



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

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

7  
8        **3. Virtual Meeting Code of Conduct**

9  
10       **4. Review/Amend/Approve Agenda**

11  
12       **On a Motion duly made by Bob Bell, seconded by Ed Leonetti and approved**  
13       **unanimously, it was RESOLVED to approve the agenda.**

14  
15       **5. Review/Approve Minutes from November 15-16<sup>th</sup>, 2021 Board Meeting Edits**

16  
17       **On a Motion duly made by Loren Leman, seconded by Ed Leonetti and approved**  
18       **unanimously, it was RESOLVED to approve the November 15-16<sup>th</sup>, 2021 meeting minutes,**  
19       **with edits as suggested.**

20  
21       **6. Ethics Reporting**

22       Garness shared that he has been involved in a rewrite of a wastewater disposal regulation 18  
23       AAC 72. He has made it clear that he is not speaking on behalf of the board. Leman also  
24       provided testimony on the proposed regulation change for 18 AAC 72 and did say that he  
25       was on the AELS board and the board would need to address some of the issues in the  
26       proposed regulation change. Maxwell said that he testified on behalf of ASPLS in support of  
27       HB148 2022 Coordinate System Update. Fritz spoke at an AIA conference on the topic of  
28       HB 61. Concern was expressed to Director Chambers that Fritz did not make it clear that she  
29       was not representing the views of the board. Fritz tried hard to be neutral during her  
30       presentation which was on the concerns regarding health, safety and welfare with regard to  
31       HB61. Since then, Fritz had a teleconference with AIA and was very careful to state that she  
32       was not speaking on behalf of the board. Leman said that Barbara Cash, proponent of HB61,  
33       had called him and he told her that the AELS board did not oppose, nor did it support HB61,  
34       but if it did pass the board would have to figure out how to administer it. Bell also informed  
35       the board that Cash had called him as well and had a similar conversation as Leman had with  
36       her.

37       **7. Licensing Examiner Report**

38       Noe shared the number of applications that will be reviewed during the meeting and  
39       compared it to what was reviewed during the February 2021 board meeting. Fritz asked for  
40       that to be clarified on the report. Fritz suggested instead of comparing previous board  
41       meetings to instead compare YTD information for each year. Leonetti said it would be more  
42       helpful to have how many were approved and conditionally approved during a meeting and  
43       then compare it to how many were licensed by the next meeting. Maxwell would appreciate  
44       seeing how many are waiting to sit for the AKLS. He also said that he would like to see how  
45       many land surveyors retired during this last renewal period versus how many new land  
46       surveyors were licensed. Noe and Neal will try to add requested information to the report

1 **9. Division Update (moved before 8. Correspondence)**

2 Melissa Dumas walked the board through both the board resources webpage and division  
3 reports which shows licensing statistics. In response to the board’s request to have an update  
4 on HB277, Dumas shared that the division does not have an official position on it, but does  
5 not think the bill will move forward. The bill proposes a \$250 late fee if a licensee does not  
6 submit their renewal application 60 days before the expiration date. Garness pointed out that  
7 this would decrease their time to complete their CEUs. The board will let the division  
8 monitor this bill. Dumas went on to cover the 2<sup>nd</sup> quarter FY22 report. The revenue minus  
9 the expenditures plus the carry forward from last year equals a surplus of \$997,000.

10  
11 *10:00 am Elizabeth Johnston joined the meeting via zoom.*

12  
13 Bell asked Dumas about indirect costs to which Dumas explained how they were allocated to  
14 different costs. The division uses the following three methodologies to allocate costs: the  
15 first being based on license count – AELS makes up 7.53%, the second is based on the  
16 number of transactions made in the financial system and the third is based on personal  
17 services. Bell asked if there was a way to allocate the indirect cost of time division  
18 administrative staff spent on each program. Leman inquired about the late bill for legal  
19 services. Dumas explained that legal billed the division in January 2022 for services  
20 provided from July 2021-December of 2021 in which AELS was billed roughly \$700.  
21 Leman questioned whether or not these services were worth it and wondered if there were  
22 other corrective actions that could be taken that would be more effective.

23  
24 **8. Correspondence**

25 **a. Incoming**

- 26 **i. Request for exemption to retake PE** - Sophia Lee is requesting an extension  
27 of her five years to sit for the PE exam which expires in February 2022. She  
28 has sat for the exam three times and registered to sit for it a fourth time,  
29 however, no Pearson Vue testing center was available until after her application  
30 expiration date.

31  
32 **On a Motion duly made by Loren Leman, seconded by Ed Leonetti and approved**  
33 **unanimously, it was RESOLVED to approve the PE exam extension requested by Sophia**  
34 **Lee to as soon as can be scheduled.**

35  
36 **10. Break**

37  
38 **11. Executive Session**

39 **On a Motion duly made by Ed Leonetti, seconded by Catherine Fritz and approved**  
40 **unanimously it was RESOLVED for the Alaska Board of Registration for Architects,**  
41 **Engineers and Land Surveyors to enter executive session in accordance with AS 44.62.310**  
42 **C. 2 and 3, and the Alaska constitutional right to privacy provisions for the purpose of**  
43 **reviewing an Investigative Memo concerning retiring licenses under audit and Case No.**  
44 **2021-000210.**

45 Present in room or via Zoom: AELS Board, Marilyn Zimmerman, Brian Suprise, Sara Neal &  
46 Heather Noe.

1 Board adjourned from Executive Session and returned to public meeting.

2  
3 **8. Correspondence** *(Continued)*

4 **a. Incoming** *(Continued)*

5 **ii. Use of title of engineer**

6 Ron Pearson wrote a letter to board asking them to protect the title of engineer.  
7 Fritz commented that it seemed to her that he was asking the title to be protected  
8 in broader way than the AELS statutes and regulations allow for. What is  
9 relevant to the board is that the word engineer be associated with the practice of  
10 engineering as adopted in statute. If AELS does not license a certain discipline  
11 of engineering, then that title is not protected by AELS. Johnston cautioned the  
12 board of regulating the term engineer unless a person called themselves a  
13 “professional engineer.” Leman stated that, while he did think the term  
14 engineer should not be used casually, he did not think that the board should take  
15 a hard stance on this issue. He suggested to encourage companies to put EIT  
16 (Engineer in Training) after a person’s name. Johnston said that she would  
17 consult a letter previously written by John Kerr on this subject matter and write  
18 a similar letter to Mr. Pearson.

19 **iii. Using Engineer in a Business Name**

20 Jordan Hall of Civil Engineer Educators, LLC was sent a letter from business  
21 licensing saying that he could not use this business name without having a  
22 Certificate of Authorization. His business is an online education website in  
23 which civil engineers can take courses to fulfill their continuing education  
24 requirements. Fritz commented that she felt it was fine for the business to have  
25 this name because “engineer” was an adjective. This business is not practicing  
26 engineering based on the definition AELS uses. They would not fall under the  
27 exemptions in AS 08.48.331 (9) which exempts postsecondary educational  
28 institutions from needing a registration since this business would not be  
29 considered an education institution. Noe pointed out that they used an NAICS  
30 code that was for education. Because they did not use the NAICS code for  
31 engineering, the board concurred that their business name could remain as is.  
32 Johnston volunteered to respond to Mr. Hall.

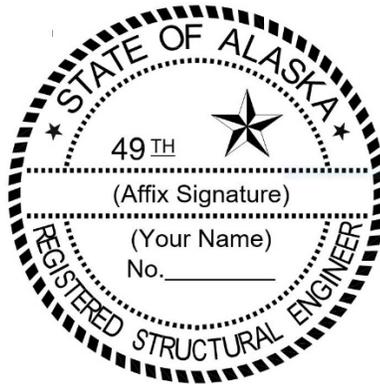
33 **12. Old Business**

34 **c. Regulation project to review 12AAC 36.180 - Seals**

35 Garness wanted to put all the seals that did not have a discipline prefix on them in  
36 one group. He pointed out that he did not put “Registered Professional Structural  
37 Engineer” on the structural engineer stamp. Several board members said that it  
38 needed to state that. Garness asked if someone who has 3D CAD capabilities  
39 could make a cleaner copy of the seals. Johnston offered to redo the CAD files  
40 and have them uploaded on to the AELS website. Fritz pointed out that the reason  
41 it only has “Structural Engineer” is because “Professional Structural Engineer”  
42 has not been defined in statute. Fritz said that until the statute is changed it has to  
43 stay “Registered Structural Engineer.”  
44

45 **On a Motion duly made by Jeff Garness, seconded by Loren Leman and approved**  
46 **unanimously it was RESOLVED to approve the changes as edited in 12AAC 36.180 – Seals**

**12 AAC 36.180. SEAL.** (a) The seal authorized for use by professional architects, landscape architects, land surveyors, and structural engineers shall be of the following designs [DESIGN] or a substantially similar electronic or digital representation of the designs [DESIGN]. The license number noted on the seal shall be only the numerical characters of the registrant's license number (exclude alpha characters).



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



### EXAMPLE PROFESSIONAL ENGINEER SEAL

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

### BRANCH OF ENGINEERING IDENTIFIER

AG — Agricultural  
engineer

EC — Chemical engineer

CE — Civil engineer

CS — Control systems  
engineer

EE — Electrical engineer

EV — Environmental engineer

FP — Fire protection engineer

IN — Industrial engineer

ME — Mechanical engineer

MM — Metallurgical and Materials  
engineer

EM — Mining and Mineral  
Processing engineer

NM — Naval architecture and  
Marine engineer

NU — Nuclear engineer

EP — Petroleum engineer

1  
2 *Glenn Hoskinson joined the meeting to introduce herself as the new Deputy Director.*

3 **13. Public Comment** – No one attended or called in for public comment

4 **14. Lunch**

5 **12. Old Business** – *(Continued)*

6 **b. Review draft regulation for military licensure**

7 The division did a pre-review with the Department of Law to create a template to use  
8 for this regulation change mandated by SB 21. Maquis made changes to this based on  
9 what AELS required. Maquis noted that he had not included that this is not available  
10 to land surveyors. Fritz summarized the benefit of this regulation by saying that this  
11 would allow military or a military spouse applicant to not have to wait for a board  
12 meeting to have their comity application reviewed and approved for temporary  
13 registration. The applicant would still have to submit a completed application and  
14 complete the arctic course. Leman said he would not be opposed to offering a  
15 temporary license without the arctic engineering course and limiting their practice to  
16 items that do not require cold regions engineering. Strait commented that the board is  
17 not doing much benefit to the applicant by requiring the arctic course seeing that the  
18 course can take months to find a course, register and complete the course and then  
19 only requiring the Jurisprudence Questionnaire for the extension. Strait thought those  
20 two requirements should be switched. Johnston pointed out that there is always a  
21 course available within six months. Leman said when he took the arctic course, while  
22 he did learn things, it more so showed him what he did not know. He suggested that  
23 the temporary license applicant be cautioned to not practice in areas that they are not  
24 qualified. Johnston pointed out that if the temporary license holder was a sole  
25 practitioner there would be no one to review their work. She said that if the board  
26 decided to not keep this requirement than the regulation would need to stipulate that  
27 the temporary license holder could not be a sole practitioner. Fritz questioned sub  
28 item four of section b that states submit verification of a current unencumbered  
29 registration to practice architecture, engineering, or landscape architecture in another  
30 state that was based upon education, experience and examination requirements that,  
31 in the opinion of the Board were at least equivalent to the requirements of AS 08.48  
32 at the time of the out of state registration. Fritz stated that this was too hard to  
33 determine and that is why the architect regulations points to submitting an NCARB  
34 record. Fritz suggested broadening it to say “submit verification of a current  
35 unencumbered registration to practice under the terms of 36.103, 36.105, 36.108, and  
36 36.109.” Johnston confirmed with Maquis that the next step would be to complete  
37 the FAQ and to public notice it.  
38

39 **On a Motion duly made by Loren Leman, seconded by Ed Leonetti and approved**  
40 **unanimously through roll call vote it was RESOLVED to approve the new regulation**  
41 **12AAC 36.112 – Temporary Military Courtesy Certificate of Registration as amended.**

42  
43 Roll Call: Yeas – Anderson, Bell, Fritz, Garness, Johnston, Leman, Leonetti, Maxwell, Rozier  
44 Absent for Vote: Wallis

45 Fritz proposed change to the agenda. It was discovered that one of the Senate committees is  
46 taking testimony at 3:30 this afternoon on HB148 which is the bill Maxwell has been monitoring

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

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

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

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

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

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

12 AAC 02.105;

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

(4) submit verification of a current, unencumbered registration to practice architecture, engineering, or landscape architecture in a state, territory, or possession of the United States, the District of Columbia, or a foreign country that **has met the requirements of 12AAC 36.103, 12 AAC 36.105 and 12 AAC 36.109.**~~was based upon education, experience, and examination requirements that, in the opinion of the board, were at least equivalent to the requirements of AS 08.48 and this chapter at the time the applicant's out-of-state registration was~~

~~issued or at least equivalent to current requirements;~~

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

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

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

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

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

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

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

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

1 and participating in. She proposed the possibility of him participating either in person or by  
2 telephone.

3  
4 **On a Motion duly made by Catherine Fritz, seconded by Loren Leman and approved**  
5 **unanimously it was RESOLVED to amend the agenda by adding a discussion about the**  
6 **board’s position on HB148 to allow for Jake Maxwell to speak on the board’s behalf during**  
7 **the Senate committee meeting on February 15<sup>th</sup>, 2022.**

8  
9 Maxwell shared that HB148 amends statute that has North American datum from 1983. The  
10 National Geodetic Survey (NGS) flew the project and created an updated gravity model with  
11 refined horizontal and vertical locations. To put this new model into effect requires a statute  
12 change. This refined coordinate system creates one zone for all of Alaska and will be used by  
13 several different disciplines, but much of it starts with the survey. It is especially important right  
14 now with the possibility of the infrastructure money coming within the state. NGS has already  
15 supplied this at no cost. It will offer both consistent horizontal and vertical control. It will be  
16 fully implemented by 2024. Fritz added that accurate data in the survey world is the basis for  
17 many other disciplines and becomes the basis for many health, safety, welfare decisions,  
18 therefore the AELS board would like to see the most updated information available in statute.  
19 Leman asked if there will be conversion information available on how to convert data from older  
20 systems to the new system to which Maxwell replied that there would be.

21  
22 **On a Motion duly made by Bob Bell, seconded by Catherine Fritz and approved**  
23 **unanimously it was RESOLVED to appoint Jake Maxwell to speak on behalf of the AELS**  
24 **board in support of HB148 in its current form.**

25  
26 **12. Old Business (Continued)**

27 **d. Staff approval of applications 12AAC 36.010/.103/.105/.109**

28 Changing regulation to allow for staff to approve comity applications had been  
29 discussed, but no motion had been done to begin a regulation project.

30  
31 **On a Motion duly made by Ed Leonetti, seconded by Loren Leman and approved**  
32 **unanimously it was RESOLVED to approve a regulation project for 12AAC36.010, 36.103,**  
33 **36.105, and 36.109 to give AELS staff the authority to approve comity applicants.**

34  
35 Neal pointed out that the proposed 12AAC 36.010 9(j) makes it so that the only  
36 applications that staff can approve are those that are submitted with an NCARB  
37 certificate, NCEES record, or a CLARB council record.

38  
39 **a. Status of 2019 regulation project**

40 Jun Maquis joined to give a status on the regulation project. He said that the staff  
41 approval for comity applications regulation changes could be joined with this as it has  
42 not been public noticed yet. Fritz volunteered to do the FAQ for it so that it could  
43 be added.

44  
45 **d. Staff approval of applications 12AAC 36.101/.103/.105/.109**

1  
2 **On a Motion duly made by Catherine Fritz, seconded by Jeff Garness and approved**  
3 **through a roll call vote it was RESOLVED to approve the changes in 12AAC36.010,**  
4 **36.103, 36.105, and 36.109 to give AELS staff the authority to approve comity applicants.**  
5

6 Roll Call: Yeas – Anderson, Fritz, Garness, Johnston, Leman, Leonetti, Maxwell, Rozier

7 Nays – Bell

8 Absent for vote: Wallis  
9

10 When the motion was discussed, Bell asked if it should say “preliminary approval”  
11 instead of “approval.” Johnston said that this regulation change was meant to defer  
12 approval to staff. Fritz also added that it was only for those applicants who met the  
13 national standards in their professions. Staff could not approve the application if it  
14 had a “Yes” answer or if no national record (NCEES, NCARB or CLARB) was  
15 submitted. Bell suggested it to say contingent on the board so that the board has a  
16 final say as he was questioning whether statute would allow for staff to approval.  
17 Johnston explained that legal was consulted and they advised that what would be  
18 required is these regulation changes for staff to approve applications. The names of  
19 the applicants that staff approved would not be read into the record as they are now,  
20 but, instead, be an informational item that is within the agenda/minutes. Bell clarified  
21 that the applicants would be approved by staff with no board input. Johnston said that  
22 the board input would be a board-created checklist. Garness commented that this  
23 would avoid the board spending time reviewing applications that met all requirements  
24 that have already been reviewed by staff. Fritz pointed out that the motion says “give  
25 AELS staff the authority to approve” which lets staff approve ones that are straight  
26 forward, but also lets staff decide whether or not they will approve it or send it on to  
27 the board. All approvals will be done under the terms of the limited scope of the  
28 regulations that only comity applicants can meet. The comity applicants have to have  
29 met the three national organizations’ criteria. Bell said he was uncomfortable with  
30 staff giving the final approval especially if the applicant’s degree was an alternate  
31 degree. Leman stated that the board would always have the ability to step in and  
32 override staff or look at a specific application if there were questions or concerns.  
33 Leman suggested that any applicants could be approved by staff could be uploaded to  
34 Onboard and the board would have a certain amount of time to review if they wanted  
35 before the applicant would be approved and licensed by staff. Maquis pointed out  
36 that this proposed regulation change creates efficiency by allowing task delegation of  
37 the board to staff. Maquis talked the board through the regulation change timeline.  
38 The best-case scenario would be that the regulation project would be in effect by the  
39 November 2022 meeting.  
40

41 **e. Legal Updates**

42 Legal response to “direct supervisory control”

43 This was in response to a question asked as to whether or not a registrant could have direct

**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. Complete new sections are not in boldface or underlined.)

12 AAC 36.010 is amended to read:

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

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

(c) Except as provided in 12 AAC 36.060(a), the board will approve an application for examination or for registration by comity if

(1) the application form is complete;

(2) the applicable fees have been paid; and

(3) all supporting documents have been **verified** [RECEIVED] by the board [VERIFYING] that the applicant meets the registration requirements in AS 08.48 and this chapter.

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

(1) application form is substantially complete and includes the applicant's

notarized signature;

(2) application fee has been paid;

(3) board has determined that the applicant's qualifications as listed on the application form show that the applicant meets the registration requirements in AS 08.48 and this chapter;

(4) board has received all supporting documents required for board review of the application, as defined in (i) of this section; and

(5) board has determined that any missing supporting documents and the correction of other deficiencies in the application do not require board discretion to review and approve.

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

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

[(1)] board, **the executive secretary of the board, or its designee** is not able to determine from the application form and supporting documents whether the applicant meets the registration requirements in AS 08.48 and this chapter [; OR

(2) APPLICATION FORM DOES NOT SHOW THAT THE APPLICANT

MEETS THE REGISTRATION REQUIREMENTS IN AS 08.48 AND THIS CHAPTER BUT THE BOARD DETERMINES THAT THE APPLICANT WILL LIKELY MEET THE QUALIFICATIONS WITHIN ONE YEAR].

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

(1) resubmit the application to the board for review if the applicant submits to the department additional application information; and

(2) maintain an incomplete application file for the application until it either is approved or denied by the board or is considered abandoned under 12 AAC 02.910.

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

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

(1) official transcripts of the applicant's education if the applicant has

(A) an ABET accredited B.S. degree in the major branch of engineering for which the applicant is applying for registration;

(B) a B.S. degree in an ABET accredited curriculum in land surveying if the applicant is applying for registration as a land surveyor; or

(C) a LAAB accredited professional degree in landscape architecture if the applicant is applying for registration as a landscape architect;

(2) verification of a license or examination in another licensing jurisdiction;

(3) verification of successful completion of coursework as required by 12 AAC

36.110.

**(j) Notwithstanding any other regulations, the executive secretary of the board or its designee may approve an application for licensure by comity only if credentials are submitted by NCEES, NCARB, or CLARB record.** (Eff. 5/23/74, Register 50; am 9/30/78, Register 67; am 6/3/89, Register 110; am 10/20/90, Register 116; am 5/12/96, Register 138; am 3/8/2001, Register 157; am 10/29/2009, Register 192; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.01.050 AS 08.48.171 AS 08.48.201  
AS 08.48.101 AS 08.48.191

12 AAC is amended by relocating 12 AAC 36.070 to 12 AAC 36.045, and is amended to read:

**12 AAC 36.045. Postponements.** The board will grant up to two postponements to an applicant who is scheduled to take the Alaska Land Surveying Examination (AKLS) [OR LANDSCAPE ARCHITECT REGISTRATION EXAMINATION (LARE)] if the applicant's request for postponement is filed with the board not later than 30 days immediately following the date of the examination. An applicant who does not appear for an examination and does not qualify for a postponement is not eligible for a refund of the examination fee and shall meet the reexamination application requirements in 12 AAC 36.040 to be scheduled for a later examination. (Eff. 5/23/74, Register 50; am 9/30/78, Register 67; am 3/16/96, Register 137; am 10/14/2006, Register 180; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.48.101

**Editor's note:** 12 AAC 36.045 formerly appeared as 12 AAC 36.070.

12 AAC 36.050(f) is repealed:

(f) **Repealed** \_\_\_\_ / \_\_\_\_ / \_\_\_\_\_ [AN APPLICATION FOR REGISTRATION UPON

12 AAC 36.100(d) is amended to read:

(d) 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

(1) the NCEES Principles and Practices of Surveying; [AND]

(2) [REPEALED 3/16/96;

(3)] a state examination covering laws, procedures, and practices concerning land surveying in Alaska; **and**

**(3) the NCEES Fundamentals of Surveying.**

(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 \_\_\_ / \_\_\_ / \_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.48.101 AS 08.48.181 AS 08.48.191

AS 08.48.171

The introductory language of 12 AAC 36.103(a) is amended to read:

(a) Under AS 08.48.191(a), the board, **the executive secretary of the board, or its designee** may issue a certificate of registration as an architect to an applicant who

• • •

12 AAC 36.103(a)(3) is amended to read:

(3) has completed the **northern design** [ARCTIC ENGINEERING]

requirements of 12 AAC 36.110; and

• • •

The introductory language of 12 AAC 36.103(d) is amended to read:

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

• • •

(Eff. 6/3/89, Register 110; am 1/1/90, Register 116; am 3/16/96, Register 137; am 7/26/97, Register 143; am 11/13/99, Register 152; am 6/13/2003, Register 166; am 7/12/2008, Register 187; am 7/25/2008, Register 187; am 3/11/2012, Register 201; am 3/28/2019, Register 229; am \_\_\_ / \_\_\_ / \_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.48.101 AS 08.48.171 AS 08.48.191

The introductory language of 12 AAC 36.105(a) is amended to read:

(a) Under AS 08.48.191(b), the board, **the executive secretary of the board, or its designee** may issue an engineering certificate of registration to an applicant who

• • •

12 AAC 36.105(a)(1) is amended to read:

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

12 AAC 36.105(a)(3) is amended to read:

(3) has completed the **northern design** [ARCTIC ENGINEERING] requirements of 12 AAC 36.110; and

• • •

12 AAC 36.105(b)(1) is amended to read:

(1) submit verification of current registration to practice engineering in a state, territory, or possession of the United States, the District of Columbia, or a foreign country that was based upon education, experience, and examination requirements that, in the opinion of the board, were at least equivalent to the requirements of AS 08.48 and this chapter at the time the applicant's out-of-state registration was issued or at least equivalent to current requirements **under (h) of this section**; the applicant must have passed an NCEES engineering examination in the same branch of engineering that is being applied for, as required by 12 AAC 36.100(c); and

The introductory language of 12 AAC 36.105(g) is amended to read:

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

12 AAC 36.105(h) is amended to read:

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

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

**(2) the NCEES Structural II and Washington or California Structural III**

**exams passed prior to 2011; or**

**(3) the NCEES Structural I and NCEES Structural II passed prior to 2006;**

**or**

**(4) the Western States 16-hour Structural exam passed prior to 2004;** and

**(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 **or** [,] NCEES Structural Engineer II Examination, [OR BOTH] 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 \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.48.101                      AS 08.48.181                      AS 08.48.191

AS 08.48.171

12 AAC 36.106 is repealed:

**12 AAC 36.106. Registration in additional branches of engineering.** Repealed. (Eff. 3/11/2012, Register 201; repealed \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

The introductory language of 12 AAC 36.107(a) is amended to read:

(a) Under AS 08.48.191(c), the board **may** [WILL, IN ITS DISCRETION,] issue a land

surveyor registration, [WITHOUT EXAMINATION,] to an applicant who

• • •

(Eff. 6/3/89, Register 110; am 10/20/90, Register 116; am 3/16/96, Register 137; am

\_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.48.101 AS 08.48.181 AS 08.48.191

AS 08.48.171

12 AAC 36.108 is repealed:

**12 AAC 36.108. Application for registration as a structural engineer.** Repealed. (Eff. 9/9/16, Register 219; repealed \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

12 AAC 36.109 is repealed and readopted to read:

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

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

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

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

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

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

1 supervision over an independent contractor. Legal suggested that to resolve the inherent  
2 difference between the language of direct knowledge and direct supervisory control by starting a  
3 regulations project to amend 12AAC 36.185 (a)(7)-(i) to make it conform to AS08.48.221(a).  
4 First a regulations project would need to be created and second a definition would need to be  
5 written for direct supervision that addresses independent contractors and keep it in accordance  
6 with what is in statute. Legal also offered to help AELS come up with language should AELS  
7 want to start a regulation project for this. Garness expressed concern in that the response from  
8 legal seemed to indicate that you do not have to have direct supervisory control it just has to be  
9 within the one sealing its field of practice. Fritz pointed out that legal implied a missing comma  
10 and words in “by signing the seal, certifies that the documents were prepared by or under the  
11 registrant's direct supervision, are within the registrant's field of practice, or constitute design  
12 work of minor importance.” in AS08.48.221(a). Legal is implying that “certifies that” is also  
13 before “are withing the registrant’s field of practice.” Legal’s interpretation is that these are  
14 three alternatives for the criteria to seal a document meaning you do not have to have direct  
15 supervisory control. Fritz said that by stamping it the registrant is providing the certification  
16 required. A registrant should not be stamping if they did not supervise the work. The stamp is  
17 the certification that the registrant has done their responsible duties. Legal’s opinion was that  
18 direct supervision is not required if the work is done by the registrant, is in their field of practice  
19 or is work of minor importance. So the question back to legal is if there should be an “or”  
20 between “under the registrant’s direct supervision” and “are within the registrant’s field of  
21 practice” or instead just have “or” apply to “constitute design work of minor importance.” Bell  
22 suggested changing the word “or” to an “and.” Several board members agreed that a registrant  
23 should never stamp any plans without reviewing the work. Johnston referred to the DOT case  
24 where standard drawings that had been done by engineers who had long since died and their  
25 plans were still being used. It was concluded that the current engineer review the drawings of  
26 the deceased engineer before stamping them with their seal since a registrant cannot take  
27 responsible control over work that they have not reviewed. Leman shared that he does not think  
28 that it matters what the financial relationship is between the registrant and another person who  
29 may actually be doing most of the work. This could be employer-employee, contractor-  
30 subcontractor, or other. What is important is that the registrant be sufficiently involved in the  
31 work to take responsibility and be able to seal the document. He further said that clarifying the  
32 relationship of the three listed conditions in the statute could be done when sufficient statute  
33 changes have accumulated to develop a "critical mass." Leman allowed that the regulation may  
34 also need to be updated, especially the definition of "responsible charge."  
35  
36

37 **On a Motion duly made by Ed Leonetti, seconded by Jake Maxwell and approved**  
38 **unanimously it was RESOLVED to create a regulation project to amend 12AAC36.185**  
39 **(a)(7) – i and 12AAC36.990 to conform to AS8.48.221 and to define direct supervision.**  
40

41 When discussing the motion, Leman stated that he did not agree with legal’s  
42 interpretation of the statute. He thinks that the first two “*prepared by or under*  
43 *the registrant's direct supervision, are within the registrant's field of practice*”  
44 are linked and then the or is just for “*work of minor importance.*” Garness and  
45 Leman volunteered to work on this regulation project.

- 1           **ii. Joint Venture** – Legal responded by stating that if one of the two or more  
2 entities have a certificate of authorization than the joint venture is not required  
3 to get a certificate of authorization. This will be clarified in the Guidance  
4 Manual by the Guidance Manual Committee.  
5           **iii. Limited Partnership** – Limited Partnerships do need to be added to  
6 AS08.48.241 as an entity that needs a certificate of authorization. This will  
7 need to be added to the proposed statutory changes. The Legislative Liaison  
8 Committee has been tasked with compiling all the proposed statutory changes  
9 into one document for the board to review during the May 2022 Board meeting.

10  
11       **f. Guidance Manual Committee**

- 12           **i. Calculation Sealing** - Page 23 - under “Sealing Professional Work” in  
13 paragraph 2 took out “calculation” from “Drawings and specifications must  
14 have a signed and dated seal...”  
15           **ii. “Work of Minor Importance”** – Page 24 – added paragraph under “Stamping  
16 and Signing of Plans” to clarify work of minor importance  
17           *“When document(s) are stamped by multiple registrants for design of minor*  
18 *importance, the document(s) shall identify the “work of minor importance on*  
19 *the document(s) near the registrant's seal and take responsibility for all work*  
20 *prepared under the registrant's seal” in compliance with 08.48.221(b).”*

21  
22           **On a Motion duly made by Jeff Garness, seconded by Ed Leonetti and approved**  
23 **unanimously it was RESOLVED to approve the changes in the Guidance Manual that**  
24 **removes the language requiring calculations being sealed on Page 23 and the explanation**  
25 **added for “work of minor importance” on Page 24 as written.**

26  
27           When Johnston asked if there was discussion on the motion, Leman confirmed  
28 that there is still an allowance that calculations could be sealed if registrant  
29 wants to or if the client wants them sealed. The board is not saying that they  
30 must.

- 31           **iii. Update By-Laws** – task still in process  
32           **iv. Definition of “design” in regulation** - task still in process  
33           **v. Definition of “responsible charge” in statute** - task still in process  
34           **vi. CE Regulation 12 AAC36.520(5) – calendar year** - task still in process  
35           **vii. Board service CEU definition** - task still in process

36  
37           **On a Motion duly made by Jennifer Anderson, seconded by Jake Maxwell and**  
38 **approved unanimously it was RESOLVED to amend the agenda by moving item 20 –**  
39 **Voting on Board Officers from February 16<sup>th</sup> to February 15<sup>th</sup> so Jennifer Anderson can**  
40 **participate.**

41  
42       **20. Elect 2022 Board Officers**

43           Johnston asked for nominations for the upcoming chair, vice-chair, and secretary positions.

1 Bell nominated Fritz for chair and Garness for vice-chair. Johnston nominated Leonetti for  
2 vice-chair. Garness nominated Leonetti for secretary.

3  
4 **On a Motion duly made by Loren Leman, seconded by Jeff Garness and approved**  
5 **unanimously it was RESOLVED to elect Catherine Fritz as chair.**

6  
7 **On a Motion duly made by Loren Leman, seconded by Jake Maxwell and approved via**  
8 **roll call vote it was RESOLVED to elect Jeff Garness as vice-chair and Ed Leonetti as**  
9 **secretary.**

10  
11 Officers assume their roles after the February meeting.

## 12 13 **15. New Business**

### 14 **a. Possible registrant communication platforms**

15 Garness pointed out that the Outreach Committee found that one of the biggest issues  
16 it has is the inability to disseminate information out to the registrants. Information  
17 such as board decisions made in board meetings or decisions made regarding a  
18 disciplinary action that would be good to get out to the registrants in some sort of  
19 electronic newsletter form. Johnston assigned it to the Outreach Committee to look  
20 into. Garness asked if there was any funding available to pay someone to do the  
21 newsletter for us. Fritz mentioned that there was a request put in for money for  
22 outreach in the 2021 Annual Report. Johnston assigned it to the Outreach Committee  
23 for the year with the intent of coming up with a template that could easily be  
24 populated with information.

### 25 **b. Guidance Manual exemption**

26 There is a discrepancy between exemption AS08.48.331(a)(7) and what is written in  
27 the Guidance Manual on page 5. Johnston suggested changing the Guidance Manual  
28 to just refer to AS08.38.331 rather than duplicate information. Correcting this  
29 information was assigned to the Guidance Manual Committee.

### 30 **c. 2022 Strategic Plan**

31 Fritz talked the board through the 2022 Strategic Plan Action Items that she and  
32 Leonetti worked on. For each objective, there are several strategies and for the  
33 strategies there are actions to go with them. Because each committee is active, those  
34 were added to the strategies. After each board meeting, Fritz has been adding to each  
35 task the corresponding Strategic Plan number. Anything typed in red is what has been  
36 added for this year. The Strategic Plan is a high level guide for the board. The action  
37 item list is tied to the Strategic Plan and the board should not be assigning tasks that  
38 are not part of the Strategic Plan. Johnston suggested meeting with the new chair and  
39 Neal to go over the status of each task from 2021. Fritz suggested that each  
40 committee take a look at the actions that are assigned to them for the year and decide  
41 which ones to work on or tasks the committee would possibly want to add.

1       **On a Motion duly made by Ed Leonetti, seconded by Jake Maxwell and approved**  
2 **unanimously it was RESOLVED to adopt the 2022 Strategic Plan as presented in the**  
3 **February 2022 AELS board meeting.**  
4

5           Leman suggested sharing the Strategic Plan with the registrants so they can see what  
6           the board is doing and possibly help with the actions the board has for the year  
7

8       With it being Anderson’s last board meeting, Johnston asked if she would like to have Emeritus  
9       Member status. Anderson indicated that she would so a motion was made.  
10

11       **On a Motion duly made by Catherine Fritz, seconded by Ed Leonetti and approved**  
12 **unanimously it was RESOLVED to make Jennifer Anderson an emeritus member of the**  
13 **AELS board.**  
14

15       **d. Discipline Issues (ADDED)**

16       An applicant had a license action in one state and then was disciplined in another  
17       state for having that license action; however, the applicant only indicated the state  
18       where he received the license action in the professional fitness question’s required  
19       letter of explanation. Leman was asked to help with the investigation and thought a  
20       non-disciplinary letter would be advisable along with, on a voluntary basis, the  
21       applicant speak to a professional society on the importance of integrity, honesty, and  
22       accuracy for a design professional or make a donation to a UAA or UAF scholarship  
23       fund. Leman thinks of this as restorative justice where it is more than a slap on the  
24       hand but less than a full legal disciplinary case. When he suggested this action to  
25       staff, he received pushback so he said that he would bring it before the board to see  
26       how it felt about this line of action. Johnston suggested having a non-disciplinary  
27       section to the discipline matrix the board creates. Maxwell shared that at the NCEES  
28       Western Zone conference in 2021, each state shared what they did for disciplinary  
29       actions. Depending on the offense, some states have the registrant take the state-  
30       specific exam, or retake the PS exam, or have an outreach project such as speaking to  
31       a university, writing a letter to be included in the board minutes, etc. Maxwell  
32       suggested reaching out to those states to see what they use for their discipline  
33       matrixes. Johnston suggested adding the discipline matrix with diversionary  
34       restorative justice techniques to an ad hoc committee along with barrier crimes and  
35       conditions and statutes of limitations. Members will be assigned to this committee  
36       during the committee assignment item #32 in tomorrow’s agenda.

37       **e. Alternative ABET degrees (ADDED)**

38       The board has in its Boards Policies and Historical Information a list of alternative  
39       ABET degrees. Bell had three applications he reviewed where the applicant had an  
40       ABET degree but it was not listed as an alternative degree. One applicant in  
41       particular had an ABET degree in energy systems which AELS does not even license  
42       and was applying to sit for the civil exam. This applicant’s experience had very little  
43       civil engineering. Another applicant has a geological engineering degree and is

1 applying to sit for the civil exam. Her experience is almost all in mining. Even  
2 though the Board Policies had geological engineering as an equivalent degree to civil,  
3 Bell asked if the board wanted to reconsider its equivalent degree table since his  
4 review of this applicant's degree found that it was not equivalent to a civil degree.  
5 Anderson had this come up in a previous meeting during application review and she  
6 referred to 12AAC36.063(a)(3) which says "*submit to the board satisfactory evidence*  
7 *that the applicant's education or work experience or both are equivalent to the*  
8 *requirements set out in the following applicable table of education and work*  
9 *experience requirements for a professional engineering examination: (TABLE B)*"  
10 Using that, Anderson had said that it is within the board's capabilities to evaluate  
11 applicant's education, even if the applicant does not have an equivalent degree.  
12 Because these are exam applicants, Bell is concerned that applicants want to sit for  
13 civil exam and become civil engineers with degrees that do not have enough civil  
14 courses in them. Johnston pointed out that in 12AAC36.063 TABLE B one option is  
15 to have an ABET degree in a discipline that is not being applied for in which case an  
16 applicant needs an extra year of experience. Bell stated that the applicants are having  
17 their responsible charge time signed off by a civil engineer, but in one case, the  
18 applicants experience is all mining. Bell questioned whether or not the board should  
19 allow for alternative pathways for education and asked if the board wanted to open up  
20 a pathway that allowed for applicants to possibly take on jobs they were not qualified  
21 to do. Johnston and Leonetti commented that it is up to the individual registrant work  
22 ethically and only take on jobs that they are qualified to do. Fritz pointed out that  
23 regulations are designed to meet minimum standards and that licensure is a three-  
24 legged stool. These applicants have to pass the exam. Bell replied that a person  
25 could take a course on the exam and pass the exam and he is not sure if that is in the  
26 best interest of the health, safety and welfare for the people of Alaska. He said it is  
27 not his intention that these three applicants not sit for the exam, but does think that  
28 the board should consider changing the criteria. Fritz agreed that these three  
29 applicants be reviewed under the current regulations, but if changes need to be made  
30 then a regulation project should be started. Bell asked if the board could tell someone  
31 that they could not sit for the exam they were applying for and instead sit for the  
32 exam the board felt they were qualified for. Fritz said that statute states, "*The*  
33 *applicant shall submit evidence satisfactory to the board of the applicants, education,*  
34 *training and experience.*" Regulation shows what is satisfactory to the board through  
35 the education and experience tables. Bell said that the tables are vague and asked if  
36 the board wanted to look at getting more specific by saying that an applicant has to  
37 have a certain level of education to sit for a certain exam. Johnston thinks the board  
38 would get pushback on that. Leonetti said that a candidate can be from a different  
39 educational background and still meet and exceed the expectations of a different  
40 discipline and does not think the board should limit that possibility. Johnston assigned  
41 Bell with looking into what the board uses for its criteria for alternative education.  
42

1 Johnston invited Anderson to speak since this was her last board meeting. Anderson thanked  
2 everyone and welcomed Sterling Strait. She shared that she has learned so much during the last  
3 four years. She looks forward to seeing everyone outside of board activities and encouraged the  
4 board to reach out to her if they need anything. The board thanked her for her service.  
5

6 **17. Application Review** (board members reviewed before meeting)

7 **18. Meeting recessed for the day.**

8 **19. Reconvened at 9:04am**

9 **Board:** Bob Bell, Catherine Fritz, Jeff Garness, Elizabeth Johnston, Loren Lemman, Ed

10 Leonetti, Jake Maxwell, Randall Rozier. Excused by chair: Jennifer Anderson, Fred Wallis

11 **Division Staff:** Sara Neal, Heather Noe, Greg Francois, Marilyn Zimmerman, Patrick Kase,

12 **Public:** Senator Mia Costello, Katy McCall, Roy Robertson, Sterling Strait, Brent Cole

13 **21. Investigative Report**

14 Chief Investigator Greg Francois joined the meeting to introduce himself to the board. Kase  
15 shared that he had gone to the Fire Marshall meeting and passed on that Lloyd Macanno  
16 wanted to touch base with the board. The Investigative Report covered the period of  
17 November 4, 2021 to February 2, 2022. There are currently 19 open cases and 23 closed  
18 cases. Francois informed the board that there is no statute of limitations on these cases. Fritz  
19 inquired about creating a “lessons learned” out of the investigation process that can help  
20 improve AELS’s registrants’ understanding of their responsibilities which would in turn  
21 lessen the investigative team’s load. Francois pointed the board to the division’s website  
22 where all disciplinary actions are listed. It gives a brief synopsis of what statute or regulation  
23 was violated. Garness said that the board is more looking for a summarization of a case  
24 outcome that could be sent out to registrants so that the same issue that is causing violations  
25 does not get repeated. Francois said that he could run statistics on all the cases that involved  
26 license actions and what those license actions were. Johnston informed Francois that AELS  
27 had formed an ad hoc investigative committee that would be working to create a disciplinary  
28 matrix.  
29

30 Senator Mia Costello and her chief of staff, Katie McCall, joined the meeting. Lemman introduced  
31 Senator Mia Costello who represents West Anchorage and chairs the Senate Labor and  
32 Commerce Committee. Lemman stated that it would be this committee that would review any  
33 proposed statute change project that AELS would have introduced. Costello said that she would  
34 be happy to help with that. Costello introduced her chief of staff Katie McCall. Costello serves  
35 on the Engineering Advisory Council with Lemman and is very interested in the “Lead the Way”  
36 program that the engineering school does at Dimond High School. The board members  
37 introduced themselves to Costello. Costello thanked the board for their service.  
38  
39

40 **22. Full Board Application Review**

41 **a. Alek Venechuk**

42 Alec applied to the AELS board to sit for the FS on 6/28/2010. He was found

43 incomplete saying he needed to complete an additional 15 semester credit hours in

1 surveying. He submitted to board staff the programs he was considering to fulfill the  
2 educational requirements and was told via Vern Jones that a board member said the  
3 courses were acceptable. Venechuk asked Jones on 10/5/2010 if those courses would  
4 also make him eligible to sit for the PS to which Jones replied that they would be  
5 acceptable to apply for the PS as well. Jones would have been using the regulations  
6 saved in resources. Venechuk completed the courses and took and passed the FS in  
7 2015 and nothing was said to him about the regulations changing between when he  
8 applied to take the FS and when he actually took it. He completed his required  
9 experience and applied to the board to sit for the PS and the AKLS in November  
10 2021. He was found incomplete for the following reason, “Transcripts do not meet  
11 the requirements as stated in 12 AAC 36.065(2)(h)(2).”

12 The current 36.065 regulation states that a PS application had to be submitted by  
13 6/30/2014 to be under the old regulations (TABLE A in current regulations) that  
14 Jones was using. Venechuk submitted his PS application 7/6/2021. Because he  
15 submitted his PS application after 7/1/2014, his application would be reviewed under  
16 the new regulations. It was decided to write a letter to Venechuk to inform him that  
17 he needed 12 additional semester credits in the courses listed in 12 AAC  
18 36.065(2)(h)(2).

19 **24. Break**

20 **25. Executive Session**

21 **On a Motion duly made by Ed Leonetti, seconded by Catherine Fritz and approved**  
22 **unanimously it was RESOLVED for the Alaska Board of Registration for Architects,**  
23 **Engineers and Land Surveyors to enter executive session in accordance with AS 44.6 2.310**  
24 **C. 2 and 3, and the Alaska constitutional right to privacy provisions for the purpose of**  
25 **reviewing Case No. 2021-000210. a CE exemption request and CLARB’s proposed Uniform**  
26 **Standards**

27 Present in room or via Zoom: AELS Board, Sara Neal, Heather Noe, Marilyn Zimmerman, Brian  
28 Surprise

29 Board adjourned from Executive Session and returned to public meeting.

30 **On a Motion duly made by Catherine Fritz, seconded by Bob Bell and approved via roll**  
31 **call vote it was RESOLVED after examining the Investigative Memo in Case No. 2021-**  
32 **000210, to hereby grant a CE exemption in the matter of Paul Gabbert, professional civil**  
33 **engineer registration No. AELC8824.**

34 Roll Call: Yeas – Bell, Fritz, Leman, Leonetti, Maxwell, Rozier. Nays – Johnston. Recused -  
35 Garness

36  
37  
38  
39  
40 **On a Motion duly made by Catherine Fritz, seconded by Jeff Garness and approved via**  
41 **roll call vote it was RESOLVED to approve a continuing education extension to Thomas**  
42 **McKay for CE requirements for the 2020-2021 renewal period for license AELP8148 until**  
43 **June 1, 2022.**

44 Roll Call: Yeas-Fritz, Garness, Johnston, Leman, Leonetti, Maxwell, Rozier. Recused – Bell

1  
2 **On a Motion duly made by Ed Leonetti, seconded by Jake Maxwell and approved via**  
3 **roll call vote it was RESOLVED to approve professional civil engineer registration**  
4 **#AELC9958 Christopher Hawe’s application to retire his license immediately.**  
5 Roll Call: Yeas-Bell, Fritz, Garness, Johnston, Leman, Leonetti, Maxwell, Rozier.  
6

7 **On a Motion duly made by Jake Maxwell, seconded by Catherine Fritz and approved**  
8 **unanimously it was RESOLVED to authorize Ed Leonetti to represent the board on the**  
9 **CLARB Uniform Standards.**  
10

11 **26. Lunch**

12 **22. Full Board Application Review – (Continued)**

13 **b. Lori Jones**

14 Applicant submitted a Civil by Exam application. She has an ABET accredited  
15 Bachelor’s in Environmental Resources Engineering and a Master’s in Civil  
16 Engineering. Because she has both her bachelor’s degree and her master’s degree,  
17 she thought that qualified her for option 1 in TABLE B of 12AAC36.063 which  
18 would award her 5 years for education leaving her only needing three years of  
19 experience. Her bachelor’s degree is not an equivalent degree for civil engineering in  
20 the Board Policies handbook. Jones has written a letter asking the board to consider  
21 her BS in EV degree as equivalent to a BS in CE degree. She has a total of 37  
22 months of work experience verified with 25 of those months being responsible  
23 charge. Leman stated that other schools have this degree but call it civil engineering  
24 with a water resources emphasis. Bell felt that it should not be treated as an  
25 equivalent degree since it is not listed as one and instead, she should have extra  
26 experience in civil engineering.

27 **On a Motion duly made by Loren Leman, seconded by Jeff Garness and approved via**  
28 **roll call vote it was RESOLVED to approve Lori Jones to sit for the PE civil exam.**

29 Roll call: Yeas - Garness, Johnston, Leman, Leonetti, Maxwell. Nays – Bell, Fritz, Rozier

30 **c. Margaret Clayton**

31 Applicant is applying civil engineer by exam. She has a degree in Geological  
32 Engineering which is an equivalent degree in the Board Policies Handbook to  
33 civil engineering. Her experience has all been signed off on by a civil engineer.  
34 In reviewing her degree, Bell did not feel like the degree is equivalent to a civil  
35 degree and her experience is all geological. In Leman’s opinion her experience is  
36 in a specialty that civil engineer’s supply. It is not broad experience, but it is civil  
37 experience.

38 **On a Motion duly made by Loren Leman, seconded by Ed Leonetti and approved via**  
39 **roll call vote it was RESOLVED to approve Margaret Clayton to sit for the PE civil exam.**

40 Roll Call: Yeas-Bell, Fritz, Garness, Johnston, Leman, Leonetti, Maxwell, Rozier.

41 **23. Statute Focus Group Update**

42 **a. Board Composition – Anderson / Maxwell / Rozier**

43 Proposed - Sec 08.48.011(b) 08.48.031. “*The board consists of two civil engineers,*  
44 *two land surveyors, one mining engineer, one electrical, one [OR] mechanical*  
45 *engineer, two design professionals from [ANOTHER] any branch of professions*”

1 regulated by this board not otherwise represented on the board, two architects, one  
2 landscape architect, and one public member” Rozier pointed out that this would  
3 increase the board by two, by adding a mechanical and one engineer from any branch  
4 of the profession of engineering not otherwise represented on the board which would  
5 allow for a structural engineer. Maxwell added that HB 61 would impact what the  
6 board make-up would be. Johnston said that the language does not prevent multiple  
7 licensed disciplines of civil engineers. Fritz was concerned about raising the number  
8 of board members since it would flag it because of the financial impact. Garness  
9 stated that both an electrical and mechanical seat are needed on the board. Bell  
10 cautioned the board about putting the statute in front of the legislature for change and  
11 said that this should only be done if the board is forced to do it because of HB61.  
12 Johnston ended the discussion by saying that she did feel like the board was being  
13 forced into this by a new interpretation of the existing statute that prohibits the board  
14 from having both an electrical and a mechanical engineer on the board. Fritz asked if  
15 there was a way to interpret 08.48.011 to allow for the possibility of an electrical and  
16 mechanical engineer to sit on the board simultaneously. The action item was referred  
17 to legal and the Legislative Liaison Committee.

18 **28. Break**

19 **27. Committee Updates**

20 **a. Continuing Education Committee** – Johnston, Bell, Anderson, Garness and  
21 Leonetti

22 Because IT made a group email list for AELS to be able to send out to all registrants,  
23 the committee re-opened the survey. 1,476 people participated in the survey.  
24 Johnston talked through the responses from the survey. The survey responses  
25 indicated that the majority of people who responded were in favor of keeping  
26 continuing education. Bell interpreted the results to say that the respondents were in  
27 favor of CEs, but have less hours required and less restrictions on what type of  
28 courses would be allowed. Garness suggested keeping the audit but only have it for  
29 registrants who have had a disciplinary action or have had complaints regarding  
30 incompetence filed against them. Leman thought that having less restrictions on the  
31 type of courses that would qualify would help the process. Leonetti asked the CE  
32 committee to research the number of CE hours like-size states require. Fritz tasked  
33 the committee with using the survey data to review the regulations and draft  
34 suggested regulation changes.

35 **On a Motion duly made by Catherine Fritz, seconded by Ed Leonetti and approved via**  
36 **roll call vote it was RESOLVED to approve a regulation project on Article V**

37 Roll Call: Yeas-Bell, Fritz, Johnston, Leman, Leonetti, Maxwell, Rozier Nays: Garness

38  
39 *The new public member, Brent Cole, joined the meeting via zoom and introduced himself to the*  
40 *board.*

41 **b. Legislative Liaison Committee** – no update from Committee, but Leman met with  
42 the Senate Labor and Commerce Committee today and shared the mission of the  
43 board as well as the agenda for this meeting. He asked the committee what can be  
44 done to recruit young people into the professions this board regulates. Leman let  
45 them know that the two board member candidates that will be before the committee  
46 are, in the board’s opinion, fine people who will contribute to the board.

- 1           c. **Guidance Manual Committee** – no update  
2           d. **Licensure Mobility Committee** – no update  
3 **29. Outreach Reports** – in board packet, did not discuss  
4 **30. Review Action Item List**  
5           a. **Set date for 2022 AKLS** – April 21 – Juneau and April 22 – Anchorage  
6           b. **Assign Annual Report / Travel Plan** – Vice Chair Jeff Garness  
7 **31. Board Committee Assignments**  
8 **Investigatory Advisory** - all of board except the public member  
9 **Guidance Manual** – Randall Rozier (Chair). Loren Leman, Ed Leonetti, Jake Maxwell  
10 **Legislative Liaison** – Loren Leman (Chair), Bob Bell, Jeff Garness, Elizabeth Johnston, Ed  
11 Leonetti  
12 **Outreach Committee** – Jake Maxwell (Chair), Randall Rozier, Sterling Strait, Fred Wallis  
13 **Planning & Implementation** – Ed Leonetti (Chair), Catherine Fritz  
14 **Continuing Education** – Elizabeth Johnston (Chair), Bob Bell, Jeff Garness  
15 **Budget** – Jeff Garness  
16 **Emeritus** – Fred Wallis  
17 **Investigation Advisory Committee (ad hoc)** – Ed Leonetti, Jake Maxwell  
18 **32. National Organization Updates / Upcoming Meeting Dates**  
19           a. **NCARB**  
20               i. 2022 NCARB Regional Summit – March 4-5<sup>th</sup>  
21                 Fritz and Neal will be attending  
22               ii. 2022 NCARB ABM Austin, TX – June 2<sup>nd</sup>-4<sup>th</sup>  
23  
24           **On a Motion duly made by Catherine Fritz, seconded by Ed Leonetti and approved**  
25 **unanimously it was RESOLVED to APPROVE to send Catherine Fritz, Randall Rozier,**  
26 **and Brent Cole as AELS’s fully funded delegates and Executive Administrator, Sara Neal,**  
27 **to the 2022 NCARB Annual Business Meeting or as designated by chair.**  
28  
29           b. **NCEES**  
30               i. 2022 Western Zone Interim Meeting – May 19-20<sup>th</sup>  
31               ii. 2022 NCEES ABM Carlsbad, CA – August 23<sup>rd</sup>-26<sup>th</sup>  
32  
33           **On a Motion duly made by Catherine Fritz, seconded by Ed Leonetti and approved**  
34 **unanimously it was RESOLVED to APPROVE to send Catherine Fritz, Elizabeth**  
35 **Johnston, and Jake Maxwell as AELS’s fully funded delegates and Executive**  
36 **Administrator, Sara Neal, to the 2022 NCEES Annual Business Meeting or as designated**  
37 **by chair.**  
38  
39  
40           c. **CLARB**  
41               i. Uniform Standard Vote – April 20<sup>th</sup>  
42               ii. 2022 CLARB ABM Atlanta, GA – Sept 2022  
43

1 On a Motion duly made by Catherine Fritz, seconded by Jake Maxwell and approved  
2 unanimously it was **RESOLVED to APPROVE** to send Ed Leonetti as AELS’s fully funded  
3 delegate 2022 CLARB Annual Business Meeting or as designated by chair.  
4

5 **33. Read Applications into the Record**  
6

7 On a Motion duly made by Ed Leonetti, seconded by Loren Leman and approved  
8 unanimously it was **RESOLVED to APPROVE** the following list of applicants for  
9 registration by comity and examination with the stipulation that the information in the  
10 applicants’ files will take precedence over the information in the minutes.

FIRST NAME	LAST NAME	TYPE OF LICENSE	FEB DECISION
EDWARD	HANBICKI	ARCHITECT	APPROVED
Aaron	Lengyel	ARCHITECT	APPROVED
ROBERT	MILLER	ARCHITECT	APPROVED
Christopher	Rutledge	ARCHITECT	APPROVED
Allison	Schmidt	ARCHITECT	APPROVED
Jeffrey	Fasteen	CIVIL	APPROVED
VAN	FISHER	CIVIL	APPROVED
Anthony	HAFNER	CIVIL	APPROVED
ALAN	HEPNER	CIVIL	APPROVED
BRETT	MAGARAM	CIVIL	APPROVED
Jon	Miles	CIVIL	APPROVED
STUART	MITCHELL	CIVIL	APPROVED
Anthony	Parris	CIVIL	APPROVED
ANA	PLANA CASADO	CIVIL	APPROVED
ALLEN	RAMIREZ	CIVIL	APPROVED
RUSSELL	REED	CIVIL	APPROVED
MARGARET	SMITH	CIVIL	APPROVED
Jonathan	Toone	CIVIL	APPROVED
TYLER	OESTER	ENVIRONMENTAL	APPROVED
TINA	BISHOP	LANDSCAPE ARCH	APPROVED
ANDREA	KUNS	LANDSCAPE ARCH	APPROVED
SPENCER	ALBRIGHT	MECHANICAL	APPROVED

11  
12  
13  
14 On a Motion duly made by Ed Leonetti, seconded by Catherine Fritz and approved  
15 unanimously it was **RESOLVED to CONDITIONALLY APPROVE** the following list of  
16 applicants for registration by comity and examination with the stipulation that the  
17 information in the applicants’ files will take precedence over the information in the  
18 minutes.

<b>FIRST NAME</b>	<b>LAST NAME</b>	<b>TYPE OF LICENSE</b>	<b>FEB DECISION</b>
Maryanne	Bartolome	ARCHITECT	CONDITIONAL
AMY	BRAGG	ARCHITECT	CONDITIONAL
HOLLY	CHOWNING	ARCHITECT	CONDITIONAL
Jed	Prest	ARCHITECT	CONDITIONAL
MICHELLE	BARNES	CIVIL	CONDITIONAL
Christopher	Bydlon	CIVIL	CONDITIONAL
MARGARET	CLAYTON	CIVIL	CONDITIONAL
CHRIS	CRONICK	CIVIL	CONDITIONAL
LINDSAY	EVERHART	CIVIL	CONDITIONAL
TERRY	GRYTING	CIVIL	CONDITIONAL
M.R.	HASAN	CIVIL	CONDITIONAL
Joshua	Howes	CIVIL	CONDITIONAL
Derek	Hrubes	CIVIL	CONDITIONAL
BOBLOWENDE	ILBOUDO	CIVIL	CONDITIONAL
Lori	Jones	CIVIL	CONDITIONAL
Noah	Kimmes	CIVIL	CONDITIONAL
LINDSEY	KROMREY	CIVIL	CONDITIONAL
JOHN	MALABY	CIVIL	CONDITIONAL
JEFFREY	MARTT	CIVIL	CONDITIONAL
JESSE	MILLER	CIVIL	CONDITIONAL
ANDREA	MORENO	CIVIL	CONDITIONAL
TAYLOR	NUFER	CIVIL	CONDITIONAL
PEGGY	PAULUS	CIVIL	CONDITIONAL
KEEGAN	PETERS	CIVIL	CONDITIONAL
MARY-JANE	PIGGOTT	CIVIL	CONDITIONAL
Maria	Sanders	CIVIL	CONDITIONAL
SCOTT	SHERMAN	CONTROL SYSTEMS	CONDITIONAL
EDWARD	FAYDA	ELECTRICAL	CONDITIONAL
ALI	GHAMKHAR	ELECTRICAL	CONDITIONAL
PETER	LEPTUCH	ELECTRICAL	CONDITIONAL
WILLIAM	LOU	ELECTRICAL	CONDITIONAL
HALEY	MICHAEL	ENVIRONMENTAL	CONDITIONAL
Matthew	Morgan	LANDSCAPE ARCH	CONDITIONAL
TAYLOR	DOSCH	LAND SURVEYOR	CONDITIONAL
SCOTT	HOLM	LAND SURVEYOR	CONDITIONAL
ROBERT	NEUHAUS	LAND SURVEYOR	CONDITIONAL
ALEKSEY	VOLOSHIN	LAND SURVEYOR	CONDITIONAL
Kirstyn	Draper	LAND SURVEYOR	CONDITIONAL
Alex	Arneson	MECHANICAL	CONDITIONAL
ANDREW	EKLUND	MECHANICAL	CONDITIONAL
JAROD	GRICE	MECHANICAL	CONDITIONAL

PETER	LEPTUCH	MECHANICAL	CONDITIONAL
SUSAN	SLATTERY	MECHANICAL	CONDITIONAL
MATTHEW	GROFF	NAVAL ARCH & MARINE	CONDITIONAL
SEAN	NOSTE	NAVAL ARCH & MARINE	CONDITIONAL
KELLY	SONERHOLM	NAVAL ARCH & MARINE	CONDITIONAL
MATTHEW	BETSILL	STRUCTURAL	CONDITIONAL
RYAN	BONNIWELL	STRUCTURAL	CONDITIONAL
Ariel	Gonzales Basualdu	STRUCTURAL	CONDITIONAL
DANIEL	KING	STRUCTURAL	CONDITIONAL
Max	Lehman	STRUCTURAL	CONDITIONAL

1  
2  
3  
4  
5

**On a Motion duly made by Ed Leonetti, seconded by Catherine Fritz 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**

FIRST NAME	LAST NAME	TYPE OF LICENSE	FEB DECISION
JAMES	FRYE	CIVIL	INCOMPLETE
ALEC	VENECHUK	LAND SURVEYOR	INCOMPLETE
HAYDEN	MAXWELL	MECHANICAL	INCOMPLETE

6  
7  
8  
9  
10  
11

12  
13  
14  
15  
16  
17  
18  
19  
20  
21

The board took time to clarify how it was going to proceed with application reviews. It was decided to have board members each individually review the applications assigned to them and their reviewing board member partner prior to the scheduled Board meeting. The two reviewing board member partners would schedule a call to compare decisions on each applicant and talk through any issues. Any applicants that their decisions did not agree would be brought to the board meeting for a full board discussion. All decisions would be read into the record at the meeting. Neal will check with the division regarding the reviewing board member partners discussing applicants via a phone call that is not on the record.

22  
23  
24  
25  
26  
27  
28  
29  
30

**34. Board Member Comments**

Johnston was thanked for serving as chair. Cole and Strait were welcomed and thanked for being willing to serve. Leman was thanked for inviting a legislator to the meeting. Leman encouraged the board to streamline its discussion on issues and was glad that part of the legislature was introduced to the AELS board. The next time the board meets in Juneau, Leman hopes that the board will be a bit more intentional about planning more time interacting with the legislators. Fritz thanked Neal and Noe for having a well-prepared meeting and was glad that the virtual attendees expressed concerns about having a voice in the hybrid meetings. She also encouraged the board to be thinking about outreach

1 opportunities during the May board meeting in Anchorage. She thanked Johnston for her  
2 service as chair and informed the board that Johnston is running for a seat in the NCEES  
3 Western Zone. Fritz also thanked the board for placing their confidence in her to be their  
4 chair and looks forward to the coming year. Johnston thanked the board for helping her get  
5 so many items accomplished this year. The board wished Fred Wallis a speedy and thorough  
6 recovery and look forward to having him back at the next meeting.  
7

8 **35. Meeting adjourned 4:45pm**  
9

10  
11 Respectfully submitted:  
12

13   
\_\_\_\_\_

14 Sara Neal, Executive Administrator  
15

16 Approved:  
17

18 \_\_\_\_\_  
19 Elizabeth T. Johnston, PE Chair  
20 Alaska Board of Registration for Architects,  
21 Engineers, and Land Surveyors

22 Date: 06/06/2022