  - (5) publishing a code of ethics or professional conduct for those persons regulated by this chapter, including corporations, limited liability companies, and limited liability partnerships under AS 08.48.241;
  - (6) establishing continuing education requirements for persons regulated by this chapter that must be completed before a certificate may be renewed; the continuing education requirements may not exceed standards established by a national accrediting body or other recognized professional organization.
- (b) [Repealed, Sec. 6 ch 19 SLA 1998].

**Sec. 08.48.111. Power to revoke, suspend, or reissue certificate.** The board may suspend, refuse to renew, or revoke the certificate of or reprimand a registrant, corporation, limited liability company, or limited liability partnership who is found guilty of (1) fraud or deceit in obtaining a certificate; (2) gross negligence, incompetence, or misconduct in the practice of architecture, engineering, land surveying, or landscape architecture; or (3) a violation of this chapter, a regulation adopted under this chapter, or the code of ethics or professional conduct as adopted by the board. The code of ethics or professional conduct shall be distributed in writing to every registrant and applicant for registration under this chapter. This publication and distribution of the code of ethics or professional conduct constitutes due notice to all registrants. The board may revise and amend its code and, upon doing so, shall immediately notify each registrant in writing of the revisions or amendments. The board may, upon petition of the registrant, corporation, limited liability company, or limited liability partnership, reissue a certificate if a majority of the members of the board vote in favor of the reissuance.

**Sec. 08.48.121. Disciplinary action and procedure.** Any person may file with the [SECRETARY] investigator of the board a charge of fraud, deceit, gross negligence, incompetence, misconduct, or violation of this chapter, a regulation adopted under it, or the code of ethics of the board. The charge, constituting an accusation under AS 44.62 (Administrative Procedure Act), shall be in writing and sworn to by the person making it. A charge may be dismissed BY THE BOARD as unfounded or trivial.

**Sec. 08.48.131. Injunction.** The board may bring an action in the superior court to enforce compliance with this chapter or an order of the board or to enjoin a person from doing an act that violates this chapter.

**Sec. 08.48.141. Legal counsel.** The attorney general of the state shall act as legal advisor to the board and render legal assistance upon request of its chair.

## ARTICLE 2. REGISTRATION AND PRACTICE.

### Section

- 171. General requirements and qualifications for registration
- 181. Registration upon examination
- 191. Registration by comity or endorsement
- 201. Application for registration
- 211. Certificate of registration
- 215. Retired status registration
- 221. Seals
- 231. Expirations and renewals
- 241. Corporations, limited liability companies, and limited liability partnerships
- 251. Certain Partnerships
- 265. Fees

**Sec. 08.48.171. General requirements and qualifications for registration.** An applicant for registration as an architect, engineer, land surveyor, or landscape architect must be of good character and reputation and shall submit evidence satisfactory to the board of the applicant's education, training, and experience. [HOWEVER, AN APPLICANT FOR REGISTRATION AS A LAND SURVEYOR MAY NOT BE REQUIRED TO SUBMIT EVIDENCE OF MORE THAN EIGHT YEARS OF ANY COMBINATION OF EDUCATION, EXPERIENCE, OR TRAINING.]

**Sec. 08.48.181. Registration upon examination.** Except as provided in AS 08.48.191, for registration as a professional architect, professional engineer, professional land surveyor, or professional landscape architect, a person shall be examined in this state in accordance with the regulations of procedure and standards adopted by the board under AS 44.62 (Administrative Procedure Act). The procedure and standards shall at least meet the requirements adopted by recognized national examining councils for these professions.

**Sec. 08.48.191. Registration by comity [OR ENDORSEMENT].** (a) A person holding a certificate of registration

**Commented [NSJ(7)]:** Committee Agrees – Legal Opinion The statute says “writing” and the code is in writing. The statute does not specify how the writing must be transmitted – by paper, on horseback, or email -- . The board should make paper copies available tho, in case someone wants one

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**Commented [NSJ(9)]:** Committee Approves

authorizing the person to practice architecture in a state, territory, or possession of the United States, the District of Columbia, or a foreign country, or holding a certificate of qualification issued by the National Council of Architectural Registration Boards, that, in the opinion of the board, meets the requirements of this chapter, based on verified evidence, may, upon application, be registered in accordance with the regulations of the board.

(b) A person holding a certificate of registration authorizing the person to practice engineering in a state, territory, or possession of the United States, the District of Columbia, or a foreign country, [THAT, IN THE OPINION OF THE BOARD MEETS THE REQUIREMENTS OF THIS CHAPTER, BASED ON VERIFIED EVIDENCE,] may, upon application, be registered in accordance with regulations of the board **if the person's certificate was issued under requirements comparable to those in this state.**

(c) A person holding a certificate of registration authorizing the person to practice land surveying in a state, territory or possession of the United States, the District of Columbia, or a foreign country, may, upon application, be registered in accordance with the regulations of the board if the person's certificate was issued under requirements comparable to those in this state.

(d) A person holding a certificate of registration authorizing the person to practice landscape architecture in a state, territory, or possession of the United States, the District of Columbia, or a foreign country, that in the opinion of the board meets the requirements of this chapter, based on verified evidence, may upon application, be registered under the regulations of the board. A person holding a certificate of qualification issued by the Council of Landscape Architectural Registration Boards may upon application be registered under regulations of the board.

**Sec. 08.48.201. Application for registration.** (a) Application for registration as a professional architect, a professional engineer, a professional land surveyor, or a professional landscape architect shall **be submitted in a manner prescribed by the board.**

(1) [BE ON A FORM PRESCRIBED AND FURNISHED BY THE BOARD;

(2) CONTAIN STATEMENTS MADE UNDER OATH, SHOWING THE APPLICANT'S EDUCATION AND A DETAILED SUMMARY OF THE APPLICANT'S TECHNICAL EXPERIENCE; AND

(3) CONTAIN FIVE REFERENCES, THREE OF WHOM MUST BE ARCHITECTS FOR ARCHITECTURAL REGISTRATION, ENGINEERS FOR ENGINEERING REGISTRATION, LAND SURVEYORS FOR LAND SURVEYING REGISTRATION, AND LANDSCAPE ARCHITECTS FOR LANDSCAPE ARCHITECTURAL REGISTRATION, HAVING PERSONAL KNOWLEDGE OF THE APPLICANT'S ARCHITECTURAL, ENGINEERING, LAND SURVEYING, OR LANDSCAPE ARCHITECTURAL EDUCATION, TRAINING OR EXPERIENCE.]

(b) [Repealed, Sec. 54 ch 37 SLA 1985].

**Sec. 08.48.211. Certificate of registration.** (a) An applicant who fulfills the requirements set out by the board shall be awarded a certificate of registration as a professional architect, engineer, land surveyor, or landscape architect, authorizing the holder to offer or perform architectural, engineering, land surveying, or landscape architectural services or work for the public, or to certify or sign architectural, engineering, land surveying, or landscape architectural documents. Certificates of registration issued under this section shall be inscribed on their face in a manner determined by the board.

(b) The certificate of registration [SEALED BY THE BOARD] is prima facie evidence that the person named in it is entitled to all rights and privileges of a professional architect, professional engineer, professional land surveyor, or professional landscape architect while the certificate remains unrevoked or unexpired.

**Sec. 08.48.215. Retired status registration.** (a) On retiring from practice and payment of an appropriate one- time fee, an individual who is a registrant in good standing with the board may apply for the conversion of a certificate of registration to a retired status registration. An individual holding a retired status registration may not practice architecture, engineering, land surveying, or landscape architecture in the state. A retired status registration is valid for the life of the registration holder and does not require renewal.

(b) An individual with a retired status registration may apply for a certificate of registration. Before issuing a certificate of registration under this subsection, 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.

**Sec. 08.48.221. Seals.** (a) Each registrant may obtain a seal of the design authorized by the board, bearing the registrant's name, registration number, and the legend "Registered Professional Architect," "Registered Professional Engineer," **"Registered Professional Structural Engineer,"** "Registered Professional Land Surveyor," or "Registered Professional Landscape Architect," as appropriate. When a registrant issues final drawings, specifications, surveys, plats, plates, reports, or similar documents, the registrant shall stamp the documents with the seal and sign the seal. The board shall adopt regulations governing the use of seals by the registrant. An architect, engineer, land surveyor, or landscape architect may not affix or permit a seal and signature to be affixed to an instrument after the expiration of a certificate or for the purpose of aiding or abetting another person to evade or attempt to evade a provision of this chapter. The registrant, by affixing the registrant's seal [TO FINAL DRAWINGS, SPECIFICATIONS, SURVEYS, PLATS, PLATES, REPORTS, OR SIMILAR DOCUMENTS,] and by signing the seal, certifies that the documents were prepared by or under the registrant's **responsible charge** [DIRECT SUPERVISION], are within the registrant's field of practice, [OR CONSTITUTE DESIGN WORK OF MINOR

**Commented [NSJ(10):** Committee Approves

**Commented [NSJ(11):** Committee approves  
Address details in regulation

**Commented [NSJ(12):** Committee Approves

**Commented [NSJ(13):** Committee Approves – definition  
needs to be added

**IMPORTANCE.]**

(b) Final drawings, specifications, surveys, plats, plates, reports, or similar documents containing the work of multiple fields of practice shall be sealed and signed by a registrant in each field of practice covered by the document. The registrant shall certify on the face of the document the extent of the registrant's responsibility for all work prepared under the registrant's seal. [WHEN CERTIFYING DESIGN WORK OF MINOR IMPORTANCE, THE REGISTRANT SHALL IDENTIFY THAT WORK ON THE DOCUMENT NEAR THE REGISTRANT'S SEAL AND TAKE RESPONSIBILITY FOR ALL WORK PREPARED UNDER THE REGISTRANT'S SEAL.]

**Sec. 08.48.231. Expirations and renewals.** (a) To remain valid, certificates shall be renewed in accordance with AS 08.01.100. Notice of renewal dates, given under AS 08.01.050(a)(11), shall be [MAILED] **transmitted** to the registrant, corporation, limited liability company, or limited liability partnership at the registrant's, corporation's, limited liability company's, or limited liability partnership's last known address at least one month in advance of the date of the expiration of the certificate. If the certificate has been suspended or revoked, the board may take action independent of this section.

(b) The renewal of a certificate does not require reapplication if the certificate has not expired or has not been suspended or revoked.

(c) An expired certificate may be renewed under regulations adopted by the board establishing requirements for reexamination.

**Sec. 08.48.241. Corporations, limited liability companies, [AND], limited liability partnerships, and limited partnerships.** (a) This chapter does not prevent a corporation, limited liability company, [OR] limited liability partnership, **or limited partnerships** from offering architectural, engineering, land surveying, or landscape architectural services; however, the corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** shall file with the board

(1) an application for a certificate of authorization upon a form to be prescribed by the board and containing information required to enable the board to determine whether the corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** is qualified in accordance with the provisions of this chapter to offer to practice architecture, engineering, land surveying, or landscape architecture in this state;

(2) a certified copy of a resolution of the board of directors of the corporation, the managing members or manager of the limited liability company, [OR] the general partners of a limited liability partnership, **or the ##### of a limited partnership** designating persons holding certificates of registration under this chapter as responsible for the practice of architecture, engineering, land surveying, or landscape architecture by the corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** in this state and providing that full authority to make all final architectural, engineering, land surveying, or landscape architectural decisions on behalf of the corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** with respect to work performed by the corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** in this state is granted by the board of directors of the corporation, the managing members or manager of the limited liability company, [OR] the general partners of the limited liability partnership, **or the ##### of a limited partnership** to the persons designated in the resolution; however, the filing of this resolution does not relieve the corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** of any responsibility or liability imposed upon it by law or by contract;

(3) a designation in writing setting out the name of one or more persons holding certificates of registration under this chapter who are in responsible charge of each major branch of the architectural, engineering, land surveying, or landscape architectural activities in which the corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** specializes in this state; if a change is made in the person in responsible charge of a major branch of the architectural, engineering, land surveying, or landscape architectural activities, the change shall be designated in writing and filed with the board within 30 days after the effective date of the change.

(b) Upon filing with the board the application for certificate of authorization, certified copy of resolution, affidavit, and designation of persons specified in this section, the board shall, subject to (c) of this section, issue to the corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** a certificate of authorization to practice architecture, engineering, land surveying, or landscape architecture in this state upon a determination by the board that

(1) the bylaws of the corporation, the articles of organization or operating agreement of the limited liability company, [OR] the partnership agreement of the limited liability partnership, **or the ##### of the limited partnership** contain provisions that all architectural, engineering, land surveying, or landscape architectural decisions pertaining to architectural, engineering, land surveying, or landscape architectural activities in this state will be made by the specified architect, engineer, land surveyor, or landscape architect in responsible charge, or other registered architects, engineers, land surveyors, or landscape architects under the direction or supervision of the architect, engineer, land surveyor, or landscape architect in responsible charge;

(2) the application for certificate of authorization states the type of architecture, engineering, land surveying, or landscape architecture practiced or to be practiced by the corporation, limited liability company, [OR] limited liability partnership, **or limited partnership**

(3) the applicant corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** has the ability to provide architectural, engineering, land surveying, or landscape architectural services;

(4) the application for certificate of authorization states the professional records of the designated person who

**Commented [NSJ(14):** Committee Approves

**Commented [NSJ(15):** Committee Recommendation:  
Move last sentence to regulation. Find what Loren wrote up and have Jun review

**Commented [NSJ(16):** Ask – Jun if we can combine this  
Can corporations be referenced

Committees agree if it can be cleaned up

is in responsible charge of each major branch of architectural, engineering, land surveying, or landscape architectural activities in which the corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** specializes;

(5) the application for certificate of authorization states the experience, if any, of the corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** in furnishing architectural, engineering, land surveying, or landscape architectural services during the preceding five-year period;

(6) the applicant corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** meets other requirements related to professional competence in the furnishing of architectural, engineering, land surveying, or landscape architectural services as may be adopted by the board in furtherance of the objectives and provisions of this chapter.

(c) The board may, in the exercise of its discretion, refuse to issue, or may suspend or revoke a certificate of authorization to a corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** if the board finds that any of the corporation's officers, directors, or incorporators, any of the stockholders holding a majority of the stock of the corporation, any of the limited liability company's organizers, managers, or managing members, or any of the limited liability partnership's general partners has committed misconduct or malpractice, or has been found personally responsible for misconduct or malpractice under the provisions of this chapter.

(d) The certificate of authorization must specify the major branches of architecture, engineering, land surveying, or landscape architecture of which the corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** has designated a person in responsible charge as provided in this section. The certificate of authorization shall be conspicuously displayed in the place of business of the corporation, limited liability company, or limited liability partnership, together with the names of persons designated as being in responsible charge of the professional activities.

(e) If a corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** that is organized solely by either a group of architects, a group of engineers, a group of land surveyors, or a group of landscape architects, each holding a certificate of registration under this chapter, applies for a certificate of authorization, the board may, in its discretion, grant a certificate of authorization to the corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** based on a review of the professional records of the incorporators of the corporation, organizers of the limited liability company, [OR] or partners who formed the limited liability partnership, **or the ### of the limited partnership** in place of the required qualifications set out in this section. If the ownership of the corporation is altered, the membership of the limited liability company is altered, [OR] the partners of the limited liability partnership, **or the ### of the limited partnership** change, the corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** shall apply for a revised certificate of authorization, based upon the professional records of the owners of the corporation, the members of the limited liability company, [OR] the partners of the limited liability partnership, **or the ### of the limited partnership**, if exclusively architects, engineers, land surveyors, or landscape architects, or otherwise under the qualifications required by (b)(1)-(4) of this section.

(f) A corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** authorized to offer architectural, engineering, land surveying, or landscape architectural services under this chapter, together with its directors, officers, managing members, manager, and partners for their own individual acts, is responsible to the same degree as the designated individual registered architect, engineer, land surveyor, or landscape architect, and shall conduct its business without misconduct or malpractice in the practice of architecture, engineering, land surveying, or landscape architecture as defined in this chapter.

(g) If the board, after a proper hearing, finds that a corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** holding a certificate of authorization has committed misconduct or malpractice, the board shall suspend or revoke the certificate of authorization. The board shall also suspend or revoke the certificate of registration of any registered individual architect, engineer, land surveyor, or landscape architect who, after a proper hearing, is found by the board to have participated in committing the misconduct or malpractice.

(h) Drawings, specifications, designs, and reports, when issued in connection with work performed by a corporation, limited liability company, [OR] limited liability partnership, **or limited partnership** under its certificate of authorization, shall be prepared by or under the responsible charge of and shall be signed by and stamped with the official seal of a person holding a certificate of registration under this chapter.

(i) *[Repealed, Sec. 54 ch 37 SLA 1985].*

(j) In this section,

(1) "manager" has the meaning given in AS 10.50.990;

(2) "managing member" has the meaning given in AS 10.50.990.

**Sec. 08.48.251. Certain partnerships.** This chapter does not prevent the practice of architecture, engineering, land surveying, or landscape architecture by a partnership if all of the members of the partnership are architects, engineers, land surveyors, or landscape architects legally registered under this chapter. In this section, "partnership" does not include a limited liability partnership **or limited partnerships**.

**Sec. 08.48.265. Fees.** The Department of Commerce, Community, and Economic Development shall set fees under AS 08.01.065 for examinations, registrations, certificates of authorization, and renewals of a certificate.

### ARTICLE 3. UNLAWFUL ACTS.

#### Section

- 281. Prohibited practice
- 291. Violations and penalties
- 295. Civil penalty for unregistered or unauthorized practice

**Sec. 08.48.281. Prohibited practice.** (a) A person may not practice or offer to practice the profession of architecture, engineering, land surveying, or landscape architecture in the state, or use in connection with the person's name or otherwise assume or advertise a title or description tending to convey the impression that the person is an architect, an engineer, a land surveyor, or a landscape architect, unless the person has been registered under the provisions of this chapter or is a person to whom these provisions do not apply, or, in the case of a corporation, limited liability company, or limited liability partnership, unless it has been authorized under this chapter.

(b) Notwithstanding (a) of this section, this chapter does not prohibit the practice of landscape architecture by a person who is not registered to practice landscape architecture if the services being performed by the person are within the scope of practice authorized by another license that is held by the person.

**Sec. 08.48.291. Violations and penalties.** A person who practices or offers to practice architecture, engineering, land surveying, or landscape architecture in the state without being registered or authorized to practice in accordance with the provisions of this chapter, or a person presenting or attempting to use the certificate or the seal of another, or a person who gives false or forged evidence of any kind to the board or to a member of the board in obtaining or attempting to obtain a certificate, or a person who impersonates a registrant, or a person who uses or attempts to use an expired or revoked or nonexistent certificate, knowing of the certificate's status, or a person who falsely claims to be registered and authorized to practice under this chapter, or a person who violates any of the provisions of this chapter, is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$10,000, or by imprisonment for not more than one year, or by both.

**Sec. 08.48.295. Civil penalty for unregistered or unauthorized practice.** (a) In addition to any other provision of law, if a person practices or offers to practice architecture, engineering, or land surveying in the state without being registered or authorized to practice in accordance with the provisions of this chapter, the board may enter an order levying a civil penalty.

(b) A civil penalty levied under this section may not exceed \$5,000 for each offense. In levying a civil penalty, the board shall set the amount of the penalty imposed under this section after taking into account appropriate factors, including the seriousness of the violation, the economic benefit resulting from the violation, the history of violations, and other matters the board considers appropriate.

(c) Before issuing an order under this section, the board shall provide the person written notice and the opportunity to request, within 30 days of issuance of notice by the board, a hearing on the record.

(d) In connection with proceedings under (a) and (b) of this section, the board may issue subpoenas to compel the attendance and testimony of witnesses and the disclosure of evidence, and may request the attorney general to bring an action to enforce a subpoena.

(e) A person aggrieved by the levy of a civil penalty under this section may file an appeal with the superior court for judicial review of the penalty under AS 44.62.560.

(f) If a person fails to pay a civil penalty within 30 days after entry of an order under (a) of this section, or if the order is stayed pending an appeal, within 10 days after the court enters a final judgment in favor of the board of an order appealed under (e) of this section, the board shall notify the attorney general. The attorney general may commence a civil action to recover the amount of the penalty.

(g) An action to enforce an order under this section may be combined with an action for an injunction under AS 08.48.131.

**Commented [NSJ(17):** 10/4/2022 – CF and JG – clarification on what this implies

### ARTICLE 4. GENERAL PROVISIONS.

#### Section

- 311. Rights not transferable
- 321. Evidence of practice
- 331. Exemptions
- 341. Definitions
- 351. Short title

**Sec. 08.48.311. Rights not transferable.** The right to engage in the practice of architecture, engineering, land surveying, or landscape architecture is considered a personal and individual right, based on the qualifications of the individual as evidenced by the individual's certificate of registration, which is not transferable.

**Sec. 08.48.321. Evidence of practice.** A person practices or offers to practice architecture, engineering, land surveying, or landscape architecture who

(1) practices a branch of the profession of architecture, engineering, land surveying, or landscape architecture as defined in AS 08.48.341;

(2) by verbal claim, sign, advertisement, letterhead, card, or other means represents to be an architect, engineer, land surveyor, or landscape architect, or through the use of some other title implies that the person is an architect, engineer, land surveyor, or landscape architect; or

(3) holds out as able to perform or who does perform an architectural, engineering, land surveying, or landscape architectural service recognized by the professions covered by this chapter, and specified in regulations of the board, as an architectural, engineering, land surveying, or landscape architectural service.

**Sec. 08.48.331. Exemptions.** (a) This chapter does not apply to

(1) a contractor performing work designed by a professional architect, engineer, or landscape architect or the supervision of the construction of the work as a supervisor or superintendent for a contractor;

(2) workers in building trades crafts, earthwork, grounds keeping, or nursery operations, and superintendents, supervisors, or inspectors in the performance of their customary duties;

(3) an officer or employee of the United States government practicing architecture, engineering, land surveying, or landscape architecture as required by the person's official capacity;

(4) an employee or a subordinate of a person registered under this chapter if the work or service is done under the direct supervision of a person registered under this chapter;

(5) associates, consultants, or specialists retained by a registered individual, a partnership of registered individuals, a corporation, a limited liability company, or a limited liability partnership authorized to practice architecture, engineering, land surveying, or landscape architecture under this chapter, in the performance of professional services if responsible charge of the work remains with the individual, the partnership, or a designated representative of the corporation, limited liability company, or limited liability partnership;

(6) a person preparing drawings or specifications for

(A) a building for the person's own use and occupancy as a single family residence and related site work for that building;

(B) farm or ranch buildings and their grounds unless the public health, safety, or welfare is involved;

(C) a building that is intended to be used only as a residence by not more than

(i) four families and that is not more than two stories high and the grounds of the building; or

(ii) two families and that is not more than three stories high and the grounds of the building, if the building is located in a municipality that has adopted a building or residential code that applies to the building and if the building complies with the building or residential code;

(D) a garage, workshop, or similar building that contains less than 2,000 square feet of floor space to be used for a private noncommercial purpose and the grounds of the building;

(7) a specialty contractor licensed under AS 08.18 while engaged in the business of construction contracting for work designed by an architect, engineer, or landscape architect that is within the specialty to be performed or supervised by the specialty contractor, or a contractor preparing shop or field drawings for work that the specialty contractor has contracted to perform;

(8) a person furnishing drawings, specifications, instruments of service, or other data for alterations or repairs to a building or its grounds that do not change or affect the structural system or the safety of the building, or that do not affect the public health, safety, or welfare;

(9) a person who is employed by a postsecondary educational institution to teach engineering, architectural, or landscape architectural courses; in this paragraph, "postsecondary educational institution" has the meaning given in AS 14.48.210;

(10) an officer or employee of an individual, firm, partnership, association, utility, corporation, limited liability company, or limited liability partnership, who practices engineering, architecture, land surveying, or landscape architecture involved in the operation of the employer's business only, and further provided that neither the employee nor the employer offers engineering, architecture, land surveying, or landscape architecture services to the public; exclusions under this paragraph do not apply to buildings or structures whose primary use is public occupancy;

(11) a person while involved in revegetation, restoration, reclamation, rehabilitation, or erosion control for disturbed land that the board determines does not affect the public health, safety, or welfare;

(12) a person while maintaining or directing the placement of plant material that the board determines does not affect the public health, safety, or welfare;

(13) an employee, officer, or agent of a regulatory agency of the state or a municipality when reviewing drawings and specifications for compliance with the building codes of the state or a municipality if the drawings and specifications have been sealed and signed by an architect, engineer, land surveyor, or landscape architect or the preparation of the drawings and specifications is exempt under this section from the requirements of this chapter; in this paragraph, "building codes" includes codes relating to building, mechanical, plumbing, electrical, fire safety standards, and zoning;

(14) a person who is designing fire detection or suppression systems and is authorized by the Department of Public Safety to design fire detection or suppression systems.

(b) The requirement to be registered as a landscape architect under this chapter only applies to a person who

**Commented [NSJ(18):** Committee agrees to change in regulation  
Find Loren's memo  
Discuss with board

**Commented [NSJ(19):** to-be-used for CF: the person's own a-private  
Committee – board discusses

**Commented [NSJ(20):** CF: this should be clarified – what scope does not affect public HSW? Do we need a definition of HSW? Especially W??

Committee – specific suggestions

**Commented [NSJ(21):** Committee agrees to leave and add definition

practices an aspect of landscape architecture that the board has determined affects the public health, safety, or welfare.

**Sec. 08.48.341. Definitions.** In this chapter,

- (1) "architect" means a professional architect;
- (2) "board" means the State Board of [REGISTRATION FOR ARCHITECTS, ENGINEERS AND LAND SURVEYORS] **Design Professions**;

**Commented [NSJ(22):** Committee - EJ - Add definition for fire detection or suppression system in statute



- (3) “building” means a structure used or intended for human occupancy;
- (4) “certificate of authorization” means a certificate issued by the board authorizing a corporation, a limited liability company, or a limited liability partnership to provide professional services in architecture, engineering, land surveying, or landscape architecture through individuals legally registered by the board;
- (5) “certificate of registration” means a certificate issued by the board recognizing the individual named in the certificate as meeting the requirements for registration under this chapter;
- (6) “design of minor importance” means a design that is incidental to the discipline of a registrant and is within the discipline of the registrant, but does not include comprehensive design services of any particular building type, structure, building system, engineering system, or site development;
- (7) “engineer” means a professional engineer;
- (8) “land surveyor” means a professional land surveyor;
- (9) “landscape architect” means a professional landscape architect;
- (10) “limited liability company” means an organization organized under AS 10.50 or a foreign limited liability company; in this paragraph, “foreign limited liability company” has the meaning given in AS 10.50.990;
- (11) “limited liability partnership” means a limited liability partnership or a foreign limited liability partnership, as those terms are defined in AS 32.06.995;
- (12) “practice of architecture” means professional service or creative work in the design of buildings, the teaching of advanced architectural courses in institutions of higher learning, consultation, investigation, evaluation, planning, design, and professional observation of construction of public or private buildings, works, or projects, and architectural review of drawings and specifications by regulatory agencies; “practice of architecture” may by regulation of the board include mechanical, electrical, or structural design of minor importance;
- (13) “practice of engineering” means professional service or creative work, the adequate performance of which requires the specialized knowledge of applied mathematics and sciences, dealing with the design of structures, machines, equipment, utilities systems, materials, processes, works, or projects, public or private; the teaching of advanced engineering courses in institutions of higher learning; the direction of or the performance of engineering surveys, consultation, investigation, evaluation, planning, and professional observation of construction of public and private structures, works, or projects and engineering review of drawings and specifications by regulatory agencies; “practice of engineering” may by regulation of the board include architectural building design of minor importance, but it does not include comprehensive architectural services;
- (14) “practice of land surveying” means the teaching of land surveying courses at an institution of higher learning, or any service or work the adequate performance of which involves the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the relevant requirements of law for adequate evidence of the act of measuring and locating land, geodetic and cadastral surveys for the location and monumentation of property boundaries, for the platting and planning of land and subdivisions of land, including the topography, alignment, and grades for streets, and for the preparation and perpetuation of maps, record plats, field note records and property descriptions that represent these surveys;
- (15) “practice of landscape architecture” means professional services or creative work in the design of landscape that includes the [SITE INVESTIGATION, RECONNAISSANCE, RESEARCH, PLANNING, DESIGN, AND PREPARATION SERVICES RELATED TO DRAWINGS AND CONSTRUCTION DOCUMENTS, OBSERVATION OF CONSTRUCTION, AND LOCATION, ARRANGEMENT, AND DESIGN OF INCIDENTAL AND NECESSARY TANGIBLE OBJECTS AND FEATURES FOR THE PURPOSE OF
- (A) PRESERVATION AND ENHANCEMENT OF LAND USES AND NATURAL LAND FEATURES;
- (B) LOCATION AND CONSTRUCTION OF AESTHETICALLY PLEASING AND FUNCTIONAL APPROACHES FOR STRUCTURES, ROADWAYS, AND WALKWAYS;
- (C) ESTABLISHING OR MAINTAINING TRAILS, PLANTINGS, LANDSCAPE IRRIGATION, LANDSCAPE LIGHTING, AND LANDSCAPE GRADING; OR
- (D) GENERALIZED PLANNING OF THE DEVELOPMENT OF LAND AREAS IN A MANNER THAT IS SENSITIVE TO THE AREA'S NATURAL AND CULTURAL RESOURCES;] adequate performance of which requires the specialized knowledge of applied mathematics and physical and social sciences, dealing with consultation, evaluation, planning, and design on landscape architecture projects, public and private; the teaching of advanced landscape architectural courses in institutions of higher learning, consultation and the direction of or the performance of preparing, filing, and administering related plans, drawings, specifications, permits, and other contract documents involving projects that direct, inform or advise on the functional use and preservation of natural and built environments; review of drawings and specifications by regulatory agencies; “practice of landscape architecture” may, by regulation of the board, include architectural or engineering design of minor importance.
- (16) “professional architect” means a person who has been legally registered as a professional architect by the board;
- (17) “professional engineer” means a person who has been legally registered as a professional engineer by the board;
- (18) “professional land surveyor” means a person who has been legally registered as a professional land surveyor by the board;
- (19) “professional landscape architect” means a person registered as a profession landscape architect by the board;

**Commented [NSJ(23):** 11/2021 focus group suggested that this phrase be addressed in regulation – also found in 13, 14 and 15.

**Commented [NSJ(24):** CF: Should there be more consistency with language in 12, 13, and 14? 13 & 14 have “adequate performance of which”

Committee: Need to work on definitions

**Commented [NSJ(25):** Need to add definition for “professional structural engineer.”

(20) “responsible charge” means the direct control and personal supervision of work;

(21) “shop drawing” or “field drawing” means a drawing prepared by a contractor, subcontractor, or vendor that shows how a particular aspect of the work is to be fabricated and installed and demonstrates how an aspect of the work will satisfy the requirements of the construction document, [BUT DOES NOT INCLUDE A FINAL DRAWING, SPECIFICATION, SURVEY, PLAT, PLATE, REPORT, OR OTHER SIMILAR DOCUMENT];

(22) “structure” means a system of materials and components that resists horizontal and vertical loads;

**Sec. 08.48.351. Short title.** This chapter may be cited as the Architects, Engineers, Land Surveyors, and Landscape Architects Registration Act

**Commented [NSJ(26):** 11/2021 – focus group suggested taking out word “personal” direct supervisory control is a concern

Committee: Find Loren’s memo to add

**Commented [NSJ(27):** Committee approves



# **AELS Outreach Committee**

September 27, 2022 10am-11am

## **Agenda:**

- Newsletter
  - Write-Ups
    - Name change for Artic Course - Randall
    - HB148 – Coordinate System of 2022 – Done
    - Presidents Report – Discuss with Catherine
    - Investigations – Continuing Education – Sterling Oct. 10 Meeting for Content
    - Member board for content (AIA, APDC, ASPLS, NCEES, ASLA, etc.)
      - Paragraph summary for Each board
        - Local organization for each newsletter AIA, APDC, ASPLS, - Jake
        - National Boards: NCEES, NCARB, CLARB
    - Military?
    - General Stats of Licenses – Examiners Quarterly Report - Sterling
- Logo & Template
  - Ready to proceed with RFP. Find a vendor. – Randall / Sterling
    - Invoice the department SOA
    - Less than \$1k
- Event
  - ~~Proposed event November 9<sup>th</sup> @ 3pm, UAA~~
    - ~~Need to lock in date with Angie Bishop (UAA)~~
    - ~~Next UAA Meeting Aprox. Dec. 2~~
    - ~~Loren said he has a powerpoint that would be a good start~~
    - Q&A Session – What does each profession do?
      - “Heads Up” to other Board Members – Jake to send to Sara
      - Advertisement of event for the School of Engineering (UAA) - Sterling
        - “Free Pizza!”
        - “We Need You” – Uncle Sam Poster - Randall
      - Why engage with the AELS Board?

Outreach Committee 11/2 – 2-3pm

1. Outreach Event
2. Newsletter Content