

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS

CONDENSED MINUTES OF THE MEETING HELD *AUGUST 28, 2023*

Date:	August 28, 2023
Time:	8:30am – 5:30pm
Location:	University of Alaska Anchorage – EIB 413
Attending:	Board Members: Catherine Fritz, Jeff Garness, Ed Leonetti, Bob Bell, Elizabeth Johnston, Loren Leman, Jake Maxwell, Sterling Strait, Fred Wallis Board Staff: Sara Neal, Kelly Johnson / Division Staff: Sylvan Robb, Patrick Kase, Alison Osborne, Stefanie Davis Public Attendees: Aaron Blaidsell, Jesse Escamilla, Colin Maynard, Kevin Garcia, Roy Robertson, Leslie Daugherty, Chris Miller, Mark, Martha Myers (zoom bombed the meeting), Pearl-Grace Pantaleone, Joann Mitchell, Leah Boltz, Katherine Wood, Karin McGillivray, Lisa Anglen
Absent:	Excused - Randall Rozier, Brent Cole

1. Call to Order / Virtual Notice	
Roll Call: Bob Bell, Jeff Garness, Elizabeth Johnston, Loren Leman, Ed Leonetti, Jake Maxwell, Sterling Strait, Fred Wallis	
2. Review / Amend / Approve Agenda	
Motion: <i>Agenda</i>	In a Motion made by Ed Leonetti, seconded by Elizabeth Johnston and approved unanimously, it was: <i>RESOLVED to approve the agenda for August 28th, 2023, as amended by adding agenda items 17-A and 15G & H</i>
3. General Information – Mission Statement / Virtual Meeting Code of Conduct / Strategic Plan / National Organization Updates – No discussion required	
Motion: <i>CLARB ABM voting delegate</i>	In a Motion made by Elizabeth Johnston, seconded by Sterling Strait and approved unanimously, it was: <i>RESOLVED to approve Ed Leonetti to be AELS’s voting delegate for the 2023 CLARB Annual Business Meeting.</i>
4. Consent Agenda – Items 1-6	
A. Item 1: May 10-11 meeting minutes B. Item 2: Outreach Reports <ol style="list-style-type: none"> 1. Strait – 5/17/2023 – SEAKK lunch meeting 2. Fritz / Rozier – 5/20/2023 Board update for AIA 3. Bell <ul style="list-style-type: none"> 6/19/2023 – Rep. Tom McKay RE: AELS board composition and other issues 6/27/2023 – AELS SB126 signing with Governor Dunleavy, Leman and Garness. C. Item 3: Annual Report D. Item 4: CE Audit Report E. Item 5: Outgoing Correspondence <ol style="list-style-type: none"> 1. 5/10/2023 – Senate Labor and Commerce Committee RE: SB73 CS D 2. 6/1/2023 – Sean O’Neill RE: Special request for consideration for LS Education 3. 6/1/2023 – Robert Lumpkin RE: Ethics question on signing surveys 4. 6/28/2023 – Nolan Willis RE: Industrial Exemption Statute 5. 6/28/2023 – G. John Sorenson RE: Use of Seal as Art 6. 7/7/2023 – UAA Community Technical College RE: Approval of ESA411 7. 7/7/2023 – UAA College of Engineering RE: Approval of ES AC030 and CE A403/603 8. 7/7/2023 – UAF College of Engineering and Mines RE: Approval of CE401 	

<p>9. 7/7/2023 – UW – Professional & Continuing Education RE: Approval of CRE Short Course</p> <p>10. 7/7/2023 – UAA Community Technical College RE: On Demand Cold Regions Design Course</p> <p>11. 7/7/2023 – UAA College of Engineering RE: On Demand Cold Regions Design Course</p> <p>12. 7/7/2023 - UAF College of Engineering and Mines RE: On Demand Cold Regions Design Course</p> <p>13. 7/7/2023 - UW – Professional & CE RE: On Demand Cold Regions Design Course</p> <p>14. 8/21/2023 – Senate Finance Committee RE: SB73 CS D</p> <p>F. Item 6: Incoming Correspondence</p> <p>1. 2023.5.23 – Steven Arndt – ANS RE: PE Nuclear Engineering Exam</p> <p>2. 2023.5.24 – David Cox – NCEES RE: PE Nuclear Engineering Exam</p> <p>3. 2023.6.27 – Governor Dunleavy RE: Signing of SB126</p>	
<p>Motion: Consent Agenda</p>	<p>In a Motion made by Elizabeth Johnston, seconded by Sterling Strait and approved unanimously, it was:</p> <p><i>RESOLVED to approve the consent agenda as presented in the August 28th, 2023, AELS board meeting.</i></p>
<p>5. Ethics Reporting</p>	
<p>Johnston will be serving as the 2024 NCEES Western Zone Assistant Vice President and on the NCEES Exam Policy and Procedures Committee with no cost to the board. Garness discussed ADEC’s 18AAC72 changes with Representative Mears but made it clear that he was not speaking on behalf of the AELS Board.</p>	
<p>6. Review Public Comments and final Board review for Regulation Projects</p>	
<p>A. CE Regulations – The board reviewed the public comments that were submitted regarding the removal of the carry-forward hours (12AAC 36.510(e)), clarification on the addition 12AAC 36.520(a 7) of earning “8 hours annually” of business or ethics related courses and the addition of 12AAC 36.530(e) which provides an exemption for those who have been registered for 30 years or more.</p>	
<p>Motion: Adopting CE Regulation as proposed and amended</p>	<p>In a Motion was made by Bob Bell, seconded by Elizabeth Johnston to adopt the proposed regulations in Chapter 36, Article V</p> <p>Ed Leonetti, seconded by Loren Leman, amended the motion to recommend adding back in the ability to carry-forward 12 hours 12AAC 36.510(e). It failed via roll call vote. Yes: Leman, Leonetti, Strait / No: Bell, Garness, Johnston, Maxwell, Wallis, Fritz</p> <p>Elizabeth Johnston, seconded by Loren Leman, amended the motion to remove the word “annually” in 12AAC 36.520(a 7) so that it reads “<i>eight professional development hours may be credited for successfully completing</i>”. The amendment was approved via roll call vote. Yes: Leman, Leonetti, Maxwell, Strait, Fritz / No: Bell, Garness, Johnston, Wallis</p> <p>Elizabeth Johnston amended the motion to remove 12AAC 36.530(e) which provides an exemption for those who have been registered for 30 years or more. The motion did not go forward due to no second.</p> <p>Elizabeth Johnston, seconded by Loren Leman, amended the motion to change 12AAC 36.530(e) to require 45 years or more instead of 30 years or more. It failed via roll call vote. Yes: Johnston, Leman, Strait / No: Bell, Garness, Leonetti, Maxwell, Wallis, Fritz</p> <p>The main motion made by Bob Bell, seconded by Elizabeth Johnston, to adopt the proposed regulations in Chapter 36, Article V as proposed and amended was approved unanimously via roll call vote.</p> <p>Therefore, it was, <i>RESOLVED to adopt the proposed regulations in Chapter 36, Article V, with consideration to public comments received and cost to private persons as proposed and amended in this meeting.</i></p>
<p>Motion: Approve Carry-over hours from the last renewal be allowed in the upcoming audit</p>	<p>In a Motion made by Loren Leman, seconded by Elizabeth Johnston, and approved unanimously via roll call vote, it was:</p> <p><i>RESOLVED to approve that CE carry-over hours that were declared during the last renewal cycle be allowed to be part of registrants’ CE documentation during the upcoming audit.</i></p>

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

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

12 AAC 36.510 is amended to read:

12 AAC 36.510. Continuing education requirements. (a) Unless exempted under 12 AAC 36.530, a **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] must meet the continuing education requirements of 12 AAC 36.510 - 12 AAC 36.550 as a condition of the renewal, reinstatement, or reactivation of **the registrant's** [THE PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] registration.

(b) Unless exempted under 12 AAC 36.530, a **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] seeking renewal, reinstatement, or reactivation of **the registrant's** [A PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] registration shall submit, on a form provided by the department, a certification that the **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] has met the continuing education requirements of 12 AAC 36.510 - 12 AAC 36.550.

(c) To renew a professional architect, engineer, land surveyor, or landscape architect registration, a **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] must obtain a minimum of 24 professional development hours during the 24 months immediately preceding that registration period.

(d) To reinstate a lapsed professional architect, engineer, land surveyor, or landscape architect registration, a **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] seeking reinstatement must obtain a minimum

of 24 professional development hours during the 24 months immediately preceding the application for reinstatement of **the registrant's** [THE PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] registration **unless the registrant meets the requirements of 12 AAC 36.530(e) and obtains eight professional development hours during the 24 months immediately preceding the application for reinstatement of the registrant's registration, except as provided in AS 08.01.100(d).**

(e) **Repealed** ____ / ____ / ____ [A PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT WHO OBTAINS MORE PROFESSIONAL DEVELOPMENT HOURS DURING A BIENNIAL REGISTRATION PERIOD THAN NEEDED TO QUALIFY FOR RENEWAL OR REINSTATEMENT OF THE PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT REGISTRATION MAY APPLY UP TO 12 OF THE EXCESS PROFESSIONAL DEVELOPMENT HOURS TO THE CONTINUING EDUCATION REQUIREMENT FOR THE SUBSEQUENT BIENNIAL PERIOD FOR PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT REGISTRATION].

(f) A professional architect, engineer, land surveyor, or landscape architect holding multiple registrations in the state is required to earn at least the minimum number of professional development hours of continuing education as those required for a single registration holder. [HOWEVER, AT LEAST EIGHT HOURS OF THE PROFESSIONAL DEVELOPMENT HOURS MUST BE IN EACH REGISTRATION HELD.]

(g) Continuing education courses or activities are not pre-approved by the board, but must **be in technical and professional subjects related to the scope of practice of the registrant** [MEET THE FOLLOWING CRITERIA:

(1) THE SUBJECT MATTER MUST ADDRESS THE PUBLIC'S HEALTH,

SAFETY, AND WELFARE BY INSTRUCTING IN THE PROPER PLANNING AND DESIGN IN THE AREA OF THE REGISTRANT'S REGISTRATION OR DISCIPLINE, FOR THE CONSTRUCTION OF BUILDINGS, STRUCTURES, INFRASTRUCTURE, OR THE SPACES WITHIN AND SURROUNDING SUCH FACILITIES, PRESERVATION AND ENHANCEMENT OF LAND USE AND NATURAL LAND FEATURES, MEASURING AND LOCATING LAND FOR PROPERTY BOUNDARIES, PLATTING, PLANNING AND DESIGN OF SUBDIVISIONS, OR THE PREPARATION AND PERPETUATION OF MAPS OR RECORD PLATS SO THAT GENERALLY

(A) RISK OF INJURY TO PERSONS OR PROPERTY IS MINIMIZED;

(B) THE RESULTS ARE DURABLE AND ENVIRONMENTALLY FRIENDLY;

(C) THE RESULTS FUNCTION PROPERLY IN ALL RELEVANT RESPECTS; OR

(D) THE RESULTS ENHANCE THE GENERAL WELFARE OF THE PUBLIC;

(2) THE COURSE OR ACTIVITY MUST BE RELEVANT TO THE PRACTICE OF PROFESSIONAL ARCHITECTURE, ENGINEERING, LAND SURVEYING, OR LANDSCAPE ARCHITECTURE, AND MAY INCLUDE TECHNICAL, ETHICAL, OR MANAGERIAL CONTENT;

(3) THE COURSE OR ACTIVITY MUST BE DESIGNED TO MAINTAIN, IMPROVE, OR EXPAND PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT SKILLS AND KNOWLEDGE;

(4) EACH COURSE OR ACTIVITY MUST BE WELL ORGANIZED AND THE CONTENT PRESENTED IN A SEQUENTIAL MANNER; AND

(5) THE PRESENTATION MUST BE MADE BY PERSONS WHO ARE WELL QUALIFIED IN THE SUBJECT BY EDUCATION OR EXPERIENCE IN THE SUBJECT].

(h) **Repealed** ____ / ____ / ____ [THE SPONSORING ORGANIZATIONS THAT PROVIDE CONTINUING EDUCATION MAY BE AN EDUCATIONAL INSTITUTION, A PROFESSIONAL ASSOCIATION, OR A BUSINESS OR GOVERNMENTAL ORGANIZATION. SPONSORING ORGANIZATION’S CONTINUING EDUCATION THAT SATISFIES THE REQUIREMENTS OF THIS SECTION INCLUDES THE PROFESSIONAL ARCHITECT’S, ENGINEER’S, LAND SURVEYOR’S OR LANDSCAPE ARCHITECT’S

(1) SUCCESSFUL COMPLETION OF COLLEGE COURSES;

(2) SUCCESSFUL COMPLETION OF CONTINUING EDUCATION COURSES;

(3) SUCCESSFUL COMPLETION OF SHORT COURSES, TUTORIALS, CORRESPONDENCE, WEB-BASED COURSES, AND TELEVISED OR VIDEOTAPED COURSES;

(4) ATTENDING SEMINARS, IN-HOUSE WORKSHOPS, OR PROFESSIONAL OR TECHNICAL PRESENTATIONS AT MEETINGS, CONVENTIONS, OR CONFERENCES;

(5) AUTHORIZING PUBLISHED PAPERS, ARTICLES, OR BOOKS;

(6) SERVING AS AN OFFICER OR ACTIVELY PARTICIPATING IN A COMMITTEE OF PROFESSIONAL OR TECHNICAL SOCIETIES; AND

(7) TEACHING OR INSTRUCTING THE ACTIVITIES LISTED IN (1) – (4) OF THIS SUBSECTION].

(i) A **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] who also holds a registration as a professional architect,

engineer, land surveyor, or landscape architect in another licensing jurisdiction may meet the requirements of 12 AAC 36.510 - 12 AAC 36.550 by establishing that the **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] has met the mandatory continuing education requirements for renewal of the professional architect, engineer, land surveyor, or landscape architect registration in the other licensing jurisdiction, if the mandatory continuing education requirements of the other jurisdiction are substantially similar to or exceed those of 12 AAC 36.510 - 12 AAC 36.550 at the time that continuing education credit is claimed.

(j) To reactivate a retired professional architect, engineer, land surveyor, or landscape architect registration, a professional architect, engineer, land surveyor, or landscape architect seeking reactivation must obtain 24 professional development hours during the 24 months immediately preceding the application for reactivation of the professional architect, engineer, land surveyor, or landscape architect registration **unless the registrant meets the requirements of 12 AAC 36.530(e) and obtains eight professional development hours during the 24 months immediately preceding the application for reinstatement of the registrant's registration, except as provided in AS 08.01.100(d).**

(k) If an applicant for renewal of an architect, engineer, land surveyor, or landscape architect registration fails to meet the continuing education requirements of (c) of this section on or before **December 31** [DECEMBER 31ST] of the current biennium, the applicant may request an extension to complete the required professional development hours. This extension does not function as a license extension and the registrant cannot practice during this period. The applicant must

(1) submit a completed application for biennial registration renewal on a form provided by the department;

(2) pay the biennial registration renewal and continuing education extension fees established in 12 AAC 02.110;

(3) complete the required professional development hours before the first January 31st of the new biennium; and

(4) submit a continuing education audit form with documentation, acceptable to the board, showing completion of the required continuing education. (Eff. 10/18/2007, Register 184; am 7/12/2008, Register 187; am 7/13/2011, Register 199; am 9/11/2015, Register 215; am 10/31/2019, Register 232; am ___ / ___ / _____, Register _____)

Authority: AS 08.48.071 AS 08.48.101 AS 08.48.341

12 AAC 36.520 is amended to read:

12 AAC 36.520. Computation of continuing education credit. (a) The board has final authority with respect to the acceptance of courses, activities, credits, professional development hour values, and other methods of earning continuing education credits. Continuing education credit is computed as follows:

(1) credit for college approved courses is based upon course credit established by the college **and contingent upon receipt of a passing grade; for college approved courses,**

(A) one unit of college semester credit equals 45 professional development hours;

(B) one unit of college quarter credit equals 30 professional development hours;

(2) credit for qualifying **courses or activities including** seminars, in-house workshops, and **other** professional [OR TECHNICAL] presentations is based on one professional development hour for each hour of attendance [AT THE SEMINAR, IN-HOUSE

WORKSHOP, OR PROFESSIONAL OR TECHNICAL PRESENTATION];

(3) **each hour of teaching equals two hours of credit for teaching under (1) and (2) of this subsection, full-time faculty may not claim teaching credit associated with the registrant's regular duties** [ATTENDANCE AT QUALIFYING PROGRAMS PRESENTED AT PROFESSIONAL AND TECHNICAL SOCIETY MEETINGS, CONVENTIONS, OR CONFERENCES EARNS ONE PROFESSIONAL DEVELOPMENT HOUR FOR EACH HOUR OF ATTENDANCE AT THE PROGRAM];

(4) credit for published papers, articles, or books is

(A) based on one professional development hour for each hour of professional preparation of the paper, article, or book; **and**

(B) **based on one professional development hour for each hour of technical or peer review of the paper, article, or book** [DETERMINED BY THE PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT; AND

(C) SUBJECT TO REVIEW AND APPROVAL BY THE BOARD UNDER THE STANDARDS SET OUT IN 12 AAC 36.510 – 12 AAC 36.550];

(5) **up to eight hours annually may be credited** [CREDIT] for **participation** [PARTICIPATING] in **each** professional and technical **organization; credit** [SOCIETIES] may be claimed for a year of service as an officer or in active participation in a committee of the **organization** [SOCIETY], based on one professional development hour for every two hours of service or participation **in each organization;** [PROFESSIONAL DEVELOPMENT HOUR CREDITS UNDER THIS PARAGRAPH ARE EARNED AT THE END OF EACH FULL YEAR OF SERVICE OR PARTICIPATION.]

(6) up to 10 professional development hours may be credited for each patent

awarded;

Remove "annually"

(7) up to eight professional development hours may be credited annually for successfully completing a course or activity that has content areas focusing on ethics or business-related activity, improving a registrant's business practice or operations, or advancing professionally related skills and practices as applicable to the practice of the registrant;

(8) up to one professional development hour may be credited for each hour of outreach activity the registrant completes;

(9) up to four hours annually may be credited for structured self-study in the subject for which the registrant holds a registration;

(10) not more than 12 professional development hours may be claimed on a single calendar day;

(11) fractions of hours are rounded down to the nearest half hour.

(b) **Repealed** ____/____/____ [THE COMPUTATION OF CREDITS OF PROFESSIONAL DEVELOPMENT HOURS IS AS FOLLOWS:

(1) ONE UNIT OF COLLEGE SEMESTER CREDIT EQUALS 45 PROFESSIONAL DEVELOPMENT HOURS;

(2) ONE UNIT OF COLLEGE QUARTER CREDIT EQUALS 30 PROFESSIONAL DEVELOPMENT HOURS;

(3) ONE CONTINUING EDUCATION UNIT OF PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT CONTINUING EDUCATION EQUALS 10 PROFESSIONAL DEVELOPMENT HOURS;

(4) ONE HOUR OF A SEMINAR, IN-HOUSE WORKSHOP, OR PROFESSIONAL OR TECHNICAL PRESENTATION ATTENDED AT MEETINGS,

CONVENTIONS, OR CONFERENCES EQUALS ONE PROFESSIONAL DEVELOPMENT HOUR;

(5) ONE HOUR OF INITIAL INSTRUCTION OF THE SUBJECT MATTER WHEN TEACHING PROFESSIONAL DEVELOPMENT COURSES, SEMINARS, OR PROFESSIONAL OR TECHNICAL PRESENTATIONS EQUALS TWO PROFESSIONAL DEVELOPMENT HOURS; THIS PROVISION DOES NOT APPLY TO FULL-TIME FACULTY;

(6) UP TO 10 PROFESSIONAL DEVELOPMENT HOURS PER BIENNIAL REGISTRATION PERIOD MAY BE CLAIMED FOR A PUBLISHED PAPER, ARTICLE, OR BOOK, BASED ON THE AMOUNT OF TIME AND EFFORT REQUIRED TO PRODUCE THE PAPER, ARTICLE, OR BOOK;

(7) FOR SERVING AS AN OFFICER OR ACTIVELY PARTICIPATING IN A COMMITTEE OF PROFESSIONAL AND TECHNICAL SOCIETIES, UP TO EIGHT PROFESSIONAL DEVELOPMENT HOURS PER YEAR MAY BE CLAIMED FOR EACH PROFESSIONAL OR TECHNICAL SOCIETY.] (Eff. 10/18/2007, Register 184; am 7/12/2008, Register 187; am 7/13/2011, Register 199; am ____/____/_____, Register _____)

Authority: AS 08.48.071 AS 08.48.101

12 AAC 36.530 is amended to read:

12 AAC 36.530. Exemptions. (a) A professional architect, engineer, land surveyor, or landscape architect is exempt from the continuing education requirements of 12 AAC 36.510 - 12 AAC 36.550 for the first biennial registration renewal period following initial issuance of the professional architect, engineer, land surveyor, or landscape architect registration.

(b) A **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR,

OR LANDSCAPE ARCHITECT] is exempt from the continuing education requirements of 12 AAC 36.510 - 12 AAC 36.550 for renewal of the professional architect, engineer, land surveyor, or landscape architect registration for the biennial registration period immediately following a period of service by the **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] on active duty in the armed forces of the United States exceeding 120 consecutive days within a 12-month period.

(c) A **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] who is in retired status under 12 AAC 36.115 is exempt from the continuing education requirements of 12 AAC 36.510 - 12 AAC 36.550 during the time the **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] is retired, **except that a** [. A] retired **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] who wishes to return to active practice as a professional architect, engineer, land surveyor, or landscape architect must meet the requirements of 12 AAC 36.115, including continuing education requirements applicable under 12 AAC 36.510(j).

(d) A **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] may request an exemption from the continuing education requirements of 12 AAC 36.510 - 12 AAC 36.550 by submitting a written request to the board that describes the reasons for the request and includes supporting documentation. If the board finds good cause, the board will grant an exemption under this subsection to a **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] who is experiencing a physical disability, serious illness, family emergency, or other extenuating circumstance.

(e) A professional architect, engineer, land surveyor, or landscape architect is

partially exempt from the continuing education requirements of 12 AAC 36.510 - 12 AAC 36.550 if that individual has been registered as a professional architect, engineer, land surveyor, or landscape architect for a duration of 30 or more years in a NCEES, NCARB, or CLARB recognized jurisdiction. The individual must complete eight hours per biennial licensing period. (Eff. 10/18/2007, Register 184; am 7/12/2008, Register 187; am 7/13/2011, Register 199; am ___/___/_____, Register _____)

Authority: AS 08.48.071 AS 08.48.101

12 AAC 36.540 is amended to read:

12 AAC 36.540. Record keeping and review of records. (a) A professional architect, engineer, land surveyor, or landscape architect shall maintain records that may be used to verify professional development hours claimed under 12 AAC 36.510 - 12 AAC 36.550. These required records include

(1) a log showing the course or activity claimed, the sponsoring organization, the [LOCATION AND] duration of the course or activity, the **activity title and description of content** [NAME OF THE SPEAKER OR INSTRUCTOR, AND THE UNIT OF CREDIT OR NUMBER OF PROFESSIONAL DEVELOPMENT HOURS EARNED]; and

(2) **a board-approved continuing education structured report for publishing, teaching, presenting, active participation in professional and technical societies, in-house programs, patents, outreach activities, and structured self-study** [ATTENDANCE VERIFICATION RECORDS IN THE FORM OF COMPLETION CERTIFICATIONS, SIGNED ATTENDANCE RECEIPTS, RECEIPTS FOR THE PAYMENT OF TUITION OR FEES, A COPY OF A LIST OF PARTICIPANTS SIGNED BY THE SPEAKER OR INSTRUCTOR, OR SIMILAR DOCUMENTS SHOWING EVIDENCE OF ATTENDANCE].

(b) Records required under (a) of this section must include sufficient detail to permit verification during an audit, and must be maintained for at least four years from the date that the course or activity was completed.

(c) The board may request at any time that a **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] provide proof of compliance with the continuing education requirements of 12 AAC 36.510 - 12 AAC 36.550. A **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] must provide a copy of the records required under (a) of this section to the board **not** [NO] later than 30 days after receipt of a request for the records.

(d) Audits of compliance of **registrant** [PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT] continuing education requirements will be conducted in accordance with 12 AAC 02.960. (Eff. 10/18/2007, Register 184; am 7/13/2011, Register 199; am ____ / ____ / _____, Register _____)

Authority: AS 08.48.071 AS 08.48.101

12 AAC 36.550 is amended to read:

12 AAC 36.550. Definitions. In 12 AAC 36.500 - 12 AAC 36.550, unless the context requires otherwise,

(1) "college" includes a community college and a university;

(2) "continuing education unit" means a **unit of credit customarily used for continuing education courses; for purposes of this paragraph, one continuing education unit equals 10 contact hours in an approved continuing education course** [UNIFORM UNIT OF MEASURE FOR CONTINUING EDUCATION AND TRAINING ESTABLISHED BY A NATIONALLY RECOGNIZED PROFESSIONAL OR TECHNICAL SOCIETY

ACCEPTABLE TO THE BOARD];

(3) **repealed** ____ / ____ / ____ ["COURSE OR ACTIVITY" MEANS A UNIT OF INSTRUCTION

(A) WITH A CLEAR PURPOSE AND OBJECTIVE TO MAINTAIN, IMPROVE, OR EXPAND THE SKILLS AND KNOWLEDGE RELEVANT TO THE PRACTICE OF A PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT; AND

(B) THAT MEETS THE REQUIREMENTS OF 12 AAC 36.510];

(4) **repealed** ____ / ____ / ____ ["IN-HOUSE WORKSHOP" MEANS A SEMINAR, PROGRAM, OR TRAINING SESSION PRESENTED BY A PROFESSIONAL WITH EXPERTISE IN THE FIELD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING, OR LANDSCAPE ARCHITECTURE];

(5) "professional development hour" means not less than 50 minutes of instruction or presentation in a continuing education course or activity that meets the requirements of 12 AAC 36.510;

(6) "ethics or business-related course or activity" means a qualifying course or activity with content areas related to

(A) awareness of ethical concerns and conflicts;

(B) familiarity with the codes of conduct;

(C) understanding of standards of practice;

(D) project management and risk-management; or

(E) other similar topics aimed at maintaining, improving, or

expanding the skills set and knowledge relevant to the registrant's field and methods of practice;

(7) "outreach activity" includes active participation in educational outreach activities pertaining to professional licensure or the architecture, engineering, land surveying, or landscape architecture professions that involve K - 12 or higher education students;

(8) "qualifying course or activity"

(A) means a course or activity

(i) with a clear purpose and objective; and

(ii) that will maintain, improve, or expand the skills and

knowledge relevant to the registrant's field of practice;

(B) does not include regular duties;

(9) "structured self-study" means time spent engaging in self-guided professional development. (Eff. 10/18/2007, Register 184; am 7/12/2008, Register 187; am 7/13/2011, Register 199; am ____ / ____ / _____, Register _____)

Authority: AS 08.48.101 AS 08.48.341

<p>B. SE and Mentorship – The board reviewed the public comments that were submitted regarding the mentoring process. No public comments were received on the other proposed regulation process.</p>	
<p>Motion: Adopting SE, Mentoring, and Misc. Regulations.</p>	<p>A Motion was made by Sterling Strait, seconded by Elizabeth Johnston to adopt the proposed regulations in Chapter 36 .063, .067, .075, .100, .104, .105, .107, and .990</p> <p>Elizabeth Johnston, seconded by Fred Wallis, amended the motion to change 12AAC 36.063(j) to remove the text “video conferencing”. It failed via roll call vote. Yes: Johnston, Wallis / No: Bell, Garness, Leman, Leonetti, Maxwell, Strait, Fritz</p> <p>The main motion made by Sterling Strait, seconded by Elizabeth Johnston, to adopt the proposed regulations in Chapter 36 .063, .067, .075, .100, .104, .105, .107, and .990 was approved unanimously via roll call vote.</p> <p>Therefore, it was, RESOLVED to adopt the proposed regulations in Chapter 36, .063, .067, .075, .100, .104, .105, .107, and .990, as proposed in this meeting with consideration to public comments received and cost to private persons.</p>
<p>7. Division Report</p>	
<p>A. Special consideration for military licensure Director Robb shared that the temporary military legislation that passed two years ago was slightly different than what was passed at the federal level which mandates that military and military spouses be granted a temporary license within 30 days. The Governor introduced universal temporary licensure in HB85 and SB83, but AELS was not included in those bills. The division amended both of those bills with the necessary statute changes to comply with the federal legislation. The Department of Defense issued a notice that said military spouses could take advantage of the new legislation now. However, the federal government, did not take into consideration that states would need time to make statutory changes. The Division’s Department of Law is reviewing whether we can wait for HB85 and SB83 to pass or if something more immediate needs to be done. Robb will keep the AELS Board informed on how it will need to proceed.</p> <p>B. EA Salary As soon as session was done in May, Director Robb submitted a request to have a class study done on the Executive Administrator for the Board of Registration for AELS which requires getting approval from the Office of Management and Budget (OMB). Once the approval has been received from OMB, the class study will start and should not take long since it is just involving one position.</p> <p>Misc: Robb also shared that the request to have investigative fees come from the general fund instead of from license fees was denied for FY24. The Governor did approve 12 new positions for the Division which will help with processing times and customer service. Sara Chambers is working on developing board training which will be advertised soon. Robb took the opportunity to thank the board for their service.</p>	
<p>8. Break</p>	
<p>9. Application Review Questions</p>	
<p>A. Wayne Pence – Leman was not sure all the experience allotted for responsible charge met the definition of responsible charge experience. He needs more information from the verifier before he can make the decision on whether the experience meets the requirements. Bell and Johnson reviewed the application as well and agree with Leman.</p> <p>B. Timothy Tennis – SE applicant by exam and had a verifier who is a CE in Oregon. The applicant designs bridges which does not require an SE license in Oregon. 12AAC36.063(c)(1) to receive full credit for responsible charge experience, an applicant must gain responsible charge experience while under the responsible control of a professional engineer registered in the United States in the branch of engineering for which the applicant has applied; the board will determine the amount of credit given for responsible charge experience gained under the responsible control of a professional engineer registered in the United States in another branch of engineering based on the comparability with the branch of engineering to which the applicant has applied</p>	
<p>Motion: Approve Timothy Tennis to sit for the SE exam.</p>	<p>In a Motion made by Sterling Strait, seconded by Loren Leman, and approved unanimously via roll call vote, it was: RESOLVED to approve Timothy Tennis’s application to sit for the SE exam</p>

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

12 AAC 36.063(c)(1) is amended to read:

(1) two years of responsible charge experience or **the equivalent experience gained through a** [SUCCESSFUL COMPLETION OF A FOUR-YEAR RESPONSIBLE CHARGE] mentoring **program, within the meaning given in 12 AAC 36.990(a)** and this section; **to** [. TO] receive full credit for responsible charge experience, an applicant must gain responsible charge experience while under the responsible control of a professional engineer registered in the United States in the branch of engineering for which the applicant has applied; **the** [THE] board will determine the amount of credit given for responsible charge experience gained under the responsible control of a professional engineer registered in the United States in another branch of engineering based on the comparability with the branch of engineering to which the applicant has applied;

12 AAC 36.063(c)(2) is amended to read:

(2) [RESPONSIBLE CHARGE] experience **gained under (i) of this section** [OR SUCCESSFUL COMPLETION OF FOUR YEARS OF RESPONSIBLE CHARGE OBTAINED WITHIN A MENTORING SYSTEM] will be considered for credit only if it is gained after the applicant has completed education or work experience or both that are equivalent to the requirements to be eligible for the fundamentals of engineering examination.

The introductory language of 12 AAC 36.063(j) is amended to read:

(j) To meet the mentoring requirements of this section, an applicant must complete [FOUR YEARS OF] quarterly face-to-face meetings with a professional engineer **who is**

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registered in the United States and registered in the same discipline that the applicant is applying for. **One quarter of responsible charge experience will be credited for every two quarters of a documented mentoring program.** An applicant shall

...

12 AAC 36.063(k) is repealed:

(k) Repealed 10 / 22 / 2023. (Eff. 9/30/78, Register 67; am 6/29/84, Register 90; am 8/13/87, Register 103; am 6/3/89, Register 110; am 3/16/96, Register 137; am 7/26/97, Register 143; am 8/26/98, Register 147; am 11/20/99, Register 152; am 3/8/2001, Register 157; am 6/13/2003, Register 166; am 7/22/2004, Register 171; am 9/11/2004, Register 171; am 10/29/2009, Register 192; am 9/9/2016, Register 219; am 5/25/2017, Register 222; am 5/5/2023, Register 246; am 10 / 22 / 2023, Register 248)

Authority: AS 08.48.101 AS 08.48.171 AS 08.48.181

12 AAC 36.067 is repealed and readopted to read:

12 AAC 36.067. Date of experience. An applicant for registration as an engineer by examination who meets the requirements of 12 AAC 36.063(c)(1), or an applicant for registration as a land surveyor by examination who meets the requirements of 12 AAC 36.065(b) may project up to three months of professional or subprofessional work within the meaning given in 12 AAC 36.990(a) from the time of application to the date of the examination. (Eff. 9/30/78, Register 67; am 11/13/99, Register 152; am 10 / 22 / 2023, Register 248)

Authority: AS 08.48.101 AS 08.48.171

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

12 AAC 36.075. Eligibility for structural engineering registration by examination.

(a) To be eligible for registration as a structural engineer, an applicant must

- (1) submit a completed application on a form provided by the department;
- (2) be currently registered as a professional engineer in this state;
- (3) have successfully passed the examination required in 12 AAC 36.100(g);
- (4) have at least two years of structural engineering work experience that must

(A) be gained after obtaining a professional engineering license;

(B) demonstrate progressive experience, knowledge, and project

responsibilities relating to the design of structural systems;

(C) be obtained under the responsible charge of

(i) a registered professional structural engineer;

(ii) a registered professional engineer practicing structural design

to the standard of a professional structural engineer in a jurisdiction without separate licensure requirements for structural engineers; or

(iii) a mentoring registered professional structural engineer

engaged with the applicant through a mentoring program;

(D) include practical design experience in one or more of the following

areas:

(i) buildings or structures of at least 45 feet, or two stories, in height, located in a region of moderate or high seismic risk;

(ii) seismic rehabilitation or retrofitting of an existing building or structure located in a region of moderate or high seismic risk; or

(iii) structural design of any other structure of comparable structural complexity as set out in (i) or (ii) of this subparagraph; and

(5) submit evidence to the board's satisfaction that the applicant's experience meets the requirements as set out in (4) of this subsection.

(b) to be eligible for the structural engineering examination required in 12 AAC 36.100(g), an applicant must be currently registered as a professional engineer in this state. (Eff.

10 / 22 / 2023, Register 248)

Authority: AS 08.48.101 AS 08.48.171 AS 08.48.181

The introductory language of 12 AAC 36.100(d) is amended to read:

(d) An [UNLESS AN APPLICANT IS REGISTERED BY COMITY UNDER AS 08.48.191(c), AN] applicant for registration as a land surveyor must pass the professional land surveyor examination, that includes

...

12 AAC 36.100 is amended by adding a new subsection to read:

(g) An applicant for registration as a structural engineer must pass the NCEES Principles and Practices of Engineering Structural Examination unless applying for registration by comity under 12 AAC 36.108. (Eff. 5/23/74, Register 50; am 6/3/89, Register 110; am 10/20/90, Register 116; am 3/16/96, Register 137; am 11/13/99, Register 152; am 8/19/2006, Register 179; am 7/12/2008, Register 187; am 7/19/2009, Register 191; am 5/5/2023, Register 246; am

10 / 22 / 2023, Register 248)

Authority: AS 08.48.101 AS 08.48.181 AS 08.48.191
AS 08.48.171

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

12 AAC 36.104. Structural engineer registration by comity. (a) An applicant for registration as a structural engineer by comity must

(1) submit verification of current registration to practice structural engineering in a state, territory, or possession of the United States, the District of Columbia, or a foreign country, that is based upon education, experience, and examination requirements that, in the opinion of the board, are at least equivalent to the requirements as set out in AS 08.48 and this chapter at the time the applicant's registration was issued in the other jurisdiction;

(2) have passed one of the following structural engineering examinations:

(A) the NCEES PE Structural Examination;

(B) the NCEES Structural Engineering II and Washington or California Structural III examinations;

(C) the NCEES Structural Engineering I and NCEES Structural Engineering II; or

(D) the Western States 16-hour Structural Examination;

(3) have completed the cold regions design requirements of 12 AAC 36.110;

(4) have completed a jurisprudence questionnaire prepared by the board, covering the provisions of AS 08.01 - 08.03, 12 AAC 02, AS 08.48 and this chapter;

(5) meet the requirements for a professional engineering registration set out in 12 AAC 36.063(a)(3) plus an additional two years of experience working under the supervision of a registered professional engineer practicing structural engineering; and

(6) submit evidence of work experience by means of

<p>C. Nickolas Rodes – Applicant is applying SE by Comity but has no active SE license in Washington. His exams have not been verified on NCEES. Washington typed the exams in the notes which is not considered a verification. Strait pointed out that the regulations state that they must have “a license” and does not state they have to have an SE license</p>	
<p><i>Motion: Conditionally Approve Nickolas Rodes for SE registration</i></p>	<p>Elizabeth Johnston, seconded by Bob Bell, made a motion to conditionally approve Nickolas Rodes by comity with the requirement that he provides an active verification of an SE license from another jurisdiction and verification of exams before licensure. It failed via roll call vote. Yes: Bell, Johnston, Wallis / No: Garness, Leman, Leonetti, Maxwell, Strait, Fritz</p> <p>In a Motion made by Sterling Strait, seconded by Jeff Garness, and approved via roll call vote, it was:</p> <p><i>RESOLVED to conditionally approve Nickolas Rodes with the requirement a verification of exams before licensure is submitted.</i></p> <p>Yes: Bell, Garness, Johnston, Leman, Leonetti, Maxwell, Strait, Fritz / No: Wallis</p>
<p>10. Licensing Examiner’s Report</p>	
<p>Johnson talked the board through the report pointing out some new features added to the report. Fritz asked that nuclear engineer be added to the report. Maxwell asked for a total active licensees’ column for each year.</p>	
<p>A. Update on staff approval process – Neal shared with the Board how the staff approval policy was implemented during the months of June and July. She wanted the Board to decide on the following two items: 1) whether the board wants staff to approve eligible applicants during the month of a board meeting and 2) whether the board wants staff to conditionally approve applicants who meet the staff approval policy except that they are missing the cold regions design course and/or the JQ. Two applicants were pulled from the July review because they did not have the MLE or MLSE designation. All these items will be discussed and voted on under new business this afternoon.</p>	
<p>11. Regulation Projects in Process</p>	
<p>A. Projects with DOL</p> <ol style="list-style-type: none"> 1. LA 12AAC36.068 – Leonetti shared that this project is bringing the regulation into compliance with CLARB’s Uniform Standard, and it is almost ready for public notice. 2. Digital Signature – 12AAC36.185 – this will be added into the regulation project to change Chapter 36 to comply with SB126 <p>B. Responsible Charge – Leman, Garness – the board has a task to review the committee report and send all comments in by September 15th. Leman and Garness will make their recommendations to the Guidance Manual Committee.</p> <p>C. Architectural Engineering – Johnston, Legislative Liaison Committee – Johnston presented to the board her findings on the practice of architectural engineering. Many states accept the Architectural Engineering (AE) PE exam, but do not license the discipline. States that do license the discipline have different titles such as Building Systems Engineer or Buildings Engineer. The next step would be to write a scope of practice for architectural engineering after surveying what other states use for the definition. The AE exam is comprised of questions on electrical systems, mechanical systems, structural engineering, and project management. The exam does not go deep enough on any discipline to license a person in that discipline so an applicant with only an AE PE exam has no pathway to licensure in Alaska.</p>	

12. Public Comment

Aaron Blaidsell, LS registrant from Washington, who applied during this board meeting for land surveyor registration wanted to share that having to wait for the board meeting to have his application reviewed seemed to bog down the process. He said he would like to take advantage of the opportunity of taking the AKLS in his state board's office instead of traveling to Alaska.

Colin Maynard expressed his disappointment that the board approved a more lenient regulation for SEs coming from out of state than SEs in the state applying to take the exam. In state exam applicants will have to have passed a PE exam while comity applicants will not have that requirement. Because over 100 bridges collapsed in the 1964 earthquake and 20 bridges were damaged in the 2018 earthquake, Maynard, in response to the letter from DOT, disagrees with DOT and does think bridge design should require an SE license.

Chris Miller – State Fire Marshall rejected drawings for a project from his firm done by an architect for a wooden structure. The note said that the plans need stamping by the appropriate engineer for the building's foundation and systems and cited the AELS statute pertaining to "design of minor importance."

Leslie Daugherty (DOT)– wanted to make herself available for the board to answer any questions regarding the DOT letter asking that the requirement for bridge design be done by an SE be removed. She stated in response to Maynard's comment that bridge design has improved dramatically since the 1964 earthquake. The SE exam questions on bridges are on bridges that are not designed in Alaska. All new DOT employees would have to be trained in designing bridges in Alaska regardless of what exam they passed.

Jesse Escamilla (DOT) – added onto what Daugherty shared by stating that seismic engineering has fundamentally shifted from forced based to displacement based. Damages caused by the 2018 earthquake were controlled failures. DOTs bridge inventory is performing excellently.

13. Outreach Event - SMPS

14. Old Business

A. ADEC Regulatory Changes – Leman / Garness

DEC's regulations have been signed into law and will go into effect on October 1st. AELS is waiting for DOL to issue their opinion as to how DEC's regulations do not conflict with AELS's statutes and regulations.

B. ADEC Record Drawings – Leman / Garness

Motion to approve Record Drawings section for the Guidance Manual

A Motion was made by Loren Leman, seconded by Jeff Garness, to adopt the records drawings section for the Guidance Manual as presented by the Guidance Manual Committee

Jeff Garness, seconded by Elizabeth Johnston, amended the motion to change the uses of "design professional" in the record drawings section to the term "registrant." It was approved unanimously.

Ed Leonetti, seconded by Jeff Garness, amended the motion to remove the phrase "*which may be different from what was originally designed and approved for construction*" from the first sentence of the first paragraph of the record drawings section. The motion passed in a 8-1 vote. Yes: Bell, Garness, Johnston, Leonetti, Maxwell, Strait, Wallis / No: Leman

The main motion made by Loren Leman, seconded by Jeff Garness, to adopt the records drawings section for the Guidance Manual as presented by the Guidance Manual Committee and amended in today's meeting was approved unanimously.

Therefore, it was,

RESOLVED to adopt the records drawings section for the Guidance Manual as presented by the Guidance Manual Committee and amended in today's meeting

C. NCEES establishing testing center in Juneau – Strait

Based on the number of examinees from the Southeast, NCEES said they cannot open a testing center in Juneau. Strait has asked UAS to see if they would be willing to let their testing center be used as an NCEES testing site. He has not received a response from UAS at this time.

D. Revising 12AAC 36.145 RE: what defines an office – Johnston / Garness / Wallis

(A) a letter bearing the signature and seal of the engineer responsible for the supervision of the applicant, verifying that applicant has been practicing structural engineering for two years; or

(B) two current letters of reference bearing the signatures and seals of professional engineers who meet the requirements of (b)(1) or (2) of this section, verifying that applicant has been practicing structural engineering as a registered professional engineer for at least five years before submitting an application under this section.

(b) Evidence of work experience and letters of references required under (a)(6)(A) and (B) of this section must be provided by

(1) a registered professional structural engineer in a state, territory, or possession of the United States, the District of Columbia, or a foreign country; or

(2) a registered professional engineer practicing structural design to the standard of a professional structural engineer.

(c) If the letter provided by an engineer to meet the requirements of (a)(6)(A) or (B) of this section does not possess a seal, the engineer must provide an explanation to the board, providing the engineer's registration number and certifying that the registration of that engineer is current.

(d) An applicant for registration as a structural engineer by comity may submit a council record issued by NCEES to verify the applicant's qualifications, including

(1) the applicant's examination results;

(2) records of the applicant's education; and

(3) verification of the applicant's registration in another licensing jurisdiction.

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(Eff. 10 / 22 / 2023, Register 248)

Authority: AS 08.48.101 AS 08.48.201

12 AAC 36.105(h) is repealed and readopted to read:

(h) An applicant who has passed the NCEES Structural Engineering I Examination, NCEES Structural Engineering II Examination, or the NCEES PE Structural Examination may be granted a civil engineering registration. (Eff. 9/30/78, Register 67; am 8/13/87, Register 103; am 6/3/89, Register 110; am 10/20/90, Register 116; am 3/16/96, Register 137; am 7/26/97, Register 143; am 8/26/98, Register 147; am 11/13/99, Register 152; am 3/9/2001, Register 157; am 6/11/2005, Register 174; am 7/25/2008, Register 187; am 7/19/2009, Register 191; am 5/25/2017, Register 222; am 3/28/2019, Register 229; am 5/5/2023, Register 246; am

10 / 22 / 2023, Register 248)

Authority: AS 08.48.101 AS 08.48.181 AS 08.48.191
AS 08.48.171

12 AAC 36.107(a)(3) is amended to read.

(3) has passed the [STATE LAND SURVEYOR] examination identified in 12 AAC 36.100(d) [12 AAC 36.100(d)(3)].
(Eff. 6/3/89, Register 110; am 10/20/90, Register 116; am 3/16/96, Register 137; am 5/5/2023,

Register 246; am 10 / 22 / 2023, Register 248)

Authority: AS 08.48.101 AS 08.48.181 AS 08.48.191
AS 08.48.171

12 AAC 36.990(a)(17)(O) is repealed:

(O) repealed 10 / 22 / 2023 ;

12 AAC 36.990(a)(42) is amended to read:

(42) "structural engineering" means the **practice of** [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;

12 AAC 36.990(a)(46) is repealed:

(46) repealed 10 / 22 / 2023 ;

12 AAC 36.990(a) is amended by adding a new paragraph to read:

(47) "mentoring program" means a program in which a corresponding licensee reviews a mentee's work on a regular basis to ensure that the work meets the standard of care of that discipline and confirms that the mentee is developing experience and responsible charge experience.

(Eff. 5/23/74, Register 50; am 9/30/78, Register 67; am 6/29/84, Register 90; am 8/29/87, Register 103; am 10/20/90, Register 116; am 3/16/96, Register 137; am 7/26/97, Register 143;

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am 8/26/98, Register 147; am 11/13/99, Register 152; am 3/9/2001, Register 157; am 1/26/2012, Register 201; am 3/11/2012, Register 201; am 10/4/2015, Register 216; am 9/9/2016, Register 219; am 5/25/2017, Register 222; am 5/5/2023, Register 246; am 10 / 22 / 2023, Register 248)

Authority: AS 08.48.101 AS 08.48.181 AS 08.48.331
AS 08.48.171 AS 08.48.191

<i>Motion: Regulation project on 12AAC36.145</i>	In a Motion made by Elizabeth Johnston, seconded by Jeff Garness, and approved unanimously via roll call vote, it was: <i>RESOLVED to start a regulation project to review and make appropriate recommendations for changes to 12AAC36.145.</i>
E Document retention – Johnston / Garness Cole is reviewing Alaska’s Statute of Repose in AS 09.10.055, which limits how long the design professional is held responsible to 10 years after the construction is completed, to see if AELS needs to make reference to this statute in its regulations or if putting this in the Guidance Manual would suffice.	
15. New Business	
A. Impacts from SB126 – Adding LP’s and changing EA title, number of references on applications – Fritz / Neal Motion Required The board reviewed the regulation changes needed as a result of SB126 passing on June 27, 2023. The Board also discussed whether reference should be required on the applications with SB126 eliminating the requirement in statute for the five references. The board was unanimous in its desire to have applicants provide references. Fritz asked the board to consider whether the references should be required in regulation or adopted by policy. It was decided that Bell and Wallis look into the topic and report back to the board in November how many references should be required and the expectation of how the Board would use the references.	
<i>Motion: Approve regulation changes due to SB126, LA exam, and repeal duplicate certificates.</i>	In a Motion made by Elizabeth Johnston, seconded by Ed Leonetti, and approved unanimously via roll call vote, it was: <i>RESOLVED to approve the regulation changes to Chapter 36 to comply with the changes made in AS 08.48 due to SB126, to allow for Landscape Architect applicants to sit for the exam right after completing a LAAB accredited degree, and to repeal the printing of duplicate license certificates as presented in the August 28th board meeting that will also incorporate the digital signature regulation change previously approved for public notice pending approval by the Department of Law</i>
<i>Motion: Approve references on applications Tabled until Nov 2023.</i>	A motion was made by Catherine Fritz, seconded by Jeff Garness, to develop a policy to require on applications two references which are registered in the discipline for which the applicant is applying. Elizabeth Johnston, seconded by Loren Leman, amended the motion to require five references, three of which are registered in the discipline for which the applicant is applying. Ed Leonetti, seconded by Jeff Garness, asked to table the motion until the November 2023 Board meeting at which time guidance will be provided by the ad hoc committee as to how many references should be required and the expectations for how to use the references. Tabling the motion was unanimously approved.
B. Staff approval policy - MLE and MLSE designation on NCEES records – Johnston	
<i>Motion to approve adding the MLE, MLSE, and MLS designation to the staff approval policy.</i>	In a motion made by Elizabeth Johnston, seconded by Fred Wallis, and approved via roll call vote it was <i>RESOLVED to add the requirement to the staff approval policy for engineers to have the NCEES Model Law Engineer (MLE) designation, structural engineers to have the NCEES Model Law Structural Engineer (MLSE) designation and for surveyors to have the NCEES Model Law Surveyor (MLS) designation.</i> <i>Yes: Bell, Johnston, Leman, Maxwell, Wallis / No: Garness, Leonetti, Strait, Fritz</i>
<i>Motion to approve staff review each month.</i>	In a motion made by Sterling Strait, seconded by Elizabeth Johnston, and approved unanimously, it was <i>RESOLVED to have staff conduct staff review of qualifying comity applicants under the staff approval policy each month.</i>
<i>Motion to approve staff conditionally approving</i>	In a motion made by Sterling Strait, seconded by Jeff Garness, and approved unanimously, it was <i>RESOLVED to allow staff to conditionally approve qualifying comity applicants under the staff approval policy who are only missing the cold regions design course and/or the Jurisprudence Questionnaire.</i>

- C. Length of board meetings – Fritz
The board discussed the following options: 1. 2 day meetings – committee meetings one day, board meeting the next or 2.1- and 2-day meetings throughout the year depending on amount of board business. Fritz reminded the board that the length of the meetings is a direct result of the tasks the board wants to work on. Leonetti suggested that the agenda items in the board packet have more explanation so board members can be better prepared for each meeting.
- D. Website Content- Neal
Neal, Johnson, and Strait will work together along with the publication team to update the content and look of the AELS website throughout this next year.
- E. DOT&PF Significant structure – request to remove 12AAC36.990 (44)(f)
For both this agenda item and 15(G), Strait recommends that the Board consider their request by forming a work group to discuss the issues. Fritz asked that Strait and Leman along with two industry experts for a working group to review 12AAC36.990(44)(f) and report to the board within one year’s time with their recommendations.
- F. Paul Davis – What documents are exempt from stamping?
This letter was referred to the Guidance Manual Committee to respond to Mr. Davis.
- G. DOT&PF – SE Exam / request to remove 12AAC36.990 (44)(f)
This matter was addressed in agenda item 15(F)
- H. Sava White – 36.145 – “Regularly employed”
This matter was addressed in agenda item 14(D)

16. Break

17. Committee Reports

- A. Investigative Advisory Committee – Leonetti
 - 1. Investigative Report – Kase
 - 2. Discipline Matrix – Motion required –
 - 3. Review of top 3 license actions to develop newsletter articles for
 - 4. Possible committee to investigate what AELS’s role is enforcing its statutes and regulations with local government and other state agencies - the Board is going to wait until the November meeting and discuss under Old Business before forming a work group or committee.

<i>Motion: Approve Discipline Matrix</i>	In a motion brought to the Board by the Investigative Advisory Committee and approved unanimously, it was RESOLVED to approve the updated disciplinary matrix.
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- B. Outreach Committee – Maxwell
 - 1. Flowchart of application process
 - 2. 2024 Newsletter Articles
Pearson Vue Testing Centers, CE Structured Self-study Report, State Fire Marshal – Lloyd Nakano, Top Three Violations from Investigations, COA Write-up, Responsible Charge
Articles needed in draft form for November Board meeting
 - 3. November outreach event
APDC Board and AIA Board– presentation on the CE regulation changes – Education Committee
- C. Guidance Manual Committee
 - 1. Record drawings paragraph – this was approved in agenda item 14(B)
 - 2. Define HSW for Board Policies and Historical Information – will be done in November
 - 3. Completed CE Structured Self-study report for example and compile a list of possible professional and technical societies. – will be done in November
 - 4. Define responsible charge experience and identify areas where it is appropriate to use – will be done in November
 - 5. Digital signature – will be done in November
- D. Legislative Liaison Committee – Leman
 - 1. SB 126 – Leman, Garness, and Bell attended the bill signing. Neal will contact the Governor’s office to see about getting the picture of the signing.
 - 2. EA Salary Issue – this was discussed under the Division Report – agenda item 7
 - 3. SB 73 update – Fritz – The ID working group will possibly start meeting again in mid-October.
- E. Education Committee - Johnston
 - 1. On demand Cold Regions Design course
 - 2. Assist with CE regulations presentation

18. Review Action Item List

Motion: Approve “degree earned outside the United States.”

In a Motion made by Sterling Strait, seconded by Bob Bell, and approved unanimously via roll call vote, it was:
RESOLVED to approve the regulation changes in 36.063(b) and 36.065(e) changing “applicant with a foreign degree” to “applicant with a degree obtained outside the United States” for public notice pending approval by the Department of Law

19. Read Applicants into the Record

Motion: Approve comity applicants

In a motion made by Ed Leonetti, seconded by Sterling Strait, and approved unanimously, it was
RESOLVED to approve the following list of applicants for registration by comity 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	August Decision
205179	Dale	Johnson	Architect	Approved
212028	Bryan	Donahue	Civil	Approved
208892	William	Martin	Civil	Approved
207207	Steven	Robert	Civil	Approved
213148	Kyle	Turner	Civil	Approved
211090	Ryan	Peterson	Chemical	Approved
211857	Jeff	Bays	Electrical	Approved
212023	Henry	Eads	Electrical	Approved
213482	William	Gaddy	Electrical	Approved
212931	Spence	Carter	Fire Protection	Approved
210253	Dalton	Bergan	Mechanical	Approved
213454	Kai	Lockhart	Mechanical	Approved
212791	Darren	Twanmoh	Naval Architect and Marine Engineer	Approved
213108	Paul	Alves	Structural	Approved
213204	David	Gonzalez-Fernandez	Structural	Approved
188175	Salvatore	Granata	Structural	Approved
178719	Anthony	Messmer	Structural	Approved
210194	Clinton	Nash	Structural	Approved
213352	Christopher	Phair	Structural	Approved
211607	L. Brent	Wright	Structural	Approved

Motion: Conditionally Approved Applicants

In a motion made by Ed Leonetti, seconded by Jeff Garness, and approved unanimously, it was
RESOLVED to CONDITIONALLY APPROVE the following list of applicants for registration by comity and examination with the stipulation that the information in the applicants’ files will take precedence over the information in the minutes.

License #	First Name	Last Name	Type of License	August Decision
213423	Patrick	Burke	Architect	Conditional
213566	Shannon	Crossley	Architect	Conditional
146486	Nathan	Hale	Architect	Conditional
213371	Angeline	McFadden	Architect	Conditional
213474	Carlos	Perez-Rubio	Architect	Conditional
210491	Regina	Thompson	Architect	Conditional
212137	Ashley	Andrews	Civil	Conditional

License #	First Name	Last Name	Type of License	August Decision
205022	Dana	Brunswick	Civil	Conditional
201049	Elie	Cohen	Civil	Conditional
213365	Danielle	Dance	Civil	Conditional
212650	Edward	DeBroeck	Civil	Conditional
213143	Connor	Duff	Civil	Conditional
213369	Mar Angelo	Fernandez	Civil	Conditional
211780	Marshall	Frank	Civil	Conditional
210190	Kevin	Garcia	Civil	Conditional
213112	Ryane	Gray	Civil	Conditional
212539	Sean	Kelly	Civil	Conditional
213146	Cameron	Klatt	Civil	Conditional
196061	Cal	Laughlin	Civil	Conditional
120132	Kannon	Lee	Civil	Conditional
208814	Brian	Makovec	Civil	Conditional
211777	Richelle	Martens	Civil	Conditional
212475	Micki	Minsch	Civil	Conditional
212937	Aaron	Murph	Civil	Conditional
212934	Andrew	Smith	Civil	Conditional
209562	Tatjana	Spaic	Civil	Conditional
110604	Mark	Stratton	Civil	Conditional
213565	Kevin	Ulrich	Civil	Conditional
111299	Nial	Khodra	Control Systems	Conditional
211321	Thomas	Nowlan	Chemical	Conditional
207491	Jason	Adams	Electrical	Conditional
213036	Joshua	Clifton	Electrical	Conditional
210193	Mackinley "Max"	Donaldson	Electrical	Conditional
105813	Jake	Plancich	Electrical	Conditional
212247	Justin	Cannon	Petroleum	Conditional
212386	Eliabeth	Hunt	Petroleum	Conditional
213372	Sydney	Long	Petroleum	Conditional
211571	Aaron	Blaisdell	Land Surveyor	Conditional
211783	Kevin	Conway	Land Surveyor	Conditional
211269	Andrew	Hamilton	Land Surveyor	Conditional
208829	Robert	Winnicki	Land Surveyor	Conditional
212758	Steven	Cavanah	Mechanical	Conditional
212014	Austin	Dabbs	Mechanical	Conditional
212016	Cody	Klingman	Mechanical	Conditional
212966	Bradley	Lentz	Mechanical	Conditional
211856	Thomas	O'Reilly Jr.	Mechanical	Conditional
105111	Scott	Patterson	Mechanical	Conditional
108497	Kristina	Storlie	Mechanical	Conditional
212423	Michael	Reberg	Structural	Conditional
212822	Nickolas	Rodes	Structural	Conditional
212252	Timothy	Tennis	Structural	Conditional

License #	First Name	Last Name	Type of License	August Decision
107760	Magdalena	Ulmgren-McAleenan	Structural	Conditional
213481	Kevin	Walsh	Structural	Conditional

Motion: Approve Incomplete Applicant
 In a motion made by Ed Leonetti, seconded by Bob Bell, and approved unanimously, it was **RESOLVED** to find the following list of applicants for registration by comity and examination **INCOMPLETE** with the stipulation that the information in the applicants' files will take precedence over the information in the minutes.

License #	First Name	Last Name	Type of License	August Decision
212604	Wayne	Pence	Civil	Incomplete

Motion: Approve monthly staff approvals.
 In a motion made by Ed Leonetti, seconded by Bob Bell, and approved unanimously, it was **RESOLVED** to **APPROVE** the following list of applicants for registration by comity that were reviewed by staff with board concurrence since the last board meeting.

License #	First Name	Last Name	Type of License	Decision
212437	Charlene	Dekker	Architect	Approved - July
212020	James	Donaghy	Architect	Approved - July
211566	Ryan	Mullenix	Architect	Approved - July
212259	Jennifer	Ramirez	Architect	Approved - July
210511	Jaclynn	Treat Eckhardt	Architect	Approved - June
209913	Robert	Anderson	Civil	Approved - June
212380	Martha	Johnson	Civil	Approved - July
210720	Michael	Martin	Civil	Approved - July
208022	Adam	Miles	Civil	Approved - July
209346	Stephen	Stacey	Civil	Approved - June
211294	Timothy	Vhay	Civil	Approved - July
211276	Hayward	Warren	Civil	Approved - July
208355	Shirish	Damle	Electrical	Approved - July
209436	Brian	Cawley	Mechanical	Approved - June
210198	Carter	Johnson	Mechanical	Approved - July
211680	Alexandra	Yankey	Mechanical	Approved - July
208817	Manan	Bhalja	Structural	Approved - June
191269	Thomas	Burke	Structural	Approved - July
210834	Thomas	Hudgings	Structural	Approved - June

20. Upcoming Board Meetings

- A. November 14-15th AELS Board meeting
- B. Set dates for February Board meeting – the 2024 February board meeting has been set for February 8-9th
- C. Set committee meeting dates
 - Outreach – Sept 12 – 12-1pm
 - Legislative Liaison – Sept 29 – 12-1pm
 - Guidance Manual – October 10 – 12-1pm
- D. Set April 2024 AKLS date - date has been set for April 19, 2024 for the AKLS

21. Board Member Comments

Board members expressed their appreciation for the time spent and hard work done to address the board business as well as their desire to hold meetings in different parts of the state.

22. Adjourn

Next Meeting:	November 14-15 th
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Respectfully submitted:

Sara J. Neal

Sara Neal, Executive Administrator

Approved:

Catherine Fritz

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

Date: 11/15/2023