

1 STATE OF ALASKA
2
3 DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC
4 DEVELOPMENT
5 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
6 BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS & LAND
7 SURVEYORS
8
9

10 Minutes of Meeting
11 May 26-28, 2010
12
13

14
15 By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, Article 6,
16 the Board of Registration for Architects, Engineers and Land Surveyors held a meeting May
17 26-28, 2010 in Zach's Board Room at Sophie's Station, 1717 University Avenue, Fairbanks,
18 Alaska.
19

20 Wednesday May 26, 2010
21

22 **Agenda Item 1 – Call to Order and Roll Call**
23

24 The Chair called the meeting to order at 8:02 a.m.
25

26 Members present and constituting a quorum of the Board were:
27

- 28 • Richard Heieren, Land Surveyor, Chair
- 29 • Boyd Brownfield, Civil Engineer, Vice Chair
- 30 • Harley Hightower, Architect, Secretary
- 31 • Clifford Baker, Land Surveyor
- 32 • Donald Shiesl, Public Member
- 33 • Richard Rearick, Architect
- 34 • Eric Eriksen, Electrical Engineer
- 35 • Burdett Lent, Landscape Architect
- 36 • Daniel Walsh, Mining Engineer
- 37 • Brian Hanson, Civil Engineer, Mining Engineer
38

39 Craig Fredeen, Mechanical Engineer, was absent.
40

41 Representing the Division of Corporations, Business and Professional Licensing were:
42

- 43 • Vern Jones, Executive Administrator
- 44 • Alicia Kelly, Licensing Examiner
- 45 • John Savage, Investigator (via telephone)
- 46 • Katherine Mason, Administrative Officer II
47

48 Representing the Department of Law was Assistant Attorney General, Gayle Horetski.

49 Representing the Department of Public Safety, Fire Marshall's Office was Carol Olson
50

51 Members of the public in attendance for portions of the meeting were:
52

- 1 • Tim Sprout, PS, representing ASPLS.
- 2 • Nils Degerlund, Civil Engineer & Land Surveyor, representing himself.
- 3 • Martin Gutoski, Land Surveyor, representing FNSB.
- 4 • Bill Mendenhall, representing himself.
- 5 • Chris Miller, Mechanical Engineer, representing himself.

6
7
8 **Agenda Item 2 – Review/Amend Agenda**

9
10 Chair: Review agenda. Any amendments or changes anyone would like?

11
12 Shiesl: We'd talked earlier about shuffling the meetings around, changing the dates and
13 cities where we're going to be meeting. Do we want to discuss that now?

14
15 Chair: We will discuss it later when we review the calendar of events item 24 pg 4. I'll
16 entertain a motion to accept the agenda as submitted.

17
18 Jones: Who moved?

19
20 Chair: Don, seconded by Cliff.

21
22 **On a motion duly made by Shiesl, seconded by Baker it was**

23
24 **RESOLVED, to approve the agenda as submitted.**

25
26 Hearing no objection the motion passed unanimously.

27
28 **Agenda Item 3 – Ethics Reporting**

29
30 Chair: Ethics reporting? Does anyone have anything to report on ethics? Hearing none
31 let's move to review and approval of the minutes as submitted for the February 11th and 12th
32 meeting. Burt?

33
34 **Agenda Item 4 – Review and approve minutes of February 11-12, 2010 meeting.**

35
36 Lent: Like last time I have a number of little typos. Rather than go through each one of
37 those tiny little typos I'll loan you my copy.

38
39 Chair: That would be great Bert. We'll take a minute or two to have everyone look through
40 them. Don!

41
42 Shiesl: These are verbatim minutes. They're more of a transcript than minutes. Does the
43 board want this or do we want more of a traditional minutes where there are motions only, I
44 don't know what the boards tradition is.

45
46 Chair: I think its probably up to the discretion of the transcriber.

47
48 Jones: I started out doing them that way and then when I got to the public testimony part I
49 thought, well if I was a member of the public and I came here to say something, the next
50 step would be to look at the minutes of that meeting to see if you guys actually cared
51 enough what I said enough to put them in there. So when I got to the public part I put as
52 much verbatim as I could. There was some things where they got tongue-tied, or something
53 like that, I smoothed things out a bit and then as I went on I just kept going that way. It

1 doesn't matter to me, either way you guys want them is fine with me.

2
3 Shiesl: As far as the public goes, that's fine. But the rest it I don't see need for it for our own
4 particular discussions.

5
6 Brownfield: I would think that the more accurate we have what we did at a meeting is far
7 better than to have something that will have two or three different interpretations. If it
8 doesn't over burden them I would much rather see it more accurate than ten pages less.
9 Just because it's a document and when you and I leave if somebody wants to....we keep
10 these for how many years?

11
12 Jones: Forever as far as I know.

13
14 Brownfield; Yes and people go back and they read them. They have been pretty loose and
15 it's far better to have them as accurate as we can so as long as it doesn't over task you I
16 would have them as accurate as we can get them.

17
18 Baker: I'm not sure if you would want to get a legal opinion on that but I've heard both sides
19 and the briefer your approved minutes are the better and then you still have the transcript if
20 anyone wanted to look into it.

21
22 Chair: If somebody wants to make a motion! Comments? I would entertain a motion to
23 accept the minutes as submitted.

24
25 **On a motion duly made by Baker, seconded by Shiesl, it was**

26
27 **RESOLVED to approve the February 11-12, 2010 meeting minutes as**
28 **submitted.**

29
30 Hearing no objection the motion passed unanimously.

31
32 **Agenda item 5 – Investigative Report**

33
34 Chair: John, you're up. Do you have a packet?

35
36 Savage: I should be good to go. How is everyone doing since the last meeting? Things are
37 still about status quo in our office and as far as investigations go. We're in the midst of
38 getting a new chief right now. So that's going to change things up a little bit and hopefully
39 some additional investigators. They've taken a few of my boards away from me to give me
40 more time to put towards AELS and some of my others. So that should help here and in the
41 future. We are getting some pretty good resolution on some of these cases, some of which
42 we'll be talking about later. I think things are rolling along good. I certainly see where
43 commercial construction has really dropped off as far as the AELS thing that's out there or
44 the contractor....

45
46 Chair: Can I interrupt you for just a second so we can get Carol on the phone?

47
48 Savage: Sure, I forgot about that too.

49
50 Chair: Brian, just for everyone's reference we are getting a hold of Carol Olson, in the Fire
51 Marshalls Office. The working relationship John has with the Fire Marshalls Office is
52 exemplary and very helpful in the investigative process. I'm sorry, everybody this is our
53 newest member, Brian Hanson, civil engineer and mining engineer, graduate of UAF.

1 Brownfield: He's sitting right across from his old instructor.
2
3 Chair: Who he said was one of the best instructors he's ever had.
4
5 Carol this is Richard Heieren of the AELS board, John is starting to give his report and we
6 thought we should get you on the line so welcome and thank you for participating.
7
8 Olson: Yes, it's kind of a tight schedule this morning, I've got to leave in a few minutes for an
9 inspection but want to let you know how much the Fire Marshall's Office supports you.
10
11 Chair: Thank you Carol, go ahead John.
12
13 Savage: Carol, I was just telling the board here how things have just been clipping along. I
14 felt things had dropped off as far as construction projects on the commercial side from years
15 past. Whether it will pick back up or not Carol certainly has her finger on the pulse of that as
16 far as plans coming in and so forth. I review plans at her place and over at the Mat-Su and
17 there is not the amount there has been in the last few years. Carol did you have anything to
18 add to that?
19
20 Olson: Well, you know, I don't think its dropped of so much as it is that we are just getting
21 more compliance. We have been hitting them pretty hard for a couple of years and I think
22 we're just getting more compliance.
23
24 Savage: You know I hope your right. The longer we push at this and the word gets out
25 through these different associations, architects, engineers, land surveyors or whatever, they
26 talk on the street and the word certainly does get out. We were just talking about the
27 relationship we have with you, Tim and Diane is invaluable as far as the time and effort it
28 has saved. Being able to go right through your organization and locate deficiencies prior to
29 them getting out on the street.
30
31 Olson: Just to let you know I do have Tim Fisher here with me to.
32
33 Fisher: Hey, you wouldn't happen to have a flyer that explains registered and non-
34 professionals in section 08.48, one page that we could put in our certificate that we send out
35 to individuals?
36
37 Savage: A flyer as far as what Tim?
38
39 Fisher: Kind of explaining your section and the requirements.
40
41 Olson: Just a short little one page thing?
42
43 Chair: We can certainly put something like together and get it to you. An official notification
44 of uh..
45
46 Fisher: Something we can put in our corrections letters about the common mistakes, you
47 know 4 or 5 common mistakes and the what you going to do and what the requirements are
48 and that type of thing.
49
50 Chair: We have a guidance manual and we could do a summary sheet that could probably
51 do what you're asking. We'll assign that task to someone.
52
53 Savage: Other than that I really don't have anything to add unless anyone has any
54 questions of myself or the Fire Marshalls Office.

1
2 Baker: I just have comment. Going back to our minutes which are almost verbatim and
3 rereading that. It struck me that in our last meeting it was mentioned that you were
4 responsible for quite a few boards and you've mentioned that some of those have been
5 taken off your shoulders. So we only have a partial investigator and then having the finance
6 lady come later and she said that all the fees were divided up equally among the boards
7 depending on how large your registrants are. Since we are one of the largest boards I think,
8 third or fourth, and since some of the smaller board have a full investigator or more it seems
9 like we are getting charged for something we're not receiving. That's just an observation I
10 have from the last minutes.

11
12 Savage: And a very good one at that. But one I'd rather not comment on. But that is a
13 good observation. That would be something that you as a board either through Richard or
14 whatever would need to talk to my director or higher because right now with our Chief
15 Investigator on his way out.

16
17 Baker: That is something, some of us who have been on the board, I think the longest is six
18 years and have seen a number of changes in the chief.

19
20 Savage: He's not leaving the office, he's just leaving the position. And you're absolutely
21 right as far as splitting up and how many boards have how many investigators. When I
22 came to work here there were 2 ½ investigators, and then it went to 2, and then it went to 1
23 ½, and now it's 1 with X amount of other boards along with it. How that's decided and where
24 that's decided is above my pay grade.

25
26 Chair: John did you want to go over the report a little bit?

27
28 Savage: You can see we're coming down case wise a little bit and whether that's, as Carol
29 said, due to compliance or due to things dropping off in the field. We are still getting a rash
30 of individuals coming up here without proper licensure both on the contract side and the
31 AELS side and just playing dumb when they get talked to. But so much of that gets caught
32 now at the level of plan review that it's not nearly what it was in the past. These forums that
33 Carol and Tim have invited me to once a year, the Fire Marshalls forum, that has all the
34 Building Officials from throughout the state, that invite is absolutely invaluable. The
35 contacts I've made there and the people that, don't you agree Carol.

36
37 Olson: Yes I do.

38
39 Savage: As far as getting these people aware of these requirements and that if in fact an
40 individual puts his heels in the sand and says no I'm not going to get design professionals
41 for this project, it's only this big or we're only trying to do this or that, whatever the deal is
42 they don't understand that unless they are specifically excluded in our exclusions the
43 requirement remains regardless of the size of the project or whatever. Things like that have
44 just been invaluable, I can't harp on that enough and I know that I talk about it every meeting
45 but I think we have enough written items and procedures and policies and things like that
46 that things like this will carry on in the future. You know, when I leave or when Carol and Tim
47 are gone or when any of you are gone. That's the important thing to me that this isn't just an
48 item that's happening right now but that we have key people in place that it continues to
49 happen after our time. It would be an injustice for this to go back to what it was, years from
50 now.

51
52 Fisher: Just to let you know on that data base that we supplied you as well we got DOL
53 and ABC and all those can access that same webpage in order to access all the building we
54 are doing as well as the designers that are in there. That kind of helps out too when people

1 have one central focal point.
2
3 Savage: That's absolutely right it's had a lot to do with marrying up. You know from
4 Department of Labor to, you know one thing I had never thought of in the past is the Alcohol
5 Board. They play a big part here and when people aren't complying with Tim and Carol's
6 procedures and Statutes and Regulations they can be denied a liquor license. Well that's
7 absolutely huge and we have the same abilities if someone was doing a remodel and
8 moving load bearing walls and things such as that, weren't complying with our regulations,
9 the Alcohol Board has said that they would work with us and deny issuing a liquor license.
10 Well, you start getting into people's wallets like that it starts making a huge difference for
11 compliance. In a perfect world we wouldn't need that but we're in anything but.
12
13 Fisher: We tell them if they can get a letter from you they won't need stamped plans, but
14 they never want to go that far.
15
16 (laughter)
17
18 Savage: Yea, I've gotten very few, if any, calls asking for such a letter. I think the
19 relationship has worked well.
20
21 Olson: We are going to have to head out here to do an inspection so...
22
23 Chair: Carol and Tim, we are in the process as a board, looking at general licensure for
24 engineers. I'm not trying to put you on the spot now but I just wanted to give you a head's
25 up about the issue. Maybe be thinking about it, talking about it, we are dealing with it here
26 as a board again. I think presently we license 6 disciplines and we are looking to expand
27 that to all disciplines. You don't have to give any feedback right now but give it some
28 thought and we really would appreciate your input. We'll be in touch with you about that
29 later.
30
31 Olson: What disciplines are those?
32
33 Chair: The six that are licensed right now are mining engineer, civil engineer....
34
35 Olson: I thought you meant six additional ones.
36
37 Chair: No it will be eighteen additional. Bo!
38
39 Brownfield: We are governed to a large extent by NCEES. Are you familiar with that outfit?
40
41 Olson: No
42
43 Brownfield: This is the National Council for Examinations for Engineers and Surveyors. All
44 50 states plus about 4 jurisdictions get together and we make sure our regulations aren't the
45 same but there is comity. There are differences where each state has their authority to
46 make their own ruling. They give all the examinations in engineering that we sanction.
47 Right now we only sanction six. They have listed twenty-five. And these twenty-five we are
48 looking at as being acceptable in the State of Alaska. That's what we are dealing with now.
49 I would be happy to get with you all if you want some details. It's right now in committee,
50 we've got about five of us in the committee and are dealing with it. Specifics we don't have
51 but I'd be glad to sit down with you and talk to you about the direction we are going when
52 you have the time to do that.
53
54 Olson: That would be good, maybe over lunch or something.

1
2 Chair: Any further comments?

3
4 Fisher: Got to check out my fish hatchery.

5
6 Lent: I'll contact you, Richard, regarding the Guidance manual.

7
8 Hightower: John are your going to be here tomorrow when we are talking about incidental
9 practice?

10
11 Savage: I would like to be here.

12
13 Chair: Thank you Carol and Tim.

14
15 Baker: I just wanted to mention since I've been on the board at the beginning there was a
16 lot of conflict and adversity and butting heads between the investigators and Fire Marshall
17 and the way the administration at the time was looking at that and actually writing letters
18 saying we should not be working with them. Everything has swirled around and changed so
19 much and it works to much advantage for all of us and it's really made John a lot more
20 efficient and I just want to say I appreciate that.

21
22 Savage: Everybody here needs to pat themselves on the back about that because it is huge
23 the way things are flowing along now. And the contacts we have out there and in one sense
24 we don't have the number of investigators that we used to have but in another sense when
25 we have all these eyes and ears out there that's been absolutely huge. These people are
26 picking up the phone. They are asking questions and some of them are coming across
27 hypothetical, what if an individual was to submit this, and that type of thing and I'm not going
28 to be a bully and scare these people off. I advise where they can reference this information.
29 I advise them how we're going to look at it and how we would go about looking at it and I'll
30 send out a couple of complaint packets right now so that if in fact something arises they can
31 fill those out get them back to me. Then they're not waiting on the return time. And a lot of
32 times we get compliance. Like Carol was saying a lot of times these individuals are pushing
33 these building officials. The building officials will call us. We go over what's pertinent and
34 what's not and now they can speak intelligently to these individuals as opposed to just
35 saying "because that's the way it is". People don't like hearing that. They may innocently
36 really believe they don't need this. A lot of them that's not the case but some of them it is
37 and when you can show them that they can also go to their customer and say per this
38 statute I have to do this, I don't have a choice here. So to start educating people, once we
39 get these building officials educated and their predecessors are coming in and everybody is
40 sharing this information it's going to be long term.

41
42 Chair: Thank you John, any questions? We're going to see you again tomorrow?

43
44 Savage: You're going to see me later this morning, is what my understanding is.

45
46 Jones: He's going to be part of the executive session.

47
48 Chair: He's going to be in the executive session? I guess we are actually ready to go to
49 executive session. I'll entertain a motion to go into executive session.

50
51 **On a motion duly made by Brownfield, seconded by Eriksen it was**

52
53 **RESOLVED to go into executive session under authority of AS 44.62.310 to review**
54 **consent agreements in the matter of Knight Piesold and Co. case number 0107-09-**

1 **005, the matter of Andrew C. Simasko case number 0100-08-006 and the matter of**
2 **Mark A. Ivy case number 0101-09-002.**

3
4 Hearing no objection the motion passed unanimously.

5
6 0830 – 0852 in executive session.

7
8 0852 back in open session.

9
10 Chair: John Savage is still with us, we have some correspondence we are going to be going
11 over here in a minute. I'd entertain a motion, did you want to read the motion?

12
13 **On a motion duly made by Baker, seconded by Rearick it was**

14
15 **RESOLVED to accept the consent agreement in case number 0107-09-005 as**
16 **presented to the AELS board.**

17
18 The motion passed with 7 yes votes. Brownfield and Hightower abstained. Fredeen was
19 absent.

20
21 **On a motion duly made by Baker, seconded by Rearick it was**

22
23 **RESOLVED to accept the consent agreement in case number 0100-08-006 as**
24 **presented to the AELS board.**

25
26 The motion passed with 7 yes votes. Brownfield and Hightower abstained. Fredeen was
27 absent.

28
29 **On a motion duly made by Baker, seconded by Rearick it was**

30
31 **RESOLVED to accept the consent agreement in case number 0101-09-002 as**
32 **presented to the AELS Board.**

33
34 The motion passed with 7 yes votes. Brownfield and Hightower abstained. Fredeen was
35 absent.

36
37 Chair: Thank you. Let's go to correspondence,

38
39 **Agenda item 7 – Board Correspondence sent since February 2010.**

40
41 a. Letter to Mr. Stanley re geologists.

42
43 Chair: Dan thank you very much, he wrote a letter concerning geologists to Mr. Stanley.
44 Would you like to discuss that a little bit?

45
46 Walsh: At the request of the board I drafted this letter and passed it through Vern and
47 Richard just thanking Mr. Stanley for his correspondence to us last meeting and also for the
48 booklet of information he sent to us about engineering and geology practice guidelines.

49
50 Chair: Thank you Dan. Are there any questions? Has there been any follow-up, any
51 response noted, Vern?

52
53 Jones: No

1 **b. Letter to Lynne Smith re investigator assignments.**

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Chair: Ok, the next letter was address to Lynne Smith the Director of Corporations, Business and Professional Licensing, State of Alaska channeled through Jenny Strickler. Has everyone had an opportunity to read that? Do you have any comments John? You did indicate that you've have been dropped from a couple of boards. You indicated morticians and hearing....

Savage: Mortuary Science board and Audiology and Speech-Language Pathologists and Hearing Aid Dealer Boards.

Chair: Have we gotten anything back on that, Vern?

Jones: Just that I asked Jenny about it one day and she said they were holding off on it until they got a new Chief Investigator hired. That's what the delay was and why it took so long to drop those boards. I don't know if they are going to take any more from you or not.

Rearick: John, how many do you have now?

Savage: I have seven now. This is good though I'm not complaining. We are going in the right direction, life is good.

Baker: I would like to, based on what we learned from finance time. Paying our fair share based on the number of registrants and how large our particular board is. Why some of the smaller boards with a smaller number of registrants get a full investigator or more and we get one that's burdened with so many others. I think that we are getting charged for something we aren't receiving.

Brownfield: I guess I would point out that is a discussion we had in detail a year ago or so. I did write a paper on that, I sent it through Ginger who gave it to the division and it pinpointed our request on basically our size, our complexity and the number that he has to deal with, so if you want to dig that out that would give you some fodder for.

Chair: Could you actually send that to Vern?

Brownfield: If I can find it I can.

Jones: When your working for these other boards you don't charge your time to the AELS board, you charge it to which ever board your working for, right?

Savage: Well, as far as my time goes, yes whether it's divided up in that amount I don't know or a trip like this where I'm checking sites for the AELS matters but I'm also checking for home inspectors matters, construction contractors, electrical administrators, mechanical administrators, underground storage tank, things like that. So I don't know how far they go with that, you'd know better than I would.

Jones: When we are filling out our time sheets we even have to divide it up between architects, engineers, land surveyors, how much time we spent for each profession.

Savage: Yeah, it's kind of unrealistic when you're out looking at plans, hold it now while I put on my architect hat, you know what I'm saying. So it is what it is, the issue with boards, between AELS and contractors you have upwards of close to 20,000 licensees and you have one investigator plus some other boards and then you have big game hunting guides which have, how many hunting guides in the State of Alaska? You have one investigator

1 that is solely on making sure people have enjoyable hunts in the State of Alaska, and I keep
2 going back to that, but that's the type of issues we're looking at and there's talk right of a
3 second investigator being put on that board. So those are the type of things that need to be
4 re-looked at. Whether someone gets a big fish or a big bear isn't as important as a building
5 falling down around someone's head.

6
7 Chair: Thank you John. Any further discussion? We will do a follow up. Don't hesitate to
8 contact Vern or myself or any of the Board members, John, to make sure that we keep on
9 top of this. Anything we can do, we will do.

10
11 **c. Memo to Jenny Strickler re fee setting.**

12
13 Chair: Now on to the memo to Jenny Strickler regarding the fee setting. This was
14 something we discussed at the last meeting. It's pretty self explanatory, are there any
15 comments or questions? We actually formed a committee to deal with the budget per Dan's
16 suggestion, an excellent suggestion. I think once we get into the process of understanding
17 costs and where the money goes they'll be more responsive to our input.

18
19 **d. Letter to Robert Anderson re licensing.**

20
21 Chair: On to the next correspondence regarding a case we dealt with. Are there any
22 questions or comments on it?

23
24 **e. Letter to Carla Williams re ownership of documents.**

25
26 Chair: Self explanatory again. Thank you Harley for the letter to Carla Williams. Have you
27 had any feedback from that Vern?

28
29 Jones: Not yet.

30
31 Hightower: I received feedback from Carla that thanked us and it's clear in her mind now. I
32 should have passed that on to Vern and didn't.

33
34 Chair: I guess we can go right into correspondence 8A.

35
36 **a. Responses to Engineer Letter soliciting comment on General Licensure.**

37
38 Brownfield: That's ours. Bases on the direction of our chairman we wrote a letter, sent it out
39 to every registered engineer we have on our books asking them what their opinions were on
40 General Licensure. We gave some general information in the letter. Is there a copy of
41 the letter here? Anyway all of you got one, that are engineers. One of the points that we did
42 is that we did not send them to folks that are not registered in the State of Alaska. That
43 would include structural, environmental, all those that we don't recognize we didn't send it to
44 anybody other than our registrants. We did get some responses back from structural
45 engineers, basically it was the same information that they gave in an earlier meeting that we
46 had on how important it was for them to be part of our structure. I didn't review that at all
47 just because this was informal and it was directed to the engineers that we now recognize,
48 not what we might recognize in the future. I received about seventy of those in about three
49 different packages, it may be plus or minus two or three but of the ones I received, seventy,
50 I put in three piles. One pile that was positive. They were for a general licensure and I had
51 a pile that was against general licensure and a pile that was undecided. There are a lot of
52 them that are undecided. Forty-eight percent of the letters I reviewed I put into what I call a
53 positive response. Now by that I mean many of them said do all of them, some of them said,
54 and I particularly want you to look at the structural engineering, they had a point to make on

1 their particular idea. But there were variations of what the positives were. Most of them, as
2 I recall, was for the acceptance of NCEES exams. Others had a few of them but they
3 weren't so sure they wanted to go all the way. That was forty-eight percent of the responses
4 I got. Twenty-four percent of the responses were, we don't want any changes. Most of
5 those responses were, we don't need any changes, we don't need any more engineers in
6 the State of Alaska, we can handle it. There was a loud cry from my alma mater DOT who
7 said we don't want anybody else in here we do our own engineering and we certainly don't
8 want the structural engineers to come in here. This was the argument we got when we met
9 with DOT, myself and Mark. There were two of us and about twelve of them and we had
10 quite a session. They are pretty much against any change that might rock their little turf. I
11 got a lot of that in my responses that were negative. Twenty-eight percent, which is two
12 percent higher than the negatives I got were undecided. The undecided folks were the ones
13 that generally said you know I kind of agree with this concept but I'm not going to give you
14 any comment until I read something specific because my letter didn't get specific cause we
15 weren't, at that time, specific ourselves, it was just general licensure. So we ask them to
16 give us their opinion on what they know about it, and we gave them a few words about that,
17 you would have to read my letter. But, a lot of them said I want to wait, I want to read the
18 product. In other words their saying, I'm going to wait for the public process and then you'll
19 have something specific that I can put in my hand, then I can comment. So, how many of
20 those folks will change mind or go from positive to negative, I don't know. But, this was
21 informal and I think it was a good exercise. We are not obligated to choose sides based on
22 whether or not the majority of them want it or not because our mission in life is health, safety
23 and protection of the public and in many occasions that doesn't jibe with some of the views
24 we get from some of our registrants. So that's a major consideration when we think about
25 this. But, overall we got a positive response. Generally speaking when you do something
26 like this you're going to get more negative than you get positive. Others say you're doing it
27 right don't bother me until its done. People that don't want it, they come unglued and a lot of
28 times they come out of the woodwork in the eleventh hour. Anyway that's what we got in
29 response. I think it was very good exercise. It's the first time we did it in the fashion we did
30 it and I think it's well worth it because at least we give our society a chance for a first look-
31 see and give us their opinion. What will really count is when we get into the public process.
32 Any questions?

33
34 Bert: Maybe I missed it, what's your percentage of the overall registrants that responded?
35

36 Brownfield: Well 70 and the overall registrants, I don't have the figures here but there's
37 something like 4500/5000. We didn't get a lot of response, but you don't. Over half of our
38 engineers are out of state and even though we give them letters they just don't respond.
39 But that in its self is a response. They had the chance, it's only informal. They'll have
40 another chance because the official chance is when we have our public review and then
41 they can give their thoughts. This is something we allowed them to comment, but most of
42 them chose not to.
43

44 Chair: Any other questions? Thank you, Bo.
45

46 **b. Responses to Surveyor letter soliciting comment on education.**
47

48 Chair: Did you want to comment, Cliff?
49

50 Baker: I'll just make a general comment that at the last February meeting we only had
51 approximately fourteen responses to my inquiry which is actually getting on to about six or
52 seven months now since we sent it out. We gave them a full year to get back to us. Now
53 that has approximately doubled or maybe a little more, we are just under forty. Percentage
54 wise that's probably a little better than the 70 for the engineers. They have quite a few and

1 we only have 425 surveyors. I'll give a more in depth report with a spread sheet when we
2 get to committee reports.

3
4 **c.** Letter from David R. Hughes re Fire Protection Engineering.

5
6 Chair: Vern did you want to address this or defer to Eric?

7
8 Jones: Yes, either Eric or Craig.

9
10 Chair: By the way Craig is not going to be here until this afternoon. He forgot. We can
11 come back to that, Eric, if you want to take a few minutes to read it. We can also defer it to
12 this afternoon when Craig is here, whatever is your pleasure, Eric?

13
14 Eriksen: Yeah, I need to take a little time.

15
16 **d.** Letter from New Mexico Board nominating Gilbert Chavez for Western Zone
17 VP

18
19 **e.** Letter from the Nevada board nominating Patty Mamola for Western Zone VP

20
21 **f.** Letter from the Washington board nominating Daniel Parker for Western Zone
22 VP.

23
24 Chair: Item 8 d is a letter from the New Mexico Board. This is all history now. A letter
25 nominating Gilbert Chavez as Western vice president and we have a letter from the Nevada
26 nominating Patty Mamola for the same position and one from the Washington board
27 nominating Daniel Parker. I can give a quick overview of that. Patty was successful in her
28 bid to become Western Zone Vice-President. As representative of our board we actually did
29 nominate Daniel from the floor. Daniel Parker from the Washington board is an electrical
30 engineer and Washington only sent one delegate so we stepped up and nominated Daniel.
31 Daniel's a good guy he's very personable, quiet, unassuming and extremely intelligent. I
32 think that usually goes with an electrical engineering degree doesn't it Eric? Isn't that a
33 prerequisite? (laughter) But, anyway, Patty did win and congratulations to her so all of this
34 is kind of past history. Are there any other comments? Patty did second the nomination of
35 Daniel, so that was kind of interesting.

36
37 **g.** Re Web hits on the Guidance manual.

38
39 Chair: Vern did you want to?

40
41 Jones: Well, there are some URL's there if any of you are ever curious and want to know,
42 you can go to those sites there and find out just how many hits.

43
44 Lent: This was quite a conversation in our last meeting as to whether we continue this or
45 not. According to the gentleman, David Landau, who is the internet tech for the board, the
46 department, the division, I don't know which. Anyhow the hits on this publication are
47 increasing rapidly and we are getting over a hundred hits per month. So, we've got a New
48 York Times best seller here. (laughter)

49
50 Chair: Thank you Bert.

51
52 **h.** Memo from NCEES re changes to exams and supporting materials.

53
54 Chair: Would anybody like to speak to that?

1
2 Eriksen: I have a question regarding us moving to general licensure. As NCEES makes
3 changes like this do we need to have a process in place to adopt or to recognize those
4 changes or just take it that it is an automatic process?

5
6 Chair: I'll defer that question to Bo. Did you hear that question Bo?

7
8 Bo: No I didn't

9
10 Eriksen: I was just thinking back on Bo's discussion on general licensure. As NCEES
11 makes these changes to their exams is there going to be a process for us to adopt those
12 changes or do we just automatically accept them assuming that we're going to accept
13 NCEES exams.

14
15 Brownfield: We don't have a formal way that we can review the changes they make, just like
16 the structural right now they have a structural I and a structural II. In 2011 what they're
17 going to do is they're going to make it one structural engineer and they will have basically
18 what was structural I in the morning and structural in the afternoon. So, if you become a
19 structural engineer you have to take both sessions. So when they have changes they let us
20 know about it. They will explain that at the NCEES National Conferences we do have a
21 chance for in put at but as a board we don't really have an effective way to change what
22 they're doing in their examinations. So we basically accept what they come out with. Which
23 is the same thing that all states will accept. So, I guess the short answer is no, but that
24 doesn't mean we are totally shut out. We can always scream if we want to if we have
25 something positive to say let them know it. We accept their final product.

26
27 Chair: Thank you Bo.

- 28
29 i. E-mail from Jerry Carter re workshop for New board Members at the NCEES
30 Annual Meeting.

31
32 Chair: The next item is 8i, e-mail from Jerry Carter who is the Executive Director for
33 NCEES. Are there any comments or questions? Evidently he's talking about in Denver we'll
34 be having a workshop regarding responsibilities and liabilities which, Erick I think you're our
35 delegated representative in Denver. So it will be answering the questions you asked earlier.
36 Maybe, make sure you attend that.

37
38 Eriksen: Yeah that's interesting.

39
40 Chair: Any other comments or questions?

- 41
42 j. Report on the February 2010 NCEES BOD meeting.

43
44 Chair: Next we go the report on the February 2010 NCEES Board of Directors meeting.

45
46 Jones: That was a report by the Member Board Executive representative that sets in on
47 those meetings. I just thought you guys might be interested in what went on during the
48 meeting. That was actually just a report to all the other MBE's I thought I might share.

49
50 Chair: Thank you, any questions? Bo.

51
52 Brownfield: Question, you have once every two years a meeting strictly of the MBE's?

53
54 Jones: Yes we do. I was unable to go to the last one because it was almost the same day

1 as our February meeting.

2
3 **k. E-mail from NCARB re changes to BEA and IDP programs.**

4
5 Chair: So the next item of correspondence is an e-mail from NCARB regarding changes to
6 BEA and IDP programs. Did you want to talk about that Rick or Harley?

7
8 Rearick: Basically they just made some changes to the BEA which is Broadly Experienced
9 Architect. To Basically allow for more detailed information from the applicant in hope of
10 eliminating the interview process. So it's just some changes in the dossier they're required
11 to submit. And then the second segment of this tab has to do with the Intern Development
12 Program and most of it, clean-up type language. There's a few changes in the requirements
13 but there are about seven of these items and I don't think we need to go through them
14 individually. I have received some notifications from NCARB on the IDP process and I've
15 made a habit of passing that information on to AIA's intern representative in Alaska so they
16 can distribute it by e-mail.

17
18 Hightower: Yeah, I can add to that, I serve on the BEA committee so I should have read this
19 and been able to respond, and didn't. We're putting together a detailed method for the
20 respondents or applicants for the BEA so it's clear to them what we're expecting and we
21 think this will help get rid, uh, we were directed to get rid of the interview process. They said
22 it wasn't because of cost but that's the only reason I could think of. That it would be the cost
23 to the committee and to the individual. What it will do is, uh, we've got a subcommittee
24 working on those directions and it's not only going to help the applicants but it's going to
25 help us in knowing what to look for because I've been on the committee for one year and
26 I've just finally got up to speed on how to do this and sometimes you only serve two years
27 so you've got a year learning, a year serving and then you're gone. So it's going to be a big
28 help to the committee members.

29
30 Chair: Any comments? I always felt the interview process, not that I've been involved in it
31 or anything, it was always intriguing and interesting, I'm sorry to see that it's going. Maybe
32 it's that it's too subjective.

33
34 Hightower: No, really nobody can explain why. When we do interview folks we ask them,
35 what do you think about the interview process and even though it's expensive for them it's
36 unanimous that all the applicants think it's necessary. We presented that to the NCARB
37 board and hit a wall. So, I don't know, I can't explain it.

38
39 **l. E-mail from NCEES re use of the Enforcement Exchange.**

40
41 Chair: Lets go to 8l e-mail from NCEES regarding use of the Enforcement Exchange. Did
42 you want to talk about that a little bit?

43
44 Jones: Yeah, I did find out who was supposed to be doing that. I guess all along that it was
45 supposed to have been Ginger. I haven't had a chance to get us caught up yet, but I will.

46
47 Chair: Are you aware of that John?

48
49 Savage: I think we talked about it a little bit in the past. As far as any action we take being
50 put on their website.

51
52 Jones: As far as our registrants where we take disciplinary action, I'll take care of that.

53
54 Chair: Conversely, if you have someone that's doing something wrong you can access this

1 national data base that will alert you to problems in other jurisdictions. Cliff is actually on
2 the enforcement committee on a national level, do you want to add something to that Cliff?
3

4 Baker: I think I mentioned at our last board meeting that part of what instigated this letter is
5 it came out in our law enforcement meeting that Maine, I think, would have these cases like
6 we did earlier, this consent agreement, and the respondent would agree to this consent
7 agreement and sometimes it was a pretty major thing but it went through and they said since
8 he consented to it we don't have to put it on the board. So when other states are looking at
9 this, this guy's practicing in another state and he does the same thing nobody knows that
10 he's actually been reprimanded for doing the same thing in another state. Because they say
11 oh, well he agreed so we didn't need to deal with it. That's what prompted this letter more
12 than anything I think.
13

14 Savage: That's some of the language for the most part that we put right in ours as you seen
15 earlier, that NCEES or NCARB will be notified.
16

17 Brownfield: NCEES has actually printed this and states have recognized this and I can't
18 quote where the regulation is or the law or whatever it is but there are some states where if
19 we had somebody that did something and this individual applied for another state and they
20 see that they were sanctioned in our state they can take that and deny them a license in that
21 particular state based on the experience we had on that individual here. So that's used, it
22 has been done in the past. California does it quite a bit. There is a lot of action between
23 California, Arizona and I'm not sure of the other state but they actually don't accept
24 registrants from other states if they have any sort of a record. So it's important whether your
25 on one side of the deal or the other.
26

27 Lent: I just want to mention that ASLA is setting up the same thing.
28

29 Jones: I was just going to say, we do use these services. All these files over here have
30 been checked against the NCEES enforcement exchange, the NCARB enforcement
31 exchange and the CLARB enforcement exchange before they come to the Board.
32

33 Baker: Something else that comes up is that someone may have been licensed here for
34 quite awhile in our state, but he's licensed in multiple states and he may have had an
35 infraction in another state but if it's not posted when John comes across it, it may appear to
36 be a first time offense. But if he goes and checks this out he might find that he's done the
37 same thing in four other states. So then it's not necessarily the same as a first time offense.
38 This guy is doing a practice that he has been notified he can't do.
39

40 Jones: One of the things you're going to find on these is a lot times if somebody does have
41 an infraction in one state, other states can and do sometimes take action on them because
42 of that. For example if we nail somebody, some other state can also do it for the same
43 thing. A lot of times on that enforcement exchange you'll see the same guys name four
44 times in a row and it's all for the same one but it's different states.
45

46 Baker: Right, but, and I question this quite a bit because I wouldn't want to see us impose
47 a \$5000 fine and then it gets out on here and this guys licensed in other states and they say
48 well we're going to impose a \$5000 fine for the same thing he did up in Alaska. And almost
49 unanimous they don't do that. But he does the same offense there in that particular state
50 afterwards then they will fine him for that not as a first time offense but they may look at it as
51 a second offense. But they won't piggy back on the first one on offenses they will just keep
52 it as part of their record. And they will note it in the record that he has received a reprimand
53 but they haven't really attached anything to it they figure the first state's really the one that
54 controls that. They just want to make sure the guy doesn't continue that practice just

1 because it's a new jurisdiction.

2
3 Brownfield: We've actually come across that very thing were we have folks come in that had
4 an infraction in another state. We determined he did his time he did whatever it was and it
5 wasn't significant enough, he didn't rob banks or something like that and so we didn't take
6 any action. But as far as what he does here and how other states deal with it, we have no
7 say what so ever in what they do or don't do.

8
9 Chair: Vern would it be possible, you have direct access to that, is it possible that John
10 could have access to that if he so desires?

11
12 Jones: He can use my password.

13
14 Savage: I think you've let me do that before.

15
16 Baker: I think as far as NCEES is concerned the investigator should have access. Should
17 have their own password and access.

18
19 Jones: I can do that for you if you want.

20
21 Chair: I would strongly recommend that. One thing we've noticed that when it comes to the
22 National level you run across people that are proficient at violating statute and regulations
23 across the border, they are doing it in many states. There was one fellow that was licensed
24 in fifty states and his office was actually a stamp factory. People would ship him documents
25 and he would stamp them and send them off for like a \$100. I think he was an engineer, but
26 he might have been a surveyor.

27
28 Brownfield: I think he was a surveyor (laughter)

29
30 Chair: So it is a very effective tool. I would encourage when you have time to follow up with
31 that, not that you haven't done it already. Any further comments or questions on that?

32
33 **m. Letter from Jerry Carter, NCEES Executive Director re Wzone meeting.**

34
35 Chair: Another letter from NCEES executive director. I might add he's a stellar
36 administrator. He's moving NCEES in the right direction, from what I can tell. He's very
37 personable. Any comments? Questions? Dan did you have anything to add?

38
39 Walsh: No

40
41 Chair: Do you want to go back Eric for the Fire Protection engineering response, 8 c.?

42
43 Eriksen: Yes, I'm not sure I'm up on it, I'd like to talk to Craig.

44
45 Chair: You want to defer it until this afternoon?

46
47 Eriksen: I talked to Craig a little about it and made some assumptions but I'm not real
48 heavily involved in sprinkler systems and have a few questions myself. My assumptions are
49 that their concerns are that they have sprinkler system technicians or whatever signing off
50 on sprinkler systems and engineers signing off on sprinkler systems and it seem like there
51 could be some confusion in the overlap and who's responsible for what. And my personal
52 knowledge is it seems like there's enough at stake as far as public health and safety in the
53 mechanical side and electrical side that they be reviewed and stamped by engineers. I
54 would talk with Craig to formulate a response.

1
2 Chair: We'll go ahead and its your responsibility to bring that back up. Bert!

3
4 Lent: Mr. chairman, thank you. I'd sure appreciate it in your discussions on sprinkler
5 systems as much as possible utilize fire protection as part of the description. Because,
6 we've had some confusion, a lot of confusion with respect to landscape sprinkler systems.
7 Which are something that landscape architects do on a regular basis. It's in our manual as
8 something we do. So any verbal description making fire protection distinctive from
9 landscape would be helpful.

10
11 Eriksen: Thank you for the clarification, I wouldn't have thought of that.

12
13 Chair: Thank you Bert. Let's go ahead and go to 9a.old business. Amendment to NCEES
14 Bylaws.

15
16 **Agenda item 9 – Old Business**

17
18 **a.** Amendment to NCEES Bylaws.

19
20 Jones: I didn't get that one printed.

21
22 Chair: I think that's an issue we're going to be dealing with at National anyway. Dan!

23
24 Walsh: This came up as 7g in our last packet and the board asked me to kind of review it
25 and see what was behind this so I contacted Petty Abshagen at NCEES and she said that
26 these changes to the minutes had already been approved at the 2009 meeting. So they
27 were just advising us of that. But that's quite different from what their original email said.
28 Cause it said accordingly the attached documents reflect the amendments that will be
29 offered at the 2010 annual meeting.

30
31 Chair: That's what I thought.

32
33 Walsh: But reading exactly what she wrote back to me. She says "sorry for the delay in
34 responding to your previous email. The proposed bylaw revisions reflect recommendations
35 made by the ACCA and EPS committees and approved at the 2009 annual meeting. Since
36 these revisions were already approved it was a matter of having the Bylaws reflect these
37 changes." And as I went back and looked at the minutes and annual report from last
38 meeting and these things are actually in there if you want to reference them.

39
40 **b.** Licensing environmental and structural engineers without requiring the NCEES
41 civil examination. Bo!

42
43 Brownfield: I think that is old business and back in 15 November 2009 I wrote a position
44 paper for our Special Committee on General Licensure. And it was a position paper, I don't
45 know if you have a copy but I have one, and we cited the issues and the facts and
46 assumptions, advantages and disadvantages, but anyway our conclusion was there's no
47 compelling sense of urgency to separate the structural and environmental and fire protection
48 disciplines, because they included that one, from the existing Special Committee on General
49 Licensure or to rush to judgment regarding addition of these disciplines into Alaska Statutes
50 and Regulations. Our recommendation in that was to direct the Committee on General
51 Licensure through the AELS Board Chairman to continue a full analysis of their charge to
52 include the evaluation of proposed added disciplines beyond those presently defined by
53 State Statutes and Regulations. And 2, to the AELS Chairman, provide a schedule to be
54 met by the Committee on General Licensure to the completion of their mission and

1 presentation of their findings and recommendations to the full board. So we had acted on
2 that particular position paper. We decided as a board, as I recall, that we would not make a
3 special case for environmental, structural and fire protection. We would include all of them
4 and that's what we're doing. So it is indeed an old issue that I thought was put to bed and
5 it's being considered now in the overall General Licensure. I have a copy if you need
6 another copy of this I can just give it to you now.

7
8 c. Building Information Modeling (BIM).
9

10 Rearick: Yes, at the Westcarb conference there wasn't any discussion. At this point what I
11 do know is it's something that NCARB is following and trying to see where it fits in. At this
12 point in time I still think it's a matter of industry leading to see where it ends up before trying
13 to apply regulations to it. I just spoke to a BIM seminar a couple weeks ago that was put on
14 by a BIM software manufacture and I actually posed a question to them if they had
15 encountered any issues with licensure and I got this blank look back from them. So, I think
16 at the level that BIM is being used right now it's really hasn't evolved into documents being
17 delivered in 3d model they are still producing their paper documents. And that is still
18 regulated under regular licensure.

19
20 Chair: Bo!

21
22 Brownfield: During the last annual conference and I think the one before we had a one hour
23 and last year we had a two hour session on this subject. Very interesting as it affects
24 architects as much if not more then it affects engineers. But it's a very interesting concept
25 that if you see it, it puts everything including the underground of your utilities serving these
26 buildings you see it this way, that way anyway you want to see it and it's supposed to give
27 you more perspective of what is there. If there's a rupture somewhere it gives you a virtual
28 picture all the way around of that system so you can pin point it earlier. But it is not here yet
29 as you point out and I think it's being looked at seriously. At this point it's a little bit more
30 expensive than the way we normally do it. So it's very interesting from the engineer's
31 standpoint and NCEES has given several talks on that at our national meetings.

32
33 Rearick: I did read through some past correspondence issued by NCEES talking about it
34 and they seemed about at the same level that NCARB was. If you talk to a software
35 manufacturer representative, they're going to lead you to believe that this is now. But it's
36 really a number of years out I think we're really involved in what the idea of it is supposed to
37 deliver.

38
39 Brownfield: I see they haven't formulated its clear advantages over what we do now. It may
40 be a little bit more expensive. Few people have the capability of doing it. They say right
41 now the advantage of it will be in use as an as-built once something is already constructed
42 as well as during construction. It's something we're going to have to deal with in the future.

43
44 Hanson: And acquired through standardization but they're forcing that and there's been a
45 lot of push back. Just to be able to use it, it's a different aspect. It has different GAS tags
46 for every piece of equipment going into the building right down to the serial number. It is a
47 long way's off before it's fully functional but I think people are starting to use it and get up to
48 speed on it.

49
50 Rearick: We could have a lot of discussion about different governmental bodies that are
51 pushing it and that's really what's going to drive the industry to start using it. But it's still a
52 long way to go before it's practical to use.

53
54 Chair: Any other comments?

1
2 Rearick: Richard, I'll just continue to monitor it and if there are any issues that come up I'll
3 bring them to this board.

4
5 Chair: Thank you. I guess we can go right into regulation updates.

6
7 **Agenda item 10 – Regulation updates.**

8
9 Jones: once we get down to 10C we will need to call Gail. I need to go make copies of that.

- 10
11 a. Approve for public notice – Change to Article 5. Continuing Education for
12 Professional Architects, Engineers and Landscape Architects. (Combine with
13 Article 4)

14
15 Chair: I'll call a short recess when we get through the first two if that's alright. 10 a for
16 public notice, go ahead and take a minute to look at that. It was an insert?

17
18 Jones: Actually I just passed it out this morning. Chapter 36. What happened here is we
19 found out that for dual registration for continuing education you only had to have eight hours
20 in each one but that didn't apply to surveyors because they were under a different
21 regulation. So, what I did was combine both regulations into one and that's what this is.

22
23 Chair: Correct me if I'm wrong, the bottom line is that land surveyors will only be required to
24 do 24 total in two years?

25
26 Jones: Right. What I did was make it exactly the same for everybody.

27
28 Chair: There was a lot of confusion in that so to accommodate staff and to make it a level
29 playing field, that's the reason for this regulation change and I just thought a cursory
30 overview, it was presented to the land surveyors and there was very little dissension and not
31 a huge issue for them. I would entertain a motion.

32
33 Baker: I would like to move to adopt 12 AAC 36.400

34
35 Jones: Stop. Ok, the first one 36.410, you will only adopt that if you reject the second one.
36 It's one or the other, if you accept the new 36.500 then Article 4 will be repealed in its
37 entirety.

38
39 Baker: Actually that was a question I had, then I will restate the motion.

40
41 **On a motion duly made by Baker, seconded by Shiesl it was**

42
43 **RESOLVED to approve for public notice the changes to 12 AAC 36.500 to include**
44 **Land Surveyors.**

45
46 Shiesl: Second

47
48 Chair: Don has seconded that and that actually is just moved to advertise?

49
50 Jones: Yes, this is just for public notice.

51
52 Chair: Discussion, Cliff!

53
54 Baker: I guess you kind of answered my question Vern this in intended to remove the land

1 surveyors section entirely?

2

3 Jones: Yes.

4

5 Baker: One of the things through our discussions with surveyors is that partly under the
6 surveyors CE we were required to have 30 credits for the two years and the engineers
7 passed theirs for only 24. What we are doing is reducing our requirements and the
8 surveyors said that maybe we had to have more because our field was so much more
9 diverse and complex.

10

11 Brownfield: That's arguable (laughter)

12

13 Baker: So going through this with the continuing education we had a lot of things spelled
14 out on what would qualify and offices held and that's all identical between the two, is that
15 correct?

16

17 Jones: That's correct. It wasn't before but I took out of the surveyors and added h 5 and 6
18 in there which were unique to the surveyors regulation so that now everybody's the same.
19 In other words we will accept authoring published papers, articles, or books. Or serving as
20 an officer or actively participating in a committee of professional or technical societies. All
21 those will be accepted.

22

23 Baker: So my motion is not entirely correct. My motion was to

24

25 Jones: Yes, the motion should have been to approve it for public notice as amended.

26

27 Baker: To stress that this isn't just a change to the surveyors it's also adding a change to
28 the engineers and architects as well. I can change that to adopt as submitted for
29 publication.

30

31 Hanson: I have a question on that, so these came over from the surveyors side those five
32 and six?

33

34 Jones; Anything that's bold is an addition.

35

36 Chair: For the record Vern could you re-read the motion?

37

38 Jones; Yes, we're going to rewrite the motion.

39

40 Chair: While that's being done could you

41

42 Walsh: Are we going to discuss this? I just had a comment. When the engineers were
43 considering the items that were acceptable on page four and now numbers five and six have
44 been added I know one of the arguments I made about authoring published papers, articles
45 and books. That really wasn't a very level playing field any longer because I can get
46 basically all my CE requirements now for publishing a couple papers that are part of my
47 general work load at the university and that would apply to other faculty as well. That's one
48 reason we left this particular item number five out. I don't really like it for that reason. I think
49 we also considered at the same time we can get continuing education credits for serving on
50 a board like this. We also rejected that as being kind of self serving. I'd just like to bring
51 that back up for discussion. That authoring published papers articles and books really give
52 a certain class of licensed engineers a very easy way to get their CE credits.

53

54 Baker: As far as serving on the board that was a pretty heavy discussion while we were

1 going through the process for surveyors. And that was, for just your reasons, specifically
2 excluded from that as far as boards. It was directed towards the state societies and such.

3
4 Eriksen: Are we discussing now then?

5
6 Baker: Do you want me to restate the motion first?

7
8 Chair: Yes.

9
10 Baker: So, for the second what I'd like to do is move to approve for publication the changes
11 to 12 AAC 36.500 as submitted.

12
13 Chair: Don, you second?

14
15 Shiesl: Yes.

16
17 Eriksen: So, on this 5 and 6 again. Is there some guideline on how much time you would
18 associate with a paper or how do you account for that or does there need to be some
19 guidelines provided to give people some direction? Or even as an officer of a society for a
20 year long commitment, sometimes they meet monthly or quarterly. How do you account for
21 that time in PDH format?

22
23 Rearick: I would argue that it's good to have both 5 and 6 in here because if you're
24 publishing a paper you're usually doing a certain amount of research or you've become an
25 expert in an area based upon doing research and even serving as an officer on a
26 professional society. You're more engaged in the profession and you're usually learning
27 about and looking at issues within the profession. So, although it may be easy for you to
28 write a paper it doesn't come without personal professional knowledge on the subject. And
29 if somebody's teaching a course as well there's usually ongoing education associated with
30 that.

31
32 Baker: As far as number 6, I'm not sure if this has been added to it, but the computations of
33 continuing education of surveyors says for serving as an officer or actively participating in a
34 professional, technical society is up to 8 professional development hours per year for each
35 professional technical society, so it addresses that particular issue. And also somewhere in
36 here 10 professional development hours may be claimed for each published paper, article or
37 book based on the amount of time and effort required to produce that article. So it kind of
38 limits those. I don't know if those were transferred over or just these lines. So those may
39 need to be transferred.

40
41 Eriksen: Yes, I think there has to be some guidelines for people.

42
43 Chair: I'll do something a little out of the ordinary in that I would like people to consider
44 making a motion to table this until after we've gone through the process of evaluating
45 continuing education. I don't mean to table it indefinitely by any stretch but it might help to
46 understand it a little better if you go – I've gone through the process once already of
47 evaluating the continuing education units and maybe if we did that before we pass on this it
48 might be very helpful. So I would ask that someone make that motion to table this.

49
50 Brownfield: I so move.

51
52 Baker: Then I'd like to change the motion slightly to a time definite say like tomorrow
53 afternoon. That would give us tonight to review it.

1 Chair: When we go through our evaluation process it's very enlightening in my opinion
2 anyway. And since this is the first time around.

3
4 **On a motion duly made by Brownfield, seconded by Baker is was**

5
6 **RESOLVED to table the motion until after CE review tomorrow afternoon.**

7
8 Hearing no objection the motion passed unanimously.

9
10 Chair: Are you ready Harley?

11
12 Hightower: Yes

13
14 Chair Item 10b.

15
16 **On a motion duly made by Hightower, seconded by Rearick, it was**

17
18 **RESOLVED to accept the amendment to 12 AAC 36.061 (a)(2) that revises the NCARB**
19 **Education Standard to conform to the 2010 Standard in lieu of the 2008-2009**
20 **standard.**

21
22 Hightower: Those standards are established by the National Architectural Accrediting Board
23 that accredits universities and establishes the education standards. This is an alternate
24 method where an individual can show that they met those standards in another manner.
25 There's a method to become licensed, a fairly cumbersome method, but it does at least get
26 the guidelines for pursuing an alternative method.

27
28 Brownfield: I was just trying to think in my mind is this a motion that will accept any updates
29 in your minimum educations in the future. Is this adopted by reference? Is this for just 2010
30 or for any changes in the future?

31
32 Hightower: Well it's updated on a fairly regular basis. The last one was 2008-2009 so it
33 looks like it's an annual update. And we probably need to do this every time. This is just a
34 standard thing we need to do.

35
36 Chair: Any further discussion? Hearing none there is a motion on the table as stated by
37 Harley referencing the updated NCARB requirements.

38
39 Motion passed unanimously.

40
41 Chair: The motion passes I hope the motion said approve for public notice?

42
43 Hightower: This is a change in regulation.

44
45 Jones: Right, we have to public notice it.

46
47 Hightower: Do we want to add that to the

48
49 Chair: Yes, it actually should have said approve for public notice.

50
51 Hightower: Ok,

52
53 Chair: To me this is just a clerical thing so a revote isn't necessary. By ruling of the chair.
54 (laughter) Lets go ahead, I know we just had a break but I'll entertain a motion for a recess

1 so we can get copies of the Bylaws and call Gayle Horetski regarding those Bylaws. Was
2 there a second on the recess. Dan seconded so we are in recess for 15 minutes.

3
4 Chair: Ok lets go ahead, Gayle Horetski is not probably going to be available until 11:30 so
5 I'm going to put Bo on the spot here to committee reports.

6
7 **Agenda item 15 – Committee reports.**

8
9 Brownfield: I'm not ready to give you a committee report.

10
11 Chair: Ok, we can go to the next committee as-built/record drawings. Harley am I catching
12 you off guard there?

13
14 Hightower: I could report on incidental practice. When John's in tomorrow I'd like to have
15 him explain one part of that. I may be a little rough here since I wasn't prepared but I'll give
16 it a shot. Actually this incidental practice got a little more complex as we got into
17 exemptions. And with Dan's letter which appeared to exempt all of the subjects under
18 exemptions from the whole chapter. I think Gayle explained that that's not the case and that
19 we could go back and go through minutes of the meetings and things like that and find out
20 the intent. John had done that on the subject of specialty contractors and I got about three
21 pages of nothing. It didn't explain anything of the intent or anything else. But what I did find
22 out is looking at the big problem in this exemption area was the mechanical contractors
23 designing systems. They do it under specialty contractors and when we talked with Gayle
24 last time she indicated that they're so many specialty contractors for the entire building
25 whether it's structural steel, whether its mechanical or electrical systems. So theoretically
26 specialty contractors can start designing, you don't need architects and engineers and I
27 don't think that's the intent of this. I think Gayle was wrong because I went through the
28 statutes and regulations for mechanical contractors, electrical contractors and contractors
29 and there's no place in there that includes mechanical and electrical under specialty
30 contractors. The only thing that's allowed by their statutes and regulations is the mechanical
31 contractors can do fire protection so that's all they're allowed. Then under electrical they're
32 not allowed to do any types, electrical sub-contractors are not allowed under their statues to
33 do any type. And under specialty contractors they're allowed to do shop drawings and field
34 drawings which is not designing. Shop drawings and field drawings are always done after
35 the permitting process. So, they've already got a set of documents. So, it appears that this
36 is interpreted not only by the contractors but by the AG's office too widely because their
37 regulations, the sub-contractors regulations, don't allow them to do it. But, we do by
38 excluding them according to the AG's office by exempting them. So, that doesn't make
39 sense to me so I kind of got where I didn't know where to go with any of this. As far as on
40 the incidental practice I think as we already looked at the revisions to that, that would still be
41 applicable. But on the bigger issue I think we need to look at these exemptions and if I
42 didn't confuse everybody with that, that's what I found.

43
44 Chair: And those are under Statute 08.48.331 in our book, page 8 if you were wondering.
45 Are there any further comments?

46
47 Eriksen: We talked about this in our last couple of meetings a little bit and to summarize
48 discussions we had before I guess I feel the same way, some of those exemptions need
49 some revisions probably.

50
51 Hightower: As far as the one, specialty contractors I would like to just delete the whole thing
52 and let their regulations, regulate them instead of us exempting them from ours. And many
53 of these things I don't know, again I probably spent more time on that than anything else
54 cause that's the one that John has a big problem with and it looks like the biggest problem

1 to me.

2
3 Walsh: I just want to reinforce what Harley said. I think it's an important issue and we ought
4 to spend more time on it. Whether it's digging out some of these files, though that doesn't
5 seem like it did Harley much good, or another means, we try to add language here to
6 specifically state what each of these exemptions are exempt from or drop a lot of them that
7 are causing us trouble.

8
9 Hightower: I think, again, that really just the interpretation is wrong. Could we ask the AG's
10 office to take another look at this and let him know the definition of shop drawings and field
11 drawings, that that's not designing buildings?

12
13 Baker: That scares me and I think that that is a big issue as Harley said you have specialty
14 contractors for a huge portion of building a building and so basically you could have a
15 complete building built by specialty contractors and not ever have an engineer or an
16 architect look at any part of it and that's part of what engineers do is correlate and bring
17 everything and make sure everything works together where these guys would never do that.
18 They are all going to work in their one little specific area so that needs to be pointed out to
19 the AG, the way that that's being interpreted is a real danger to the public.

20
21 Brownfield: Yes and what Cliff said, we recognize that and, again, we tried to deal with this
22 before. My point would be, first of all I agree with everything he's saying. Secondly, it would
23 behoove each and every one of us, if we could get a copy of their regulations, which is so
24 convoluted and so not understandable, there's not a whole lot they can't do depending on
25 how you interpret it. I know I'm like that and I have a file at home, I didn't bring it with me.
26 But in that file if you go to specialty contractor and read what they say they're able to do it is
27 in my view I can't understand what they can't do. It's a very serious problem we've dealt
28 with in the past and we need to deal with it now. Since it is a regulation we're going to have
29 to go to the Legislature and that's not a reason not to.

30
31 Eriksen: I have something I was going to refer to in the legislative committee that might be
32 relevant to some of what Bo's describing. I spoke to John Walsh about two weeks ago and
33 he said if we have anything we want to bring to the legislature over the next two years it has
34 to be in by this fall if we expect to have some movement on it. So any changes we want to
35 bring forward have to be in by this fall or we are going to miss the two year window.

36
37 Hightower: These are the documents that you could look at, mechanical, electrical and
38 contractors, those three.

39
40 Eriksen: I'm speaking on behalf of the electrical stuff. I see electrical contractors and I'm
41 more familiar with that part of the industry and yes I see and I think that's a pretty common
42 practice actually.

43
44 Chair: What I would suggest to the committee is that they actually come up with a one page
45 statute change and then a short brief on justification for the change. And if you want to
46 delete the exemption for specialty contractors and not even speak to it I think that probably
47 would be the direction to go from what I'm hearing you say. And if you brought that forward
48 for our next meeting that would be the most appropriate thing to do.

49
50 Hightower: Ok, and what I'll do also is as far as the as-built and record drawings, we've
51 already discussed that and come up with language so I'll dust that off, I'll dust off incidental
52 practice and I'll dust off the specialty contractors and get it ready for the next meeting. I was
53 trying to do that for this meeting but I got so confused with all this that I couldn't get there.

1 Chair: I hear you. Any further discussion on incidental practice? Licensure mobility, there
2 isn't really too much to report on is there Dan?

3
4 Walsh: I don't have anything to report on there. I do on the next issue Richard but I'm not
5 ready to do it now, I can do it tomorrow.

6
7 Chair: Ok. With that we'll go to land surveyor education committee. What Cliff has passed
8 out is a spread sheet summarizing response to a letter that was sent out by Cliff back in
9 September?

10
11 Baker: I think it was early November or late October, before our November meeting.

12
13 Chair: And, do you want to go ahead and speak to that?

14
15 Baker: Yes, basically three quarters of the first page was all received prior and everything
16 after that was received since last meeting in February. As you can see it was kind of equal
17 all over on the first page, the first group we had a balance. As I started stressing more and
18 more about you know the silent majority that sit's there and always agrees with it and says
19 well I don't have to write anything. I tell them if you don't voice an opinion you may end up
20 with something you don't want. And you see that its almost 2 to 1 for the 4 year degree.
21 Now there's a couple you'll find like Max Schillinger and Anthony Robinson on the bottom
22 they are marked in a couple places and they say they want one thing but if you could do this
23 then they'd go for the 4 year degree. Most prefer the 4 year degree but they feel there are
24 some problems there, one of them is a distance learning thing with surveying and make it
25 more economical. So, kind of like what Bo was saying earlier with the responses he got with
26 engineering. It's typical that you're not going to get a lot of response and more often if you
27 get people that are really against your position you'll get a lot of voice. In this case here
28 people are really leaning towards wanting it you're getting a pretty good voice on that. I
29 think it's pretty much self evident here over on the last side you can read, some of these
30 letters were hard to determine what they really were saying. It kind of gives an idea of what
31 the reasons are behind their letters.

32
33 Shiesl: I just read the article on NCEES exchange and here's the article. 4 year degree is
34 becoming the standard for survey licensure. I was a little shocked when I read this that civil
35 engineers don't learn surveying any more. As the field becomes more and more technical
36 which it somewhat has to be. It needs to be more professional, rather than just learning the
37 old way, especially when there's no one else to teach you.

38
39 Hanson: Was it PLS's that were surveyed that provided comments?

40
41 Chair: All registrants in the State of Alaska whether they be State residents or not were
42 sent a letter. We didn't really take a position in the letter and the Board really hasn't either.
43 We were in an information gathering stage. And so I would still say that that's what we're
44 doing. I think the registrants are leaning strongly toward a 4 year degree program. What
45 that will be made up of is yet to be seen but UAA for instance is on task to have a geomatics
46 minor with an engineering degree. Geomatics is a catch phrase for land surveying. The
47 history of that is pretty convoluted but basically it was a way to attract more people to the
48 profession of land surveying. It really didn't have any substance to it. Ontario Universities
49 higher learning institution has adopted that program name, geomatics.

50
51 Baker: When I originally passed this out I was thinking my original was two pages but I put it
52 on both sides so I gave you two pages of the same thing. There was quite a discussion at
53 our surveyor forum at NCEES Western Zone on this. And it's a question that there's a
54 number of States, quite a few states that have already gone to the 4 year degree

1 requirement or have put it to where it will come in at a certain date. Part of the discussion
2 was whether or not to require 4 year degree that was geomatics or a general 4 year degree
3 and add core requirements so that is part of the discussion and something that Richard was
4 referring to. We're not sure how that will shake out yet but we gave them a full year to do
5 this. We felt it was a strong enough issue that after our next meeting we'll start piecing it
6 together and start trying to come up with regulations to meet it.

7
8 Chair: Yea, that was actually a joint meeting of the Central and Western Zone of all the
9 surveyors represented at those meeting and there was a straw poll taken and it was very
10 strong position taken by all of us that we're in favor of a 4 year degree program. Not getting
11 into the specifics of what form that would take. There was not one person in the room that
12 was opposed to a requirement of a 4 year degree program. Ironically most of the responses
13 that I see in opposition to a 4 year degree program are actually kind of a circle argument
14 that are actually arguing in favor of a 4 year degree program. So it gets to be a little bazaar
15 what they say in justifying for not having that requirement. But we're surveyors. (laughter)

16
17 Baker: That's basically the end of my report.

18
19 Chair: Thank you. Are there any questions? Good work Cliff. I wouldn't mind hearing from
20 the investigative advisory committee that you've been meeting on a pretty regular basis with
21 John, couple of times a month?

22
23 Brownfield: Yea, Harley and I normally go over there. Sometimes Harley don't get there and
24 sometimes I don't get there. But, I guess since our meeting I've met with John probably 5 or
25 6 times I'm guessing and that could be more or it could be less depending on his workload.
26 He has 8 other boards now. He used to have 10 other boards and so when he gets around
27 to us he calls us and we meet and we have very good discussions. Usually it lasts
28 anywhere from an hour to two hours. We can't get over two hours much because we're only
29 allowed to park there for two hours. (laughter) Otherwise we'd go longer. But, they're very
30 good sessions. We have good hot discussions, John is prepared every time we go in there
31 with documents, what's happening and it's well run and I think this program is one of the
32 best that we put into practice from a standpoint of us getting closer to and working very well
33 with our investigator. John is just a jewel and he does a great job and I think this program is
34 good.

35
36 Hightower: I can't add to that, I agree.

37
38 Brownfield: And Harley and I don't agree all the time. But, none the less we give him our
39 best shot and we are only advising him.

40
41 Chair: Harley is always right though, I just wanted to (laughter)

42
43 Brownfield: That's true. Because he's older than I am (laughter). But John and the
44 Division, they make up their mind based on what we say and what they do and they are the
45 final authority on what he comes up with. This Boards the final authority on whether it is
46 administered or put back to the drawing board. It's just a good system, I'll answer any
47 questions you have regarding what we do.

48
49 Chair: I would encourage that you relate to John that there's a lot more Board members and
50 their involvement would be very, I know you have travel issues but I'm sure Don wouldn't
51 mind traveling into Anchorage once in a while. And Brian and Craig.

52
53 Brownfield: Let me get into that in a second. There's an issue about Don. Don is a public
54 member. We are dealing with strictly, we got into this before and we were advised, that if it

1 ever gets to court, not that you are any less proficient than anybody else but if an issue goes
2 to court and you were one of the advisors and all of a sudden the opposition said and what's
3 your roll on the Board? Well I'm a public member, you know, basically they would go
4 towards, you're not technically qualified you're making issues, you're influencing issues,
5 that's just lawyer talk. But, that could throw a case out. So, we've been advised to be very
6 careful about that and our former public member wanted desperately to get on there, really
7 desperately and as the Chair I wouldn't allow it just simply because of that reason. We were
8 advised not to. So, that should not be taken personal at all.

9
10 Chair: I do appreciate that. There are certain circumstances where it should be John's
11 discretion as to whether there would be a problem with that. And even having Don or Bert
12 involved it would be a good thing for them to understand the process. And that's probably
13 the paramount reason, even if there were three people involved we would still have enough
14 people to oversee a case.

15
16 Brownfield: We can do that. If something comes up I'll give you a call and you can
17 participate as a public member. One other thing over there and that is he has called upon
18 you has he not.

19
20 Chair: Eric? Bert?

21
22 Eriksen: No

23
24 Lent; Oh, your pointing to me. No

25
26 Brownfield: He's called you on surveying issues right?

27
28 Baker: No, I think he's called Richard. There's a travel issue. I'd have to go up eight floors.
29 (laughter)

30
31 Brownfield: But for surveying issues your available but the key is once you become involved
32 you can no longer vote on the final solution. You have to recuse yourselves.

33
34 Lent: I just wanted to remind everybody, as far as you mentioned Bert. As a temporary
35 non-voting member of the Board that may put a cloud over my ever participating in the
36 disciplinary committee too.

37
38 Baker: You're still an expert in your field and you're still licensed.

39
40 Chair: And you're free. (laughter) We have a few more minutes here. The only thing I
41 would add to all of that is the transition from where we were 6 years ago to where we are
42 today is phenomenal. The amount of money we were spending, whether it was attorneys or
43 the investigative end of it and the expert witnesses involved and the money that was not
44 being spent, in my opinion, in the appropriate manner is down to zero. John has focused
45 on efficiency and fairness and he's just done a marvelous job I feel like I'm actually involved
46 in an organization that's accomplishing things. It's very rewarding to do that and with that
47 Vern could you, I guess we don't have any other questions on the investigative advisory
48 committee and we left off so we'll do the guidance manual when we get back and general
49 licensure.

50
51 Chair: Gayle wants to talk to us about the Bylaws.

52
53 Hi, this is Gayle. Hi, Gayle this is Vernon, you're now in the meeting. Hi Vernon.

54

1 Chair: Good morning Gayle, this is Richard Heieren.

2
3 Horetski: Good Morning Mr. Heieren, how are you?

4
5 Chair: I'm fine, how about yourself?

6
7 Horetski: Well, good, thanks. We're having nice weather for a change down here.

8
9 Chair: Not as nice as here. We're calling you regarding the, uh, you wanted to speak to us
10 about the Bylaws?

11
12 Horetski: Well yes sir, just briefly. Good morning members of the Board, this is Gayle
13 Horetski speaking to you from my office in Juneau. You'll recall Mr. Chairman that the
14 Board has had a regulation project that had to do with adoption of Bylaws and at the last
15 meeting we had a discussion about since a lot of the things that are in the Bylaws are
16 already covered mainly in other State Statutes and some of it in Regulation so what Mr.
17 Jones did was take the comments of the Board, pull out the items that are already covered
18 in State Statutes or elsewhere and then revise the Bylaws which are considerably shorter
19 but, I think, also a little bit clearer. Vern did you get the proposed Bylaws that were faxed up
20 today?

21
22 Jones: Yes I did and everybody has a copy.

23
24 Horetski: Excellent. So Mr. Chairman you'll see that it's now a three page document.
25 There are eight articles and they cover, from the Board's point of view, the purpose of the
26 Board, election of officers, when meetings will be called, historical information, about the
27 executive secretary, conduct of the Board meetings, conduct of Board members, some
28 details about the board committees, the kind they are. What the Board can do in response to
29 a recommendation. I did add a new item which is on page three. Article 6 g as in Gayle.
30 So, it says the Board among everything else it may do may also reject the committee's
31 conclusions and you know that may not happen very often but just to make it clear.
32 Essentially the Board can do what it wants to no matter what the committee recommends.
33 Obviously the committee's recommendations are intended to be helpful. Parliamentary
34 procedure, basically this is more of a guideline here, we're going to use Roberts Rules of
35 Order but if something comes up, the Board's Chair can relax the rules. And then the final
36 article there is, it's not really a bylaw but I think it's ok to put it here because what you're
37 trying to do is inform the public and the Board members about the Statutes that apply and
38 that's a correct statement of the law. So, if these look ok Mr. Chairman, there is also a cover
39 sheet and a one page regulation which is section 9-10 Bylaws adopted by reference and
40 sort of like accompany the regulations. If these look ok to you, sir, the board can at this
41 meet move to readopt the Bylaws and if you do then that's the end of the process and we'll
42 get the paperwork and send it over to the Lt. Governor's office for signature. Assuming that
43 this all looks ok and of course I'd be glad to take any questions. The only other thing I
44 briefly discussed with Mr. Jones prior to the meeting was if the Board has time, which also
45 won't take very long, we could go over the historical information that appears in your packet.
46 This was a longer document it was like four pages long and a lot of things were dropped out
47 of it primarily because it was already covered in regulations, most of it. It just wasn't an
48 accurate statement anymore of what the Board was doing. So now this is just a page and a
49 half. But there are still things in here which are not strictly speaking historical information
50 and I do think at some point, whether now or at some point the Board should take the time
51 to go through it and basically take out what doesn't belong and leave what does. There are
52 items in here that you want to retain that should go into the Bylaws. We could make that
53 change now and it could be incorporated into the Bylaws and we wouldn't have to come
54 back and revisit it. So that's where we are today.

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Chair: Thank your Gayle, may I call you Gayle?

Horetski: Oh, certainly, of course.

Chair: You had suggestions of historical information that we could incorporate into the Bylaws. Would it be appropriate at this time for you to name those off and I would prefer we did make all those corrections and amendments to the Bylaws before we adopt them for the second time. I know we have one member here that wants to change the, uh , Bert!

Lent: Good morning, attorney Gayle. Do you remember me, I'm the landscape architect on the Board.

Horetski: Good morning, yes I do.

Lent: On your article 6 of the Bylaws, 1a, if you could correct that, it is now called the Guidance manual instead of Building and Planning Officials Manual.

Horetski: Ok, Guidance Manual committee. And do we need that other reference there? Ok, we can take that out. So Mr. Chairman Article 6 item 1.a. would read Guidance Manual Committee.

Chair: So, go back to your historical information, your recommended items that should be incorporated into the Bylaws Gayle.

Horetski: Ok, Mr. Chairman if the Board could take a look the new revised historical information. The top part that says history, that's ok and then we get down to the part that starts with a. It used to have a title there that said general board policies. The title came out but a lot of the content was left. "A" Mr. Chairman should be just ex'd out in my opinion because 1. It's covered in the Bylaws and 2. What it says here contradicts the Bylaws because it talks about the last meeting of each year and we've already said we want to do it the first meeting. So "a" should just come out. On that first page the next paragraph there which is "b" talks about voting. And it says all permanent Board members including the chair may cast a vote on all matters unless a conflict of interest, temporary non-voting members may not vote but may otherwise participate. Those are both true statements and the provision of State law that establishes that the landscape architect temporary position can't vote. That appears in a temporary subsection of chapter two section 23 SLA of 2009. So that is a matter of Statute although it's not in the code itself it's just in the SLA. That makes it a little confusing. So if you want to as a Board collectively wants to move that provision on voting into the Bylaws where we talk about, let's see, it would be article 3 on page 1. We could add language there saying basically the same thing. Everybody could vote except the temporary member.

Chair: With no objection I think that's appropriate. We'll move item "b" to Article 3 of the Bylaws and label it item 4?

Horetski: Yes, it may be a different number but yes. Then the next thing Mr. Chairman on this is paragraph "d". I don't understand what that Emeritus Status is. It seems like your trying to say former members of the Board may become emeritus members of the Board?

Chair: No. Emeritus Status is a title that's granted to members that used to be on the Board that are actually doing committee and board work at the national level for NCEES and NCARB I believe has the same thing. The ability for people to continue on with National Committees and National representation for and on behalf of the Board. But it has to be, I

1 believe, this Board's opinion, it has to be Board sanctioned and approved.
2
3 Horetski: Ok, so I wonder if that also might be something we would put into the Bylaws.
4
5 Chair: Excellent.
6
7 Horetski: I'm not sure exactly where but we could certainly figure it out. So if that's ok that's
8 another thing on emeritus status we move to the Bylaws. Ok, let me make a note here. And
9 then the next section is "d" as in dog, on investigations. I don't know if the Board, it says
10 here that this was adopted at the 2006 meeting. Is the Board still following this policy?
11
12 Chair: Yes it is.
13
14 Horetski: ok, so if you want to keep following that policy of meeting monthly with the Board
15 investigator that's another thing that maybe should to into the Bylaws.
16
17 Chair: Yes, absolutely, I agree.
18
19 Horetski: Ok, so I'll note that. And, then "e" again I need some help here, I don't know what
20 that's supposed to be. If this definition of Health, Safety and Welfare is a substantive
21 provision that's a standard of conduct for professionals it needs to be in regulation. You
22 could add a definition in your definitions section of the regulations. But that's not a Bylaw
23 thing.
24
25 Chair: Ok.
26
27 Horetski: And I don't even know I it's needed. You do have your statement of purpose there
28 in Article 1. Which basically says the same thing doesn't it?
29
30 Chair: Yes.
31
32 Horetski: So maybe "e" we could just drop it off.
33
34 Brownfield: Mr. Chairman I don't agree with that. I think that we need to clearly identify to
35 other folks what Health, Safety and Welfare may be so we don't get in an argument in some
36 sort of a case. We've discussed this before and I don't know if you recall that you didn't like
37 the definition so we didn't really go into it. But I think we do need a definition that we can
38 grasp so that the public can understand what it means. I don't think Health, Safety and
39 Welfare of the public gets deep enough involved for other folks to understand it so it should
40 be somewhere. If it's in the regulations, that's fine. We tried that before, I think it belongs in
41 the regulations. You mention all sorts of things in regulations and all of a sudden you come
42 to the end of it and you give definitions of it. This would rise to that occasion too, so I think
43 we should have it somewhere.
44
45 Horetski: Ok, well your definitions starts I believe on section 990. And there's a whole
46 bunch of definitions there, it looks like there are about 33 different definitions. I'm
47 wondering, Vern there a lot of things in this history, policies and Bylaws that should be in
48 regulation. Is the board planning to public notice a regulation project with those regulations
49 in it?
50
51 Jones: Not yet.
52
53 Horetski: Ok, well whenever that's ready to go maybe you could include this definition in
54 with all the other ones that the board is planning to look at.

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Jones: Sure, that makes sense.

Chair: Very good.

Horetski: The only problem with this current definition is something about traditional values. I don't know what that means. If it means like, you know, moral stuff, that's probably not what you mean by that. It's a term that doesn't really help us because people don't understand what it means, I don't think. Or, at least people may have different ideas of what it means. You know Mr. Chairman if we could just keep going I think we could finish this up and then we would be done with the historical information document too.

Chair: Sure.

Horetski: Oh good. The first section is now history, the second sections we've gone through. Now there's a section there at the bottom that says exams. I think some of this is just really old and maybe that's why I don't really understand it. But if you look under examinations you have paragraph "a" that says all NCEES and NCARB exams are considered acceptable to meet the minimum qualifications under 12 AAC 36.100. If you take a look at 12.36.100 it addresses the content of the exam for the various professions. And it specifically says, as the Board members may recall, what particular exam. The NCARB architect registration, A.R.E., the NCEES Principle and Practice of Engineering, I mean it's very specific, the landscape architect, CLARB. So, I guess I don't understand what "a" means and since the regulation itself specifically says what exams are required. What is the purpose of this statement in 2 "a" Historical?

Chair: We've got a bunch of blank faces Gayle.

Horetski: Ok, well I think it's old language that's obsolete and need to come out. The regulation its self is very clear and the regulation its self is the one that applies.

Lent: It is obsolete it should have included CLARB.

Horetski: And it doesn't, your right, that's a good point. Well, ok, I'm going to cross "a" off unless there's a reason not to and that brings us to "b" which there's an equivalent exam. And again here I need a little help. I know what, again, since 100 says what you have to have as exams to be licensed in Alaska. What is "b" accomplishing?

Chair: It may be dated but at one point it actually helps us when we're evaluating applicants that have some kind of a background as to the process that has been adopted through the years.

Brownfield: I wouldn't and in fact I wouldn't just take out "a" either because as I read this document this gives historical information. Paragraph one, history, and number 2 examinations. I think we certainly know what it means in NCEES because that's model law and all that. We don't necessarily have to follow all that but we have guidance that's still there. So I would have to look at 2 alpha before we just strike it out to see if it isn't really necessary. And 2 "b", equivalent examinations. We accept NCEES examinations and NCARB examinations but we also evaluate folks that have taken courses that don't. They meet the standard but they do it in a different way so I think equivalent examinations means that there's another means to get there besides NCEES examinations that's the norm.

Horetski: Well if that's true then that could be stated in 12.36.100. You can't set out a standard in 12.36.100 and then ignore it based on a paragraph of historical information.

1 Historical information isn't a regulation, it's 12.36.100 that's the regulation.

2
3 Jones: This primarily is used in evaluating comity regs, uh, comity applicants. When a
4 comity applicant comes in we compare how they, uh, our requirements at the time they were
5 registered in the other jurisdiction. So this kind of helps tell us when we started, uh, what we
6 were doing prior to 1966 when the applicant was originally licensed.

7
8 Horetski: So this doesn't come under 100 at all because 100 say's what exam you have to
9 take to be licensed here. So if you're coming in under comity where's the regulation for
10 that?

11
12 Jones: That's 105.

13
14 Horetski: Ok, 105. Let's see 103 is architect, 105 is engineer. Ok, so let's see what that
15 says, it says to be, start with 103 (reads to self) so architects it says there's no equivalent.
16 So let's go to 105 it says (reads to self). Ok, if you look at 105 "d" ,as in dog, if an applicant
17 is registered in another jurisdiction based on an exam that does not meet the requirements
18 of 36.100 the applicant shall present evidence, and then you have to have an exam that was
19 in the U.S., and meets 10 years of work experience. An applicant may submit a council
20 record to verify the qualifications. So, Vern does "b" 2, in the historical information, does
21 that paragraph add anything beyond what is set out in 105 and specifically 105 "d"?

22
23 Jones: Did you say "d" as in dog?

24
25 Horetski: Yes.

26
27 Jones: Ok, you evidently have an old version of the regulations because

28
29 Horetski: Oh, ok, let's see if there's a newer, 12, 36.105, ok.

30
31 Jones: We're looking at November of 09.

32
33 Horetski: Ok, I do have the new version. It was amended July 19, 2009. Alright, so, let's
34 look at the right version Gayle. An applicant must have passed the fundamentals of
35 engineering examination or had this requirement waived.....ok...

36
37 Jones: Look at "b" 1.

38
39 Horetski: Ok, "b" 1, submit verification of current registration and, uh, and exam
40 requirements that were at least equivalent to the requirements of 08.48 at the time the
41 registration was issued. So that's a legal standard equivalent at the time it was issued.
42 Must have passed an NCEES engineering exam in the same branch of engineering as
43 required in 12.36.100(c). And also pass the FE. Thank you for the correction. Does
44 paragraph "b" 2, under the exam portions of the historical documents, does that add
45 something beyond what is stated in the regulation section 105?

46
47 Jones: Actually it pretty much says the same thing, just says it in different language. What
48 that would mean is if they took a state specific exam before 1966, which is what we were
49 doing, using a state specific exam it should be acceptable.

50
51 Horetski: Ok, so, maybe we could re-tool this to say what exams the Board has historically
52 viewed as equivalent. In other words make it an historical document. A statement of in the
53 past this what the Board has accepted. Ok, I'm making a note here. What about 3 and 4 is
54 that the same thing, a statement of historical practice of the Board under the equivalency

1 comity regs?
2
3 Jones: Yes.
4
5 Horetski: Ok, so comity for landscape architects is 109. What about the PE and PS what
6 regs talk about those?
7
8 Jones: It's the same thing, 105, Number 2 is fundamentals number 3 is the principles and
9 practice of engineering number 4 is the principles and practice of surveying.
10
11 Horetski: So we could say equivalent under 105. Because really if you take out the architect
12 where there's none really we're only talking about equivalent for the engineering exams
13 right?
14
15 Jones: Engineering and surveying.
16
17 Horetski: Ok for engineering and surveying. Ok, got it, thanks for your patience. Moving on
18 to page two talking about the education. If you take a look at 12.36.063 and I'll try to look at
19 the right version here. "e" says education and work experience may not be accumulated
20 concurrently and a maximum of 12 months will be credited for a calendar year. If there is
21 thing in the education section which contradicts or expands on the regulations which is 063.
22 They have to be in the regulations. You can't have a requirement in 063 that you expect
23 somebody or recuse somebody from on the basis of a history document. It has to be in the
24 regs. I have a feeling that this may be in the regs now. If you look at "f" and "g" and "h"
25 haven't you really covered the issue of how much credit we'll give you?
26
27 Chair: In this particular instance it is in the regs but it's a point of clarification that keeps
28 coming up on a pretty regular basis. So it's an evaluation of that regulation that's stated.
29
30 Horetski: I think we need a new paragraph "k" in 063 that says what "a" 1 and 2 say under
31 history. If that's a substantive position that's important to explain to the public what the
32 Board's going to do in certain circumstances it needs to be in the regs. It can't be buried in a
33 little policy document or history document somewhere.
34
35 Chair: Ok, thank you, Bert was going to make a point about the landscape architect exam
36 and probably wanted another line, sorry to jump back on page one, but maybe a line on
37 landscape architecture.
38
39 Lent: I'm also trying to keep up with what's going on. Ok, you have under equivalent
40 exams, architects, none.
41
42 Chair: That's gone.
43
44 Lent: That's gone, ok then we don't need to add landscape architects – none.
45
46 Chair: Sorry Gayle, go ahead.
47
48 Horetski: That's fine so I'm back on page 2, We've done the education part were going to
49 move that language into 063 as a new section, probably "k". Whenever the Board comes up
50 with their next regs project. And then the very last issue is arctic engineering. I think that's
51 ok here because it's basically, if I'm understanding it, this is a statement of the courses that
52 the Board in the past has approved as satisfying arctic engineering requirements. And Vern
53 do you remember off hand where that arctic engineering requirement is located?
54

1 Jones: Look at 36.110.
2
3 Horetski: Ok, 36.110 arctic and seismic requirements. So we could say here basically the
4 following courses have been approved as fulfilling the requirements of 12 AAC 36.110. And
5 then that would be an accurate historical statement. So, I think this historical thing if we revise
6 it will be down to one page. But then everything in it will be accurate historical information.
7 So, then, I think we're done with so, do you want me to revise the Bylaws stuff and maybe
8 fax it back to Vern and bring it up again on Friday morning on the Board's agenda?
9
10 Chair: Yes, Please.
11
12 Brownfield: A point of clarification, also, Gayle this is Bo Brownfield and that is the two
13 others we were talking about, 2 "a" and "b". We're going to take those, since they are
14 necessary as I understand it, and incorporate them into the regulations and not into the
15 history. Is that correct?
16
17 Horetski: Are you talking about the education stuff?
18
19 Brownfield: Examinations 2 "a" and "b".
20
21 Horetski: Well if you're talking about exams 2, no "a" I have crossed off and "b" can stay in
22 the history document as long as it's just a statement of what the Board's done in the past.
23 What we were talking about putting into the regs would be on the next page paragraph 3,
24 education "a" 1 and 2 would go in the regs.
25
26 Brownfield: Ok well get back to page one. I did mention that NCEES and NCARB
27 examinations, rather than to just wipe that off the face of the earth. I thought we discussed
28 that there would be an appropriate place to put those in the regulations rather than in history
29 but I'm not so sure I agree with just wiping them off the face of the earth just because there's
30 a lack of understanding. If that's the case maybe what we need to do is be more specific, I
31 don't know.
32
33 Horetski: I'm sorry, I apologize, I'm just not really grasping this. It says all NCEES or
34 NCARB exams are considered acceptable to meet the minimum qualifications for exams
35 under 100. Well if you turn to 100. 100 say's you need the NCEES, you need the NCARB,
36 you need the CLARB or whatever it is. So we're not talking about saying what's acceptable
37 under 100. 100 say's what's acceptable under 100. So, what does "a" say?
38
39 Chair: It's a duplication.
40
41 Brownfield: Ok, it's already in there.
42
43 Hanson: I think originally it may have been intended as, if you're going to be registered in
44 Alaska, this is what's acceptable.
45
46 Chair: That was our newest member Gayle, Brian.
47
48 Baker: The only one I don't see under exam on page 1 there, number 4 has a parenthesis,
49 Texas exam is not acceptable. And I don't see that under 100.
50
51 Chair: She's not talking about dropping those four items. She's saying equivalent exams
52 item 2 through 5 should stay and just be renumbered.
53
54 Horetski: Well, no, I've got 5 crossed off. I don't know why the Texas exam is not

1 acceptable, you know, maybe its acceptable now?
2
3 Chair: No. It's a state specific exam for Texas. They don't recognize NCEES, I guess I
4 can't be more specific than that. There is a state specific exam to become a licensed land
5 surveyor in Texas period.
6
7 Horetski: Ok, well if you look at, again I know I sound like a broken record, if you look at
8 105. 105 says what the requirements are for an examination and where's the PS exam
9 that's required there Vern?
10
11 Jones: Actually it's not 105. 105 is engineers.
12
13 Hanson: 107
14
15 Horetski: Ok, 107, let's look at 107. We'll issue a land surveyor without exams to applicants
16 who has passed the state land surveyor exam, he has to have a current registration in
17 another licensing jurisdiction which was based on education and exams that in the opinion
18 of the board were at least comparable...uh... ok, so, what you're basically saying is that the
19 Board in the past has ruled that the Texas is not comparable.
20
21 Chair: That's correct.
22
23 Horetski: Ok, not comparable to Alaska's under section 107. I think I understand that. Let
24 me try to rephrase both the historical information and add those three new things into the
25 Bylaws. And then I could resend you another draft of both. And then you can look at them
26 again on Friday.
27
28 Chair: That would be greatly appreciated.
29
30 Horetski: Yes it would be nice to put this one to bed. What would be a good time and I'll
31 make sure I'm available by phone on Friday?
32
33 Chair: We're checking our agenda right now Gayle. Vern do you have a....
34
35 Jones: I don't have a preference, uh, I think we can work her in wherever is best for her.
36
37 Chair: Would 11:00 be alright for you on Friday?
38
39 Horetski: That's fine for me. So, Vern, what I'll do is revise it and fax it to you, I hope,
40 tomorrow. And then I'll wait for the Board's call at 11am on Friday morning.
41
42 Jones: Alright, sounds great.
43
44 Horetski: Thanks for your patience guys.
45
46 Chair: Thank you, Gayle. I'll entertain a motion to break for lunch.
47
48 Brownfield: so moved.
49
50 Baker: Second
51
52 Chair: Be back, I think there are eating facilities here so be back at 1 sharp. Is that alright
53 with everyone? Hearing no objections, it's been moved and second we are recessed until 1
54 sharp.

1
2 **Lunch Break 12:05 pm – 1:10 pm**

3
4 Meeting called to order at 1:10 pm.

5
6 Roll call: All present.

7
8 **On a motion duly made by Brownfield, seconded by Fredeen it was**

9
10 **RESOLVED to go into executive session under authority of AS 44.62.310 to review the**
11 **continuing education audit and review applicant files.**

12
13 Chair: Any objection?

14
15 Lent: If this door's closed it's going to get really hot in here.

16
17 Chair: That's why we'll work real fast Bert. Any further discussion?

18
19 Motion passed unanimously.

20
21 **Thursday, May 27, 2010**

22
23 Called to order at 8:04 am.

24
25 Roll call – all present.

26
27 Meeting continued in executive session from the previous day.

28
29 Board out of executive session at 10:29 am.

30
31 Chair: Item 8. c. We could go to that first:

32
33 **c. Letter from David R. Hughes.**

34
35 Fredeen: I guess the long and short of my opinion on this is that this is not a Board issue.
36 This is a contractual issue between the owner and the consultants that they require on their
37 projects. Basically what Dave Hughes is saying is that he's seen more specification
38 requirements that require a professional engineer to sign sprinkler drawings and other fire
39 protection work. I see what he's saying is that most of the professional engineers that end
40 up stamping this stuff don't have the knowledge that they have. So he's saying this puts
41 them in a position where they're probably practicing in an area outside of their expertise. If
42 that's something in my opinion that somebody wants to go and start filing things with the
43 investigator based on that. I had a civil engineer stamp fire protection drawings. I probably
44 shouldn't have said that to the board but I haven't done anything with it yet. But, again, to
45 reiterate, there is nothing in the State that requires a PE to stamp these drawings. A PE
46 doesn't have to be on a project for fire protection, or suppression or detection at all they
47 have their State stamp they can do all that work without having any PE on the project at all.
48 So, I take his letter as griping cause his company missed the opportunity to get PE's who
49 could sign these. This is my take on this. Because he gets hired to do the design then he
50 has to hire sub-consultants to stamp.

51
52
53 Eriksen: Something to recognize, if we move to general licensure and accept the NCEES
54 exams there will be a fire protection engineering licensure.

1
2 Fredeen: That is correct. If we go to general or if we added the FPE some of those
3 concerns might have been alleviated. So, I don't know what the Board wants to do with that.
4 The history of that is it actually has to do more with the liability. The companies that require
5 that, what the PE's have been told, at least on the sprinkler side, we've always been told
6 that we have to do performance specs. In the old 1970's sprinkler drawings you'll see the
7 engineer actually doing the sprinkler design but you don't see that anymore because what
8 we've been told is that each individual sprinkler manufacture has different requirements for
9 their sprinkler heads and have different performance requirements. So if we were to do a
10 design and lay the heads out and do the piping and everything like that it would be based on
11 brand X. Then if brand Y gets the project then you have a change order because theirs
12 doesn't perform that way or it's a different program or something like that, so why bother.
13 It's the way the industry has gone, it's always performance based. The fees that are
14 accepted for, he talks about how can we accept fees for not doing anything. The fees that
15 we accept are basically just to write the specification and do the shop drawings. So it's kind
16 of kind of that's what the fees are for. And the other thing is that as a mechanical engineer,
17 once I review their shop drawings I get liability for what they do even if it's a NICET 4 who
18 stamps it, I'm the only PE who reviews the project. So I have liability on the project. So
19 that's why a lot of firms require the PE stamp, is to shift the liability to another PE. That's it
20 all in a nutshell, but, to summarize it's not a Board action.

21
22 Eriksen: Do we need to respond to the letter?

23
24 Fredeen: I'm assuming we will respond to every letter we get.

25
26 Chair: What I would request is that you draft a letter and forward it to Vern summarizing
27 what you just said. Then he can incorporate it in a letter from the Board.

28
29 Fredeen: He'll love to see a letter from me.

30
31 Chair: No it will not come from you it'll come from Vern. The substance of it though I'm
32 asking you to write.

33
34 Jones: You write it, I'll take the liability for it. (laughter)

35
36 Chair: Does that cover all the correspondence? Does anybody else recall if we missed
37 anything else? Under old business – nothing. Regulations updates. Cliff.

38
39 **Agenda item 10 – Regulation Updates.**

- 40
41 a. Approve for public notice - change to Article 5. Continuing Education for
42 Professional Architects, Engineers, Land surveyors and Landscape Architects.
43 (Combine with Article 4)
44

45 Baker: Regulation updates on A I'm trying to combine the stuff. I very quickly went through
46 and tried to combine them both to see if there is anything that is missing from what we have
47 as surveyors verses what the engineers have. There was a couple items I've come up with
48 I'd like to go over.

49
50 Chair: That's 10 a. There will be some public testimony on this so it would be nice if we get
51 it straightened around before somebody shows up to testify about it.

52
53 Baker: On page 32. 12 AAC 36.410(e). It says to reinstate a lapsed professional
54 registration, basically. And we have over here in the engineer it's kind of similar but it says

1 to reactivate a retired. And that's a little bit different. So I think that needs to be changed to
2 lapsed or something. And as far as retired goes, that's actually covered under, in the
3 proposed change, its actually covered on page 6 of the proposed. Then you come down to
4 36.550 (c) where it says those in retired status is exempt from continuing education however
5 if a retired architect or whatever wished to return that they must meet 12 AAC including
6 continuing education requirements so I think it's already covered. I'm almost thinking the
7 retired should be more in line with what we had if ours lapsed.

8
9 Brownfield: What is the specific change?

10
11 Baker: Well the change proposed, if you look on page 5 of the proposed. I believe this is
12 taken right out of the engineer regulation, just adding surveyors. And under (j) it says to
13 reactive a retired architect and I think instead that should read reactivating a lapsed
14 professional license.

15
16 Chair: Why not reactivate lapsed or retired?

17
18 Baker: It could be, retired is already covered on the back under exemptions, but it could be
19 either one but I think there is a difference between lapsed and retired so I think the lapsed
20 probably needs to be included.

21
22 Shiesl: is the PDH the same?

23
24 Baker: No, basically we're changing the development hours for surveyors down to 24.

25
26 Chair: For clarification this is the first reading so we're not going to be adopting them now.

27
28 Baker: I just want to make sure that the comparison with what we had before, and, I'm not
29 saying that what we had before we want to necessarily keep I just want to point out the
30 differences. The other difference that I had, if you go to page 33 in the reg book, in (h)1.
31 The course or activity must be relevant to the practice of the professional and may include
32 technical, ethical or managerial content. We were talking about that a little bit yesterday.
33 Under architects, engineers and landscape architects they don't have that statement. So I
34 think there is a difference there.

35
36 Jones: It's (g) 2 on page 35.

37
38 Baker: I think that was the only difference I had. So basically they're pretty much the same.

39
40 Brownfield: So the one particular issue you talked about?

41
42 Baker: the one issue that I talked about j.

43
44 Brownfield: Under (j), what page are you on?

45
46 Baker: Under the regs under surveying it would be page 32, 12 AAC 36.410(e) as in echo.
47 And you compare that with the engineering which is under page 5 as it was handed out,
48 36.510(j) page five in the book.

49
50 Jones: Wait a minute. That's on page 35 (d) to reinstate professional architect. Then down
51 below (j) that's for retired so it's in two different places there.

52
53 Baker: So we're ok then?

1 Jones: Yes, we're ok, it's just located in different places in the two regulations, the same
2 stuff is there.
3
4 Chair: Are there any more questions or discussion on this first reading of the regulation?
5 Vern?
6
7 Jones: Were you going to add something about the limitations on the published papers and
8 articles and serving on committees and stuff like that?
9
10 Walsh: I would ask the surveyors if they would mind just dropping 5 and 6 from that list.
11 They weren't included in the engineers and architects language.
12
13 Chair: I haven't done an audit that even had any of that in it, have you?
14
15 Hanson: 12 AAC 36.520 deals with computation of the continuing education credits and I
16 believe it talks about writing papers and technical presentations.
17
18 Fredeen: I thought it dealt with the teaching portion of it. One hour of initial instruction.
19
20 Baker: One hour of initial instruction is that the one you're looking at?
21
22 Walsh: No. Well we have instruction. I'm talking about 5 and 6 working from the draft
23 language that Vern handed out and that was added in 5 and 6 I imagine because it was in
24 the surveyors.
25
26 Chair: It's on page 4, he's talking about.
27
28 Fredeen: I concur with Dan on that. We had a lot of debate on the engineering when we
29 were doing the A&E regulations. We removed those cause I think those are in NCEES
30 Model Rules for CE but we had a lot of debate about that and took it out of the A&E.
31
32 Brownfield: I would support Dan on that and we did have a lot of discussion. We felt that
33 those were just open ended issues that could be abused very quickly as I recall.
34
35 Baker: I think if you look at page 33 in the reg. book. Number 4 computation of credits for
36 published papers, articles and books. I think that's what they're talking about there and a, b
37 and c qualify that.
38
39 Brownfield: Which number 4? A 4?
40
41 Eriksen: 4, a, b and c.
42
43 Baker: 4. The computation of published papers, and it says based on one professional
44 development hour for each hour of professional preparation of the paper, article or book, the
45 responsibility of the professional land surveyor and subject to review and approval by the
46 board.
47
48 Eriksen: Then how does that correlate with 6 down below? Here, 5 and 6 talks about
49 college.
50
51 Baker; It says it does not apply to full time faculty so you wouldn't to do it as full time faculty.
52 I think there would be a lot of surveyors that would have a problem with that. I know a few
53 that do put a lot of effort into writing in fact I know one surveyor is putting a lot of effort into
54 putting things together that is a standard.

1
2 Chair: We've had a lot of shortcomings when it comes to stuff like this. It's pretty important
3 for our profession that that be allowed, frankly there's people out there doing stuff that assist
4 us in the long run. I'd sure like to see it stay there.

5
6 Brownfield: The consideration if it stays there, it needs to be tighter. It needs to be more
7 defined not just a sort of a blank thing that anybody can write anything. In other words you
8 still have to face the issue that it can be abused.

9
10 Baker: My concern is, 4 and 6 have to be taken together. 4 is the computation credits so
11 it's telling you how you can go about doing it.

12
13 Brownfield: 4 and 6, 6 what? A, b,?

14
15 Baker: Page 33, 12 AAC 36.420. 4 is the computation on how you do that and then if you
16 go down to 6 it limits it to 10. No matter how you come up with the computation you can't
17 get any more than 10.

18
19 Walsh: Where's the limitation on full time faculty. I see that for teaching but not for
20 publication.

21
22 Jones: On number 5 if we said something like authoring published papers, articles or books
23 that pertain to the individual's specific profession or something like that so that would narrow
24 it down to his own little bailiwick, he can't just write about anything.

25
26 Brownfield: Dan explained it to me before and I understood it and agree that how can it not
27 be abused in your arena?

28
29 Walsh: As far as the publication it's just part of most faculty work load. And I could give an
30 example of generally our Dean would give us about three weeks to do a published paper.
31 So if you did that and look at what that required as far as hours then that would meet your
32 whole continuing education requirement and your already doing it as part of your work load.

33
34 Baker: With the exception of under number 6 you can only get, whether you're a professor
35 or not, nobody can write anything that gets more than 10.

36
37 Fredeen: It says each paper.

38
39 Hanson: 5 and 6 only deals with the continuing education requirements not the
40 computation. I think we're talking about two different things. I think if we add 5 and 6 into
41 the continuing education requirements. Then we need to make additional changes to 12
42 AAC 36.520 for the computation of continuing education credit that are more in with 12 AAC
43 36.420. I don't think it's just as simple as adding 5 and 6.

44
45 Eriksen: I agree.

46
47 Walsh: What would be the problem with just changing the PDH requirements and leaving
48 the existing language for surveyors? What's the real impetus for this draft language?

49
50 Chair: To level the playing field to 24 PDH's. We were going to drop 400 but could just
51 change where it says 30 for land surveyors to 24 so that would be.

52
53 Baker: I would prefer do to it that way so there's nothing that we would miss.

1 Jones: What brought this about was the fact that the land surveyor regulation does not
2 allow for dual registration. You guys just assumed that the engineers would cover that, but
3 you can't do it that way. So if you want to keep 400 and you want to make it a level playing
4 field you need to drop the 30 to 24 and you need to add this top portion up here that says
5 36.410 is amended by adding a new sub-section to read j. a professional land surveyor
6 holding multiple registrations in the state is required to earn 24 hours of continuing
7 education. However, at least 8 hours of the professional development hours must in each
8 registration held. So if you've got a civil engineer that is also has a surveying license he's
9 only required to have 24 hours and at least 8 of them have to be in each one.

10
11 Chair: I like that.

12
13 Baker: Actually I thought that's what we were doing.

14
15 Rearick: I think if everything is going to be equal except for maybe a line or two. I think it's a
16 mistake to have it in two sections. Do engineering and architecture in one and do surveying
17 in another. Because as we go through this over the years and tweak continuing education
18 then we've got to make sure we've got those same things through out. Plus if your dual
19 licensed engineering and surveying then you're kind of having to look at both. So if we can
20 do it in one, it's better to do that.

21
22 Chair: This is the first reading so.

23
24 Fredeen: So that would also mean this would be the time to change it is what your saying. I
25 actually don't mind, I mean, initially I had issues with the published papers and articles. I
26 don't mind if we do that as long as we include a, b and c underneath that which originally
27 you guys did a really good job of defining what that was and that didn't get transferred over
28 into the new one. And then also add in b. 6 and I would delete the word "each". So it's a
29 total of 10 period. Not 10 per article. So I don't have a problem with the papers and stuff
30 based on that information. Adding 4 a, b and c to it and then b. 6.

31
32 Walsh: Do you also want to exclude faculty from that?

33
34 Jones: Yes that should not apply to full time faculty.

35
36 Fredeen: I don't mind if they get 10 over the entire period cause I'm sure there's a lot of
37 research involved. I don't mind if they get 10, they've still got to get 14.

38
39 Chair: Does that all make sense to you?

40
41 Jones: Uh, yea, so what are we doing now?

42
43 Baker: I'll write a motion.

44
45 Chair: We don't need a motion I think we need to solidify what the wording should be. It's
46 automatically forwarded to the second reading then we make the motion to accept, reject or
47 modify.

48
49 Baker: So I guess to page 4 of this handout, number 5. What we need is the subsections
50 taken out of the surveyors 12 AAC 36.420. Under 4 we want to insert a, b and c.

51
52 Hanson: I believe that should go under 520, how you compute continuing education credit.

53
54 Chair: Brian could you re-word this. It sounds like you've got a good handle on it and then

1 bring it back tomorrow morning for Vern. Insert language that needs to be inserted and read
2 it into the record tomorrow. Would that be alright? And it'll still be a first reading. Then to
3 top that off we could deal with the issue that Vern brought up, uh, no I guess we won't. Do
4 you want to, uh, the 90 day issue, he'll have to bring back. If it's not in regulation, we're
5 probably going to have to put it in regulation.

6
7 Jones: I need to find out where she got that, if it's already in a general regulation
8 somewhere that applies to everybody.

9
10 Baker: I was just going to say as Craig mentioned we were talking about it before and there
11 was a lot of discussion about people on the slope if they got that would have time. If three
12 months was long enough to do it and then 6 months might be too long. There was a huge
13 amount of discussion, I just don't know where it went from there. That could be where she
14 took it from, that discussion.

15
16 Fredeen: Before we get off of this I actually would still like to see the officer of a technical
17 society removed. I really don't like that.

18
19 Walsh: A question on that, does it include things like NCEES participation? Is that
20 considered a professional society?

21
22 Chair: We did accept those.

23
24 Fredeen: To me it's not quantifiable. If I'm on a sub-committee that has one hour a year,
25 am I an active participant. It's not quantifiable to me on that.

26
27 Chair; I think the surveyors had a maximum of 8 hours.

28
29 Brownfield: You might as well just say 8 because they're all going to take 8.

30
31 Chair: I can without hesitation tell you that 8 hours is little to nothing for the contribution to
32 a professional society.

33
34 Fredeen: I agree but who's signing off on it?

35
36 Chair: Well in the case of the surveying on that I serve for someone that applied for it it's
37 actually the chapter president of the society, there is a letter to that effect. I'm not hard
38 lining anything.

39
40 Baker: We're talking about the participation of the Societies right. And I think we need to be
41 a little careful on some of them. I don't have a problem with say the annual society but you
42 get into some of the chapter societies the president is ok but a lot of times the secretary or
43 the treasurer is just someone that signs up and doesn't do anything and yet he's getting
44 credit. So I see a disparity there but what you're saying as far as the amount goes there's a
45 lot to only get 8 credits.

46
47 Eriksen: A lot of those societies are struggling to get those offices filled.

48
49 Walsh: A couple of issues. I think verification of actual effort is tough to get. The other
50 thing is I know when we talked about it with respect to engineering and architecture we
51 thought it was a bit self serving to be putting something in the regulations that we could all
52 benefit from.

53
54 Fredeen: The other thing is the officers are actually going to the meetings to begin with. So

1 if your already going to a monthly meeting that occurs 8 months out of the year you've
2 already got 16 by just going to meetings you have to attend as an office to begin with. So
3 these people aren't probably screaming for continuing education.

4
5 Chair: Could I ask Rick or Harley to talk about this a little bit?

6
7 Rearick: I've been actively involved in AIA and it's taken a lot of hours of my time to be
8 involved. A lot of times we deal with just AIA business but other times we deal with
9 regulatory type of issues, code issues on the municipal level come up from time to time. As
10 well as in my participation on it I'm bringing information with regards to State licensure to the
11 board. I see a value there. I do think it's a little tough to quantify it. But people that are
12 serving will usually go through the chairs you know start out a secretary, treasure, vice
13 president, president. And in the end at some level in there, even if they have one seat that's
14 not as active, at least one of those seats is going to be a pretty active position. The
15 secretary/treasurer at least with AIA is a very intensive position and you really have to pay
16 attention, a lot of documentation. I don't know, I can see it both ways.

17
18 Baker: A couple of things. I agree on National or State Society involving quite a bit of work
19 in any one of those positions, but when you get down to these smaller chapters. President
20 at the chapter level, we don't have a treasurer or secretary. I don't see a lot of participation
21 in most of them I've been involved with. However, maybe you can limit like you say up to 8
22 for one and 4 for secretary that might be a way to go and that would also help them because
23 nobody ever wants to step up to the presidency when I can get the same amount of credits
24 and be the secretary and not have to do anything. The other issue to address, I think Dan
25 brought it up, and then Bert brought it up again. About it being, self serving to serve on this
26 board. That was a discussion during the surveyor's thing, whether or not getting credit for
27 that. First, I feel that every one of us put a heck of a lot of time into here and I think that
28 ought to be recognized. But, it is self serving, however, the way this was written to address
29 that is that this is Professional Technical Societies and we are not considered that so our
30 time here, the way this is written does not count and it was specifically that way so it
31 wouldn't count.

32
33 Walsh: I wasn't asking about this board, but NCEES would qualify.

34
35 Baker: Right, NCEES would qualify.

36
37 Chair: On reflection, one thing is, in other State jurisdictions participation on that level is
38 recognized as continuing education across the board. I don't know of anybody that doesn't
39 allow that. And I wouldn't see a problem limiting it so that in any two year period you
40 couldn't have more than 8 hours. I think there's a value there. It would be very difficult to,
41 say, on a chapter level. A chapter in Anchorage might be a whole lot different than a
42 chapter level in Kenai. My feeling is that why don't whoever wants to volunteer to look into it
43 a bit more and evaluate it and think about it. Work with Brian and come up with some
44 language for insertion or deletion and come back with a recommendation tomorrow that
45 everybody should think about. But, again, one of the problems I see is if we don't recognize
46 it and then another jurisdiction does. It gets a little convoluted, but again, I'm not going to
47 fall on a sword over all of this.

48
49 Baker: I've been involved with NCEES, since I've been on the Board, quite a bit and just
50 going to Western Zone meetings, I don't count any of that time, the surveying forum I count.
51 But I'm on the law enforcement committee and put a lot of time in it and I count 8 hours of
52 that. They pay my travel and when I get there I spend 8 hours a day going over all this stuff.
53 I count that so I think just going to, being involved and just going and not being in my
54 opinion, a committee member. So to me that's a little bit different. I'm not sure if that's what

1 you're trying to address there.

2

3 Walsh: All I'm trying to address is as a Board we could be setting up regulations that benefit
4 us as a Board over a member at large.

5

6 Eriksen: I agree, we want to hold ourselves to a little bit higher standard, we can't look like
7 we're being self serving or whatever.

8

9 Walsh: We ran into someone at Western Zone that said that as far as their CE they're
10 audited every year as board members. I thought that was interesting.

11

12 Fredeen: I believe it was in their regulation that all board members shall be audited yearly.

13

14 Brownfield: I might add that when we do go to NCEES. They do have on the national
15 committee they will have courses there that actually give you PDH's so you already have
16 something built in where you can, if you attend them, you can add those up. I don't
17 particularly like it at the professional society level because I've been to so many of them
18 that, I mean even the president, his basic direction is to keep it going. Continuing education
19 is for the person that is getting the continuing education is learning more about his
20 profession. Is improving his skills because he might be a little bit old in those skills and if
21 there's no learning process that he comes out being a better person, it doesn't really work in
22 the spirit of continuing education. I just think we have to be careful about wanting to dish out
23 because you might be on a committee because it's open ended. I think the whole thing
24 started here with Dan pointing out that he could do it in one year for the next four years the
25 way it's written. I think we need to close it more than we need to open it. Cause there's so
26 may opportunities there anyway that really give you meaningful education updated that we
27 all should do in the first place. So I would be more inclined to tighten up rather than loosen
28 up and create loop holes.

29

30 Chair: Did you have some thoughts, Harley?

31

32 Hightower: Just that having to do with involvement in professional organizations. I really
33 don't look at that as any different whether you're a secretary, treasurer, president, vice chair.
34 Some people coast through those chairs and don't do anything. Others put a lot into it. I
35 know involvement in AIA was of great benefit for me in learning about the profession and
36 this organization also. So I don't have a problem in the professional organizations but I do
37 think that we as a Board cannot appear self serving. So I would discount our service on the
38 Board but when it comes to the national committees and things like that I'd be open for
39 suggestions.

40

41 Lent: As far CLARB is concerned, they've got a lot of committees and they are always
42 looking for help on those committees. So, if you're going to consider something that might
43 be an area like you're just saying, Harley, service on those committees would encourage
44 people to do that kind of thing and help out.

45

46 Chair: Would somebody else help Brian and come up with, uh, Dan do you want to?

47

48 Walsh: Cliff's already done a lot of work and reading, he'd probably be a good person.

49

50 Chair: Did you want to summarize Eric?

51

52 Eriksen: I heard some of the arguments and it sounds like there is a little bit of division. It's
53 not quite clear on what direction these guys are going to write this thing so I'm going to be
54 interested to see what they come up with. I guess to reiterate mostly what Harley says and

1 there's some strong feelings and support for still checking the organization commitment and
2 such. I think there is a lot of value there and being involved in a lot of organizations myself
3 and I think there are a lot of learning opportunities that can be obtained through those so I
4 would sway to support those things.

5
6 Chair: I think even though when you go in you sign in and certify that you've been in
7 attendance that doesn't stop you from going in there and sleeping. You have to accept
8 someone's honesty, integrity and professionalism when you approach this.

9
10 Brownfield: I think we ought to move on. We're wrapped around the axel on this.

11
12 Chair: Tomorrow at some time Brian and Cliff will come forward with some additional
13 amendments to the wording we have before us. Have we gone through all the special
14 committees other than general licensure? Want to go to standing committees? Bert there's
15 the Guidance Manual. Eric.

16
17 Eriksen: I forgot to mention yesterday for mobility that I did speak with Mark. There was
18 question whether he had applied for Canadian licensure. He says that he has not had a
19 chance to at this time but he still intends to do so.

20
21 Chair: Every meeting would be nice to update on that. Keep bugging him.

22
23 Eriksen: He's busy. I think he really intends to, he just hasn't got around to it.

24
25 Chair: I'm not forgetting General Licensure, Bo, it's just I was going to try to take care these
26 cause we'd like to spend a much time as we can on General Licensure. So the Guidance
27 Manual, Bert you had a comment?

28
29 Lent: I'd like to talk about this a little bit if I may? Because I'm going to need a little
30 feedback from you guys on one item. You all received a little one page write-up. A
31 Guidance Manual update of what has already been done. So, when you get your hands on
32 that I'll just go down through it real quick and then I've got to ask your input on something.
33 As you know we talked about this in the February meeting. And there were some minor
34 changes requested and those mostly have been done. If you have your copy of the
35 Guidance Manual with you fine it isn't critical that you have those. There was a sentence
36 that was added and a paragraph that was added to give us a disclaimer. On page 1, this
37 was after the discussion with the attorney Horetski I believe. So that was accomplished
38 and.

39
40 Walsh: Bert, how does that read, the disclaimer?

41
42 Lent: I'm just looking for my copy.

43
44 Jones: I've got a copy if I can dig it out.

45
46 Lent: Does everybody have a copy of the Guidance Manual update? Do you have a copy
47 of that Vern?

48
49 Jones: The new Guidance Manual is online but we did not print it because of the financial
50 situation so we are holding it until after June 30th.

51
52 Brownfield: So where should we be looking for this document he's talking about. Was it in
53 our packet.

1 Walsh: It was in our stack.

2

3 Jones: The disclaimer says, it's in the first paragraph here and it says that, "in the event of a
4 conflict between information in this booklet and Alaska Statutes and Regulations or
5 Municipal Building Codes, the Statute, Regulation or Building Code will take precedent".

6

7 Lent: Ok, That's been done. The other minor corrections were, they changed the third
8 paragraph, the words "best practices" to "sound practices". I don't remember what the
9 discussion was that resulted in that. There was a correction to a prefix to a phone number.
10 On page 10 they added a sentence on electronic digital seals that we discussed in the
11 February meeting. I discussed with all of you adding a paragraph on violation reporting
12 procedures, that's been done. Those were five corrections that were made since the
13 February meeting. Then there was a request to find out how heavily the Manual was being
14 used and Vern asked his technology division and he was informed that there were plenty of
15 hits coming in, a 100 or more a month and increasing rapidly. So those are the corrections
16 that were made to the manual, just a brief update, also, three items here that we could do
17 now or do at the end of the year, whatever your pleasure is. I'm not happy with the
18 disclaimer completely and I have with me a much more pronounced disclaimer. This is
19 something Ginger sent me. This is the rule book from Nevada, this is their Guidance
20 Manual. In here there is a much tougher disclaimer which relieves their AELS Board from
21 most liability from any errors and omissions that might come up. So I came up with adding a
22 couple of sentences to page one the first paragraph and then another new paragraph
23 following that. I'll just read this and get an opinion from you as to how you feel about this.
24 The sentence I was going to add would read, referring to the manual it contains a very brief
25 summary of those laws and is intended to be used only as a general reference. For more
26 complete information contact the Board's office or access the website shown below, any
27 questions on that?

28

29 Walsh: Bert instead of laws, Statutes and Regulations, something like that?

30

31 Lent: Let me just finish this up. The next paragraph was, I'm borrowing this from the
32 Nevada manual. "Although the information contained herein is believed to be correct at the
33 time of printing. The Board and its Staff do not assume any liability for errors or omissions in
34 this manual." Because this manual is getting passed around all over the State to various
35 officials, contractors, what have you and anybody could zero in on something that was in
36 here and file a frivolous law suit against the Board for whatever wording they found missing
37 or took exception to. Now that's how far the State of Nevada went. There was one last tiny
38 little change we discussed at the last meeting changing 1 ½ inches to 2 inches on the
39 distance of the signature from the seal. So those are the updates that I have for this
40 meeting.

41

42 Chair: Dan did you have a comment?

43

44 Walsh: It occurred to me when we were looking at the Bylaws yesterday and having that
45 discussion with Gayle that after she thoroughly updates and signs off if we wouldn't want to
46 put something like article 8, next to last page, in that handout where it lists all the Statutes
47 and Regulations. Just, again, covering bases on what they should look at.

48

49 Lent: Did we discuss putting that in the text, having more references to Regulations and
50 Statutes or would you prefer to see it at the end?

51

52 Chair: You make the decision.

53

54 Lent: So in other words go ahead and add more references for the next issue.

1
2 Chair: For clarification, Bert, we should only be doing this once a year. So you should
3 compile these. It's your responsibility to keep track of this and we will actually adopt a new
4 Guidance Manual revision in February in the Juneau meeting. That doesn't necessarily
5 mean that the things that you have talked about are accepted at this point. I think these are
6 things we could digest, we don't have to, I don't see any problem in them but again we
7 should revisit everyone of them come February. Is that alright Dan?
8
9 Walsh: Sure I'm in no hurry for this. I say wait until Gayle signs off on this and it's final.
10
11 Lent: One last item, I've got a question on. Harley gave me a note here, a summary of how
12 to do the wording on as built drawings as opposed to record drawings. I have this
13
14 Chair: It should be incorporated.
15
16 Lent: Ok, incorporated in the next addition. And what I was going to ask is where do you
17 folks think would be the best place to include this. I have a feeling a good place would be
18 where you're talking about stamping and signing plans. Following that probably would be a
19 place to have that. It pertains to plans and where you're zeroing on that subject.
20
21 Chair: Sounds good to me.
22
23 Lent: Any other feelings on that Harley?
24
25 Hightower: I think that looks good. We don't have just a definitions area so that's probably
26 the appropriate area since we don't have definitions.
27
28 Lent: Ok, I'm done with my update. Do you folks want me to give an update every meeting
29 or just wait until the end of the year and bring them all in?
30
31 Chair: I think this is appropriate and I don't think we have to go across these again next
32 meeting but if you come across new ones then bring them.
33
34 Brownfield: The 1 ½ to 2 inches is that because our regulation says 2 inches?
35
36 Jones: Yes.
37
38 Brownfield: And this disclaimer for instance if any discrepancy then the regulation applies?
39
40 Lent: I'm sorry?
41
42 Brownfield: You have a disclaimer in there, not a disclaimer but if there is any discrepancy
43 between that document and our Statutes and Regulations obviously the Statutes and
44 Regulations prevail.
45
46 Lent: Yes, it's already in there.
47
48 Brownfield: So it's there. I'm not sure I'd go so far and say we don't take any responsibility
49 and you can't take us to court blah, blah, blah. We do have to stand up and be counted
50 every once in a while and that its probably enough to say read this, bounce it off the
51 Regulations and Statutes and they prevail.
52
53 Lent: I kind of agree with you.
54

1 Brownfield: I don't care what Nevada did, I mean that's up to them. I just don't think it's, we
2 don't have to go so far and try to distance ourselves from something that we actually, so
3 that's just a thought.

4
5 Chair: Any other discussion on the Guidance Manual? I don't think we have anything on
6 Legislative Liaison at this point.

7
8 Eriksen: I'd like to make some comments. I spoke with John Walsh who is the lobbyist that
9 works with Dale Nelson and I think with APDC and a lot of other societies and bodies and
10 stuff. His recommendation to the Board was that if we have anything we want to bring to the
11 Legislative body that it should be done and brought to him this fall, at least in the form of
12 position papers. Due to the legislative process, I don't remember exactly, but it has to do
13 with the fact that the House is elected every two years. So you've got this body of people
14 that's there for two years. If you can get things on the beginning of the list this fall they'll
15 most likely be kind of prioritized at the top of the list as they keep coming back to review
16 things and more than likely have half a chance of being dealt with or resolved whereas, if it
17 isn't brought in this fall it most likely won't have an opportunity, or will have little opportunity,
18 to be dealt with or be resolved. Then the other thing, I just had a meeting with the President
19 of the National Society of Professional Engineers, Sam Grossman, and one of the
20 discussions we had was between our State Society and him and his position was that their
21 supporting General Licensure. The position they're supporting is that General Licensure is
22 going to facilitate Mobility in the future for the States and for globalization.

23
24 Brownfield: You bring up a good point and I know we talked about it yesterday. The
25 Legislature provides benefits, mostly in the blind, we don't lobby at all. We don't have the
26 luxury of going up to the Legislature and lobbying so what we do is we use APDC. They
27 have their lobbyist's that allow us to approach them and he actually picks up our issues that
28 we want supported and lobbies for us. So, that's the only way we do that. And when we
29 have an issue we've got to work very closely with them. We've had several issues at least
30 one that I know of and maybe another one. One I think has to do with the exception for
31 specialty contractors. We need to make sure sometime very quickly what other issues do
32 we make sure is in hands this year. Because we just got the warning and if we don't do this
33 thing by next fall we going to wait two years. So we need to look very seriously at what is it
34 we want to work on. What do we most likely want to pick up, dust off, change the language
35 and start working with them. Now is the time to do it. Because Eric has given us that
36 warning order and we need to make decisions.

37
38 Eriksen: And just to clarify that, he wasn't saying that we need to have the exact wording to
39 be changed. It just needs to be brought to their attention as an issue we want to on the list
40 basically. So a position paper would be helpful way to go about that but it doesn't have to
41 be the exact detail from the Board at this meeting.

42
43 Brownfield: Come fall they'll demand what the language is though is what I'm saying, so we
44 don't want to wait until fall.

45
46 Chair: This actually will fall right into the things we need to do. So somebody will be
47 assigned a task to come forward in our August meeting with proposed Statute changes.
48 One of them will be exemptions and I think Harley you're probably the best person to deal
49 with that. And the other one I know from a surveyors stand point. I don't have a lot of
50 heartburn with this but it seems to be an issue about the 8 year maximum amount of time
51 that the Board can put on surveying as far as getting licensed. That white paper was
52 supposed to be generated by our professional society Cliff and it hasn't been done but if you
53 could track that the fellow that was supposed to be doing it is Tim Sprout.

1 Baker: I can report on that from the meeting I went to this last Tuesday, the local chapter
2 meeting. And he was trying to address whether or not, how he should write that whether
3 from him as an individual or from ASPLS. They were trying to tell him that if he wants it to
4 be from ASPLS then he needs to give it to them first and they need to vote on it first. And if
5 they vote it down then he can still send it in but he has to do it from an individual
6 perspective. That's kind of where they're at now. They're trying to harness support for it and
7 I'm not entirely sure they have the support on the ASPLS is what I got out of that meeting. I
8 think there are a lot of guys there that want that maximum of 8 years to stay. They don't
9 want it to increase to 12 years.

10
11 Chair: Is there any other, so that will come forward, that's one of your tasks to track that. Is
12 there any other legislation? Dan.

13
14 Walsh: I just wanted to ask about sunset provisions. Is there anything in the new sunset
15 provision that we need to do?

16
17 Chair: I don't think so.

18
19 Brownfield: Well we're addressing every issue that is in the last sunset provision. Of course
20 we are 3 years away from the next sunset, its every 4 years. I think we've addressed it, you
21 know we ought to check on that. One of them is general licensure and we're working on
22 that so we're responding to those provisions.

23
24 Hightower: In addition to exemptions we've got incidental practice. That's the two I'm
25 working on and I will have it done for the next meeting and ready for Board action.

26
27 Chair: Spacing it out a little bit you already provided a paper on something, that actually
28 reworded Statute and everything and when it was provided to John Walsh he acted like he
29 had never seen it. And every time I give it to him he acts like he hasn't seen it before.

30
31 Hightower: I'll review that, I've got it on my computer, I'll see what it was, I don't remember
32 either.

33
34 Chair: But I do remember it was provided to them and they kept acting like, and APDC was
35 very proactive and I apologize, I can't remember, does anybody remember? Do you know
36 what we're talking about Craig?

37
38 Fredeen: What issue are you talking about?

39
40 Chair: Well that's the problem I can remember. But Harley wrote a white paper on an issue
41 and I'm just drawing blank.

42
43 Fredeen: A blank, blank white paper. (laughter)

44
45 Brownfield: The only thing I can remember working on before was..

46
47 Hightower: You were working on one and I was working on one.

48
49 Brownfield: This was the exemptions for the specialty contractors.

50
51 Hightower: Maybe that's what it was.

52
53 Brownfield: And the language is already there.

54

1 Chair: That's not what you had, it was something else.
2
3 Hightower: Ok, well I'll let you know.
4
5 Chair: Sorry, is there anything more on legislation? Emeritus Status? Nothing to report.
6 Budget report.
7
8 Hightower: I've got something on Emeritus Status. If you go back to the Historical
9 Information. There is quite a bit wrong with that statement. Just starting off "the Board will
10 nominate" actually the Board will appoint Board Members for Emeritus Status to the Board,
11 not to NCEES. Your appointing someone to the Board so they can continue some kind of
12 duty with the national organization. And then at the end of that sentence it says serving on
13 an NCEES committee. It should be serving on an NCEES, NCARB or CLARB committee or
14 as an officer on a regional or national Board. Because we need that status and also it's not
15 former members it's the continuation of you go from a normal Board Member to Emeritus
16 Status. So, I've re-written that and I can give this to whoever wants it or I can read it to you
17 if you want me to.
18
19 Chair: It's going to become part of the Bylaws so tomorrow morning go ahead and read it
20 right now.
21
22 Hightower: Emeritus Status. The Board will appoint Board Members or Emeritus Status to
23 the Board on a yearly basis when the Board Member notifies the Board that they will be
24 serving on an NCEES, NCARB or CLARB committee or as an Officer on a Regional or
25 National Board after the conclusion of their term on the member Board.
26
27 Baker: Actually his reading that answered my questions.
28
29 Lent: I'd like to see "on the AELS member Board" so there's no confusion between that
30 Board, the Chapter Board and the CLARB Board in my case.
31
32 Hightower: Ok, do you want that every place we say Board?
33
34 Brownfield: The Board is the AELS Board, there's no other Board as far as we're
35 concerned.
36
37 Eriksen: You could capitalize Board.
38
39 Chair: It will be in the Bylaws and could you pass that down when you're done form Harley
40 to Vern?
41
42 Baker: If I could ask Harley to read the section here about appointing the Board Member.
43 Emeritus Status, where it says former Board Member the Emeritus Status isn't for any of us
44 that are still actively on the Board it's only after we're off the Board.
45
46 Hightower: But there's never a break is what I'm saying.
47
48 Baker: There's not a break, I guess that's where this former says someone could be off the
49 Board for 3 or 4 years then come back. That's not how it works they can't do that he has to
50 have a continuation of whatever he's doing while he's on the Board.
51
52 Hightower: That's right and then also we've had cases where we didn't even know people
53 were still on boards and a year later they let us know. This to let members know that you've
54 got to notify us before you get off the Board that your continuing.

1
2 Chair: And it's not automatic. You've got to be appointed.
3
4 Brownfield: Yes, every year.
5
6 Hightower: We've actually had people serve several years that never had Emeritus Status.
7
8 Chair: Yes and because they have the Emeritus Status they should be reporting back to us
9 and I've never seen a report from an Emeritus member from their participation on a National
10 level. Is that alright Vern?
11
12 Eriksen: Do they get any benefits like travel or anything like that?
13
14 Chair: No their participation is usually paid by NCEES. I don't know about NCARB or
15 CLARB.
16
17 Baker: If they were going to report to this Board and they didn't live in Anchorage could they
18 get.
19
20 Chair: The report could be written. In order to maintain or get that status they need to
21 report to us. Because they are, in fact, representing us so we need to know what's
22 happening.
23
24 Hightower: Richard's so much more organized than me on the decision paper.
25
26 Rearick: I learned that the last meeting that we had.
27
28 Chair: Why don't you go ahead and quickly say what it's about.
29
30 Jones: For clarification why don't we change this to say "at the conclusion of their term on
31 this Board".
32
33 Hightower: This, generally, is starting to define design of minor importance and start to
34 somehow control what various disciplines can do and, again, just control what incidental
35 practice means.
36
37 Chair: So that will be on our list that goes to APDC in August. It's already been there once.
38
39 Walsh: A general question on incidental practice. If we go to general licensure would that
40 concept exist anymore?
41
42 Chair: That was actually discussed.
43
44 Brownfield: General Licensure will improve our posture for incidental practice the way we're
45 trying to form it such that a registrant if he wants to practice in something other than civil
46 engineering then we're trying to find ways that he can through experience and or
47 examination be qualified to do that and we will keep that qualification. We're suggesting we
48 call it endorsements. So it will tighten people who are actually crossing that line or dealing
49 in incidental practice. So it's going to supplement that. It may not totally replace it but it will
50 supplement it. And if someone really goes from civil to architectural or vise a versa there's
51 an avenue that they can do that and be recognized that they have that expertise. I'll talk
52 about that but it's in the making now, but you're right, it'll supplement.
53
54 Hightower: I think my approach to that was not so much defining what incidental practice is,

1 but what it is not. It's not stamping every drawing you can get your hands on.

2
3 Chair: Is there any further discussion? Dan do we have enough time for the budget?

4
5 Walsh: Yes it shouldn't take long.

6
7 Chair: That was a handout with a colored flow chart.

8
9 Walsh: I just put this together as something the Board might consider as the function of the
10 Budget and Fees committee over a two year cycle. In the first year there wouldn't be a lot to
11 do or that the committee could address. Any questions that the Board had with respect to
12 the expenditure report that we look at each meeting. Then early in the second half of that
13 two year term we begin reviewing the expenditure report with, I think, an eye on what our
14 fee structure should be in the next two years. And then we could also address specific
15 things that we had in mind that would probably be outside the current expenditure report.
16 Things like our travel budget, if we wanted to keep enhancing that. Or keep it at a certain
17 level. Larger AG projects having to do with regulation or statute changes, and maybe some
18 legislative projects that would require additional funds. So while we wouldn't have real
19 control over our budget I think we could have real control over recommendations of what our
20 budget should be.

21
22 Brownfield: This keeps us on high profile.

23
24 Chair: On that note we should probably incorporate, because it's a standing committee,
25 make sure they're in the Bylaws.

26
27 Baker: I like this because now that I work for the State one of the things I found out that
28 actually applies to this Board. Is when they look at, and we discussed this quite a bit with
29 them last meeting with the lady that came and represented them, if we're not getting that
30 funding in the past, they're not going to put it in there. So when they were denying us the
31 travel they sit there and say well we don't need it because we haven't been spending it. We
32 haven't been spending it because they've been denying it. It's kind of a circle, so this way
33 that can be watched, so I think this is a really good approach.

34
35 Walsh: If you look at this chart we're right in the middle of the cycle now. The thing to keep
36 in mind, and we ought to be thinking about any supplements to our budget if you want to call
37 it that. We might want to put it in next time. Certainly I think the travel is pretty easy we
38 have a budget for that and we can just update that slightly. But anything else that you might
39 want to add to the budget we ought to start thinking about that.

40
41 Eriksen: Is there going to be any AG kind of thing because of the general licensure
42 changes, any kind of review stuff that would be associated with that?

43
44 Walsh: Could be.

45
46 Eriksen: So will we have this includes and we review this each time we get together and
47 review the budget thing.

48
49 Walsh: That would be a good time to do it. It'll always be in the standing committees so
50 that would be a good time as well.

51
52 Chair: This is jumping a little bit ahead but we do have a discussion item under 17a. The
53 department has indicated there is going to be a reduction in travel across the board of 10%.
54 But, luckily, this is my observation that we had seven people attend Central Zone/Western

1 Zone combination meeting. This won't affect the architects or CLARB, but at the national
2 conference we're going to probably, we may lose one person from going. Eric is actually the
3 designated person that's going to be funded by NCEES and Vern and John are going and I
4 think I'll put myself at the bottom of the list with Craig because Craig is going to be the
5 designated attending next spring. That's alright Craig? So that way he's guaranteed to go
6 next spring. And then, I don't know, we'll draw straws or something. But I'd sure like to see
7 Brian go again and anybody else. Is there anybody right now that's interested in going?
8 Brian are you going to be able to go?
9

10 Hanson: I'm available.

11
12 Chair: Ok, and Don?

13
14 Shiesl: Which conference is this?

15
16 Chair: This is in Denver in August so your are probably right behind, because you've never
17 attended one have you? So you're are right behind Vern and John. Are you going to be
18 able to go.
19

20 Walsh: If there's money I'll go, but.

21
22 Jones: My intent when I submit this request was to request travel for everybody except the
23 architects. All the engineers and surveyors, two staff and one public member that totals 10.
24 We just need to have them in the priority order so if they start crossing them off, they start
25 at the bottom. This across the board thing. The brick wall here is going to be Mr. Thayer, he's
26 the Assistant Commissioner, uh, Deputy Commissioner he's the one that signs off for the
27 Commissioners Office. I don't think we will have any trouble getting it past Jenny or Lynne
28 because they're supporting us so far. The only problem with Mr. Thayer, and I've talked to
29 him once and we cleared up the fact that our travel is funded by member dues, uh, by
30 license fees. So, he really shouldn't have a problem with it, but I was told by Jenny that
31 after this thing came down, this 10% across the board cut that they slapped on everybody,
32 it's not just us, it's everybody. That he has disapproved some travel that was funded travel
33 that was funded like by NCEES, third party reimbursed travel reimbursed by the national
34 organization. He disapproved some of those so I don't know what's going to happen.
35

36 Brownfield: If it's like it was in the past. The issue to them is not, is it funded or not funded.
37 The issue to them is, I've got to demonstrate that I'm doing my share to cut people. And if
38 you look for logic in a lot of what they cut, you're not going to find it. And that's just the
39 nature of that game.
40

41 Baker: This mandate, is it kind of like your supplies and your overtime stuff if it goes to
42

43 Jones: No, this came from either the Legislature or, I think it came from the Legislature that
44 the State travel, every department will cut their travel 10%. Then you guys went and talked
45 to them and they said it wouldn't affect you and now the Division is saying it affects
46 everybody.
47

48 Baker: I just wanted to make sure it wasn't the budget shortfall we are seeing.
49

50 Eriksen: Just for clarification for the NCEES thing for my involvement has been authorized
51 so I should probably hold off till.
52

53 Jones: Don't make any reservations yet. I'll submit the request when we get back.
54

1 Lent: First of all I just wanted to remind everybody what the Senate President said to us
2 when we were over there speaking to him. He was very much in favor of getting
3 professional people to their meetings at national organizations that are responsible for
4 examinations. He was very strong about that. I also need to get information back regarding
5 the CLARB meeting and they are very firm about wanting to have member board executives
6 there as well.

7
8 Chair: Well, Vern has to go to Denver.

9
10 Bert: CLARB is also in August this year.

11
12 Chair: We need him to go to NCEES first.

13
14 Baker: He could just be out of the office the whole month.

15
16 Chair: On your statement on the President of the Senate he actually followed up with me
17 with an email, a written endorsement of that travel. So if in fact we get denied I'll do some
18 follow-up.

19
20 Jones: I just want to point out that Jenny and Lynne actually did put forth the fact that since
21 our Divisions travel is funded by license fees we should be exempted from that and they
22 were told no it applies to everybody.

23
24 Chair: There might be some arbitration point there if they get a letter from the Senate
25 President. We are real close to noon. Public hearing does start at 1:15. I know there's a
26 couple of people that will show up but I'm not sure we're going to have a lot of folks here but
27 I would like to reconvene at 1:15 and I'll entertain a motion to recess.

28
29 Baker: I'll move that we recess for lunch.

30
31 Rearick: Second.

32
33 Chair: It has been moved and seconded by Harley or was that Rich? All those in favor?

34
35 Motion passed unanimously.

36
37 Break for Lunch 12:00pm – 1:15pm

38
39
40 Meeting called to order by Vice-Chair Brownfield at 1:16pm

41
42 Roll Call – all present except Heieren.

43
44 Brownfield: Ok the first thing we have over here is the public comment period. In that
45 respect if we could get one of those chairs down there – if Bert could move over.

46
47 The chair returned and assumed control of the meeting at 1:18pm

48
49 **Agenda item 14 – Public Comment.**

50
51 Chair: Tim Sprout

52
53 Sprout: Hello, I'm Tim Sprout, I'm a land surveyor and I work for the Department of
54 Transportation here in Fairbanks, and I'm also on the ASPLS Board of Directors as past

1 President. I do want to commend the Board for extending the hearing for the education
2 requirements as you work out the education tables. That's kind of a contentious issue and I
3 feel good about your leniency on this. I did want to make a comment about changing the
4 Article 5 and combining the continuing education with engineers and surveyors. I'm
5 speaking personally now as a land surveyor, not for ASPLS. I don't have a heartburn about
6 going from 30 hours requirements to 24 but I don't want to go backwards and undo any of
7 the special thoughts and rules and specs we set up as surveyors. Because I do think all
8 disciplines have little different aspects to them as professions. So I don't want to go
9 backward on that part of it. Other than that I'd like to observe. Thank you for allowing me to
10 come today.

11
12 Chair: Thanks Tim. Questions, Craig?

13
14 Fredeen: I would be interested in knowing, there are two aspects regarding what counts for
15 continuing education for surveyors as opposed to the A&E. One was papers, the other one
16 was activity as an Officer in a Technical Society and whether or not that should count
17 towards continuing education. I'd be interested as a past President, what your opinion on
18 would be on whether or not activity on committees and officers should count toward
19 continuing education?

20
21 Sprout: I feel that activity and professional service in professional societies should count as
22 experience. Because you are exposed to a lot of the industry and what goes on. There is a
23 lot of professional growth serving on a committee or being a board member professionally.
24 And also it motivates participation, I think, too in our society because elections come around
25 and it's tough to get people motivated and be active and it helps that issue too. There has to
26 be some common sense judgment on what counts and what doesn't.

27
28 Chair: Any other questions? I want to thank you for coming in and giving us some insight.
29 Next is Nils

30
31 Degerlund: My name is Nils Degerlund, I'm a professional land surveyor and civil engineer
32 and I'd like to address the Board on the same thing Tim did on these continuing education
33 changes that are being proposed. My concern is the same as Tim's but specifically I'd like
34 to look at item number 1 and this would be underneath 12 AAC 36.500(g)(1) talking about
35 the subject matter of the continuing education. My concern is very miniscule and minor but I
36 just would like to bring it to your attention. Perhaps something could be re-worded in that.
37 Because it says "the subject matter must address the public's health, safety and welfare by
38 instructing in the proper planning and design in the area of the registrant's registration or
39 discipline, for the construction of buildings, structures, infrastructure, or the spaces within
40 and surrounding such facilities so that generally" and then it lists some other criteria. And
41 my point, like I said, is real minor but sometimes land surveyors are dealing with property
42 that has no facility on it yet and won't for quite some time. For example on a cadastral
43 survey and survey of that nature it would be good to have, to me I read that the continuing
44 education portions have to meet all of these requirements and if we're limiting only to the
45 facilities and structures then we rule out a lot of good things we have related to law and
46 related to land and property rights and that sort of thing. Like I said real minor but worth
47 addressing.

48
49 Chair: Not minor. Bo?

50
51 Brownfield: Do you have any suggestion of what wording you would use?

52
53 Nils: No. That's the general rule I make other people adhere to and I forgot it myself, bring
54 a solution with the problem. (laughter) If we could just add some wording to that sentence

1 having to do with, in the area of the “registrant’s registration or discipline” for the proper
2 survey of land or some wording that has to do with land surveying and then goes on “and for
3 the construction of”. So that we make two distinct thoughts I guess, if you will. That would
4 be my suggestion and beyond that I would like to commend everybody here for the work you
5 do and the sacrifices you make for us, I appreciate that.

6
7 Chair: Thank you Nils. Cliff could I ask that you insert the wording based on Nils input?
8 Martin Gutoski.

9
10 Gutoski: Good Afternoon I’m Martin Gutoski I’m a planning officer with the Fairbanks, North
11 Star Borough. And part of what I’m about to say, I don’t want you to think this is a bitch fest
12 about the process the Board goes through to have disciplinary action and to have a license
13 perhaps pulled or sanctioned, but it’s an ongoing problem in my department for the last 25
14 years as to how to deal with this when the public comes to the counter with surveys that we
15 know the surveyor is having disciplinary action or has been suspended or even the license
16 has been pulled. What I wanted to speak to was the JENCO problem in that I know you
17 probably can’t say much about it but my Director asked me to at least address the issue
18 from the Municipal standpoint. Mr. Jennings obtained his license in 1984. Is it ok for to
19 speak about this?

20
21 Fredeen: Do we have any information on that?

22
23 Chair: Well actually we’ve processed all that paperwork.

24
25 John: It’s still an open investigation too.

26
27 Chair: Ok

28
29 Gutoski: As far as I know when I talked to John and Vern the JENCO thing has been settled
30 and his license pulled. There’s another body involved that has to do with the case.

31
32 Chair: I think we probably shouldn’t talk too much about it because if it starts to skirt into an
33 area where there is an open investigation it would end up tainting this body.

34
35 Eriksen: Can you address potential issues without addressing directly towards a

36
37 Chair: If you don’t mention any individual names. I think if you’re going to go into an area
38 where we need to hear the problems you’re encountering.

39
40 Gutoski: I can put it in generic terms based on information I have on certain items that come
41 before me. I’ve been a planning officer for the Borough since 1984. We have certain as
42 built, plats, BFE Certificates, anything that a surveyor can do that come before us and they
43 might be involved in a re-zone, conditional use permit, special exception, anything that
44 involves Municipal action that either I’m peripherally involved in or directly involved in. If I
45 know there’s a suspension involved or action pending the people will ask me what about this
46 surveyor, what about this survey. Of course I have to worry about my employer getting sued
47 for my saying something which they are always worried about. The Borough, anything I say
48 could be held liable. But also as a surveyor I have to protect the public and I’m a wee bit
49 torn on that because my boss says well you can’t say anything about this. But I’m obliged to
50 say something about it anyway as a professional land surveyor if I know something’s not
51 right with what I’m seeing. So what we tried to do was get a summary on what action might
52 be pending on the person that is in limbo. And the process we go by, of course, is people’s
53 rights have to be protected because you’re potentially going to pull someone’s wherewithal
54 how to make money. So they will ask us, well what about this, and we’ll have to say well

1 either it's under investigation, you've got to contact the investigator and on and on. So I will
2 try to obtain what I can from the Board of Registration site about disciplinary action. And I
3 just relate that to the person who may have it. And he say's well you can go check this site.
4 But at the same time my Director asks me to get a summary of certain actions then I can say
5 well this survey, plot plan with a certain date on it, is that in the window period that we have
6 to worry about because there might be some pending action or their might be some
7 disciplinary action done and I'm really in a quandary to tell my Director how to deal with it
8 because we see old surveys that might have been in a window period. And of course I'll
9 contact the investigator how long is this, you know certain legal periods. And for me to try
10 and get a summary, and surveyors understand this, this is like doing a section on legal
11 research, there's certain window periods and well was he here then or there or was this
12 dated or surveyed and so this is very difficult. So I had to come up with sort of a summary of
13 things. But what I'm saying is the process is so lengthy. Something occurred in 1985 a year
14 after a certain registration. I've been working there that long and I've been dealing with it
15 and it just takes long to give us something. And I know you guys can't do anything about
16 the mechanics leading to what you see and hear but at the same time I think delayed justice
17 is denied justice. And I'll probably be retired stuff will still be coming and the collateral
18 damage from this is significant. Cause in 25 years a lot can happen and I've seen a lot of
19 things happen on surveys. And it's very difficult for me to deal with both as a bureaucrat,
20 cause I know how to play hide the weenie, you know I can take a little tiny weenie and put in
21 a big bun and give the public all kinds of sauce on it, you know, bite into it and the weenie
22 just keeps squirting out the end and that's not right. But at the same time I'm a professional
23 land surveyor and bound to try to do something that would alleviate some of the things I see
24 and it's a quandary for me and it's a very difficult thing where I work which is why I'm here to
25 testify. It's a paradox that you guys can't resolve but I just had to say something on behalf
26 of the Borough that the process seems to not work for what it's intended for. So that's my
27 testimony.

28
29 Chair: Thank you Martin, I can address a little of that but is there anyone that would care to
30 address that? I certainly feel your pain. I can deeply reassure that we've made leaps and
31 bounds progress on the issues that you're talking about. It was stagnant, or going nowhere,
32 not too many years ago. The bottom line is you have to go through a due process whether it
33 be a month, a year or 5 years everyone is innocent until proven guilty. So, we're doing the
34 best that we can,. That's not, maybe, a very good answer for you but, again, until they go
35 through that process they're no different than any other licensed individual. And I would ask
36 John, investigator for this Board, to kind of shore that up a little bit because he's a little
37 smarter than I am about the investigation process.

38
39 Savage: If the situation we are talking about is concerning an individual that has had his
40 license yanked so to speak. What was on the data base will tell you, or on our data base
41 screen will tell you what we can tell you from that angle. The individual is no longer licensed.
42 His license has been pulled effective this date. Anything beyond that, I get people calling
43 me in your situation, a lot of time from Muni's or whatever wanting more. Well what about
44 this, what about that? The only way they're going to get that information is to submit a FOIA
45 request, Freedom of Information Act through Vern's office and they'll make copies of
46 everything they can make copies of for you. Then you'll have as big a picture that your
47 going to get at that time. That the State can legally release. At my level and at Vern's level
48 we just can't do it. You know it's just not permitted. And as far as if we have cases that are
49 open because we're waiting for this other one to catch up and be closed and prosecuted
50 and things such as that. At that time even with a FOIA request you're going to get nothing.

51
52 Gutoski: This I understand you know the basics of this.

53
54 Savage: I do feel your pain though. Like Richard said I'd like to think it's getting better and

1 it's going to continue to get better but only time will tell.

2
3 Baker: But also Martin, I'd like to say that if you're talking about stuff that may have started
4 back in 85 and whatever. Some of these things that surveyors, and we kind of need to
5 police our own group, haven't reported. We've seen things that may not have been correct
6 but nobody's ever taken it up with individual and turned around and say this individual isn't
7 responding so now I need to submit it and they kind of just let it ride. And then it keeps
8 getting worse and worse so a lot of times we have to take some of the blame ourselves for
9 not pushing it through the proper way either.

10
11 Chair: I think that's what Martin is saying. He's dealing with a moral dilemma and I do
12 appreciate what you're saying.

13
14 Baker: But part of our code also says that all of us in here that are surveyors we take an
15 oath an stuff when we become licensed. If we see something that's happening and we don't
16 bring it to the investigators and stuff. We can actually be held responsible too, some of
17 these things we need to do. It's kind of a tough deal to deal with sometimes you know
18 cause you don't want to rat out on your fellow professionals but at the same time it's a ding
19 on our profession. So it's something we need to work with.

20
21 Gutoski: Believe me I'm not afraid to bitch. (laughter) Really I'm not. I'm surprised my
22 employer has put up with me for 25 years. If I see something wrong I usually bitch about it
23 and try to find a place to lodge a complaint. I understand that part but I do feel that
24 somehow the process really does get bogged down. And I understand due process it's a
25 wonderful thing. But sometimes the hot dog keeps squeezing out and ends up in someone
26 else' bun and it's just not right.

27
28 Savage: Martin, if I may just add something to that too. We do get a lot of calls, I can have
29 an investigation that's been going for three or four years and someone will call and say I
30 hired this individual, do you have any complaints on him or this, that or the other. Unless we
31 have a complaint that's been closed and there's been action taken and you know we have
32 an ongoing investigation I can't tell them anything, as uncomfortable as that is. And I'm not
33 sure there's a good answer to that either. I mean as far as having a flagging action on a
34 complaint that's made. There's so many complaints out there that are just erroneous, that
35 we find out were nothing. It was hard feelings or someone trying to get back at somebody
36 or whatever and you don't want to be shutting down somebody's livelihood, you know, while
37 we're in the middle of something like that, you know what I'm saying?

38
39 Gutoski: I understand the nuisance complaints and as a planning person I get a lot of
40 nuisance complaints about some dog barking or a blue tarp and I've worked with the public
41 25 years I know how much they can complain about minutiae. And a lot of its contract stuff.
42 Just some people can continue to milk the system and it flies over here and you get this one
43 closed and its surf, it just keeps rolling over you. And I understand the frustration of doing it
44 but my Director asked me to address the Board. So I'm doing that. It's nothing on you folks.
45 It's nothing on John. I've talked several times with him on other things. I'll probably continue
46 to bitch about other things. But I'm not here to complain about the education requirement
47 (laughter). I think that's working its way along pretty well. The last time I was here in May
48 we had a little thing about advertising public hearing and AG said you had to not take
49 testimony. I appreciate the way it's set up this May, you've done a lot of different things this
50 year and I think it's a good working Board. I hope to see you again. Thank you.

51
52 Chair: Thank you Martin for the input. Any other questions? Professor Emeritus Bill
53 Mendenhall.

1 Mendenhall: I'm just here to observe today.

2
3 Chair: Ok, you were marked to, no testimony, I'm sorry I see that. I sure wouldn't mind you
4 talking though. Chris Miller from Design Alaska.

5
6 Miller: Thank you good morning or afternoon, whatever it is. I'd just like to take my chance
7 to come visit the Board whenever you come to town, when I can. One of the topics of
8 interest with the whole General Licensure discussion that's been going on and I'll just take
9 the opportunity to give you my 2 cents worth. Ever since I've been coming to these Board
10 meetings we've been discussing incidental practice. It's much like Martin's discussion it's
11 kind of like we're not getting anywhere. We've been going on and on about this for years
12 and in some respects I can see how this General Licensure change could resolve some of
13 that issue. I guess the way I'd like to put it to the Board is let's spend our effort chasing bad
14 work, not fighting turf wars. Whose name's on this drawing, what name's on that drawing.
15 Who cares, if it's bad mechanical engineering, it's bad mechanical engineering. Chase that
16 down and just, I think it'll help us focus somewhat on the issues. I get all kinds of cross
17 things on work, a mechanical being on a civil underground. Who cares? I know how to do
18 well piping I don't need, it doesn't have to have a civil stamp just because on a "c" sheet,
19 charcoal engineers. We should hold the quality of care as the quality of the industry not just
20 which test you took. I think that it's helpful to know which test. The building officials are
21 probably the ones that have the biggest harm in not having, because they put a lot of stock
22 on because that drawing came from a mechanical engineer I can trust that HVAC system, I
23 don't understand it, but it's got a mechanical engineers stamp on it, I'm good. I think the
24 building officials are the ones that have the biggest heartburn but I don't think the public
25 cares. They don't know one engineer from another. They don't, you know just be an
26 engineer and as long as we are all, I've not run into many professionals who don't treat the
27 standard of care appropriately. That they work in their area of competencies and the one
28 that don't, won't. And if it's a general license they will still do bad work and we'll still be able
29 to enforce it just the same. I read through, I asked Vern and he sent me all the comments
30 that came in from your flyer, the letter that went out. And first of all I'm impressed of how
31 few comments there were. Compared to the 3500 engineers that there are registered in this
32 State, maybe 50, 60 comments, a couple of passionate people. The industry has no
33 consensus of this at all in fact it shouldn't be that surprising we've been talking about this for
34 a long time. Don't let it drop and languish. Do something with this issue instead of just
35 pushing it year after year, we've been talking about structural engineers, fire protection
36 engineers, control engineers ever since I've been here and nothing's changed.

37
38 Chair: It will. Anybody have any questions? Hopefully soon you'll be a registered fire
39 protection engineer in the State of Alaska. Thank you very much. We'll go on with our
40 agenda, everyone is more than welcome to stay. Harley, with John here, did you have a
41 question about specialty contractor exemptions?

42
43 Hightower: I would just like if John could explain to me how the specialty contractor is tied
44 to the other disciplines like mechanical contractors and electrical contractors.

45
46 Savage: I wish I had more of my documentation with me Harley, but later on we can get
47 together with that if you have people working on this. The fact of the matter is with current
48 AG opinion and such and I know that's going to very between AG's. but with current AG
49 opinion you take a hotel such as this or the Captain Cook, and this is what I've been told
50 since I put my foot in the door here, and their still sticking by it as far as I know is that
51 specialty contractors can build such a an entity.

52
53 Hightower: Could design one!

1 Savage: Could build, now however they use to design it, whether it's in their heads or shop
2 drawings or whatever. When I walk up on the job site if they're both licensed under, what is
3 it, 08.18 are building and I ask for design plans and they say they don't need them, they're
4 under the exemption. Now I could push the subject but I doubt very seriously if an AG
5 would pick it up and run with it at all. These are individuals that aren't going to be subject to
6 our licensing Statutes and Regulations per say as far as having a license. To put a twist on
7 it, I don't know if the Division would go there if I was going after their specialty license.
8

9 Hightower: Well we have to convince them otherwise.

10
11 Savage: Well I absolutely agree with you but you also have to agree, the first thing that was
12 handed off to me from John Clark when I came on board here was getting number 7, that
13 exemption, pulled period. And I think everybody's in agreement that if we if we do that that's
14 going to alleviate 99% of the problems here. I would absolutely jump for joy.
15

16 Hightower: I've been asked to do a paper to outline some of the problems and then come
17 up with verbiage. And deleting that is under consideration or changing the verbiage of it.
18

19 Savage: If I may, Harley, I'd like to gather some documentation and maybe get together
20 with you on a side bar in the next week or two and, or whenever it's convenient for you, and
21 provide you with that. I just want to make sure, I want to check with some of my higher-ups
22 that I'm not releasing anything that's privileged or
23

24 Hightower: I have to have it done by the next meeting because as one of our guests here
25 indicated we've been dealing with some of these subjects a long time and this is one of
26 them.
27

28 Savage: Right, I mean this isn't an easy subject either but I will certainly do everything I can
29 to provide you with anything I can.
30

31 Hightower: You've brought this to our attention. I never realized it was the problem it was
32 until you brought it our attention so we appreciate that.
33

34 Chair: And that supplemental information will be instrumental when it goes to the
35 Legislature that they see that there is a problem they'll rectify it. Did you want to be involved
36 in that Richard is that ok Harley?
37

38 Hightower: Oh, yeah, absolutely.
39

40 Chair: Thank you John, very much. Could we deal with travel now so that we get that out of
41 the way with John to make him realize we're going to put in for everyone, I think Eric is
42 going to be on the top of the list. And Don has never been to an NCEES and Vern and then
43 you and then the balance of the Board is going to be put after. We need to make sure you
44 have a commitment that you want to go.
45

46 Savage: Hey, I do want to go. I need to check with my supervisors. Division is listing their
47 deal 1 July but I'm being told that beyond that that our travel may be limited.
48

49 Jones: The travel thing doesn't have anything to do with the Division's monetary problems.
50 This is something that came from the Legislature for everybody, the whole State
51 government across the board a 10% cut in travel.
52

53 Chair: But that won't affect us because I think the 10% will be at the bottom of the list and
54 you're on the top of the list. I want you to know that we are committed to sending you to

1 Denver.

2
3 Jones: I want to send this in next week so let me know as soon as possible if you can go.

4
5 Savage: Well we won't know that until you send an email through my Chief to the Director
6 requesting that I go. The first thing they'll ask me is the Board wants me to go. That's how
7 we've done it in the past, Bo would send a request.

8
9 Chair: We'll do that. Were there any other questions or issues that you want John to deal
10 with? Your more than welcome to stay, somebody's memory might get jogged and they
11 might remember something. I guess we're ready to go to General Licensure.

12
13 General Licensure committee report

14
15 Brownfield: (passed out a chart) If you can't read my rotten writing I'll interpret that for
16 you. What I want to do is, I am the chairman of the General Licensure Committee. We've
17 been working for some time on this issue and were given a charge last meeting. And what
18 I'd like to do for the whole Board now is just bring you up to date on what we've done, a
19 refresher of where we've been and where we're going. We don't have the answers to all the
20 questions yet. I'm not seeking your advice on what you would do because it's still in
21 committee but I may ask you a few questions if you have some general observations.
22 Because what I want to do now is bring you up to date on where we are and where we're
23 going. But I also want to make sure that in the general sense the direction that we're going
24 is where you want us to go. And if it's not, that's what you need to call back on. But this is
25 not a session where we're going to debate in detail different levels because we haven't got
26 that detail yet. And when we get it we'll bring it to the Board and then you can ask those
27 details. I just want to make sure that you understand where we're going and feedback is
28 we're going the wrong direction, through the Chair, that you pick us up, point us in the right
29 direction so we can continue to march. Now I did some of this stuff last night. I just kind of
30 put down here our progress and I know its small print so put your glasses on. Can you read
31 that back there at all? Cause I'll read it to you if you can't. What I'm going to do is I'm going
32 to start from the recent past because we've gone beyond this, we've had discussions about
33 this probably a year and a half or two years ago but we didn't have anything in concrete.

34
35 On 15 November 2009 we had a position paper. We discussed that in a little detail
36 yesterday. Basically what it was is we were having the issue of well if we're going to go to
37 General Licensure we want structural, environmental and fire protection to go first. That
38 seems to be the most urgent need and because of that rather than wait for this whole
39 General Licensure we wanted to push them faster. So the Board came back and said would
40 you look at it as a committee and come back and give your recommendation. On the 15th of
41 November we came back, we had a position paper, you all should have it in front of you.
42 You may not have that one in there but we do have that and I think it was distributed in the
43 past if we didn't get it this time. Basically our conclusion, and I'm not going to go through
44 that, our conclusion was, there's no real reason to give any special treatment to structural,
45 environmental and fire protection. That, in fact, they deserve the same priority as everybody
46 else and vise a versa and it wasn't so urgent that we had to make a special case simply
47 because we've been dealing with the same sort of organization we have now for 27 years.
48 And it was not a sense of urgency to push that ahead of everybody else. So our conclusion
49 was, let's deal with General Licensure with all of them in that pile rather than make special
50 considerations. On the 10th of January we sent out a letter to all of the registrants, the
51 engineers. In that letter we asked for informal comments. It's is not a public forum, we
52 weren't asking for public testimony. We just wanted to get some informal comments from
53 the engineers. And, as I discussed with you yesterday, that we were not going to send this
54 to anybody but registrants who are engineers in the State of Alaska because it's still within

1 that realm. We got some feedback back and as I mentioned to you yesterday just very
2 quickly there's about 70 comments that came back. Of those 70 about 48% were in favor at
3 one level or another and they all were in favor of all the NCEES examinations. But some of
4 them expressed an opinion that they wanted structural and environmental and there were
5 some had others but their letter was positive. 24% didn't want any change. Basically the
6 thought was, they think the system ain't broke it's the way it should be. We got a pretty
7 good amount of people saying, hey, I don't want outsiders coming in here we can handle our
8 own business so we don't need to increase our disciplines or branches. 28% were
9 undecided, and again, that indecision was, you haven't given me enough to make a
10 decision. So basically what they wanted to do was wait to find out what the proposed
11 program looked like and then they could give more qualified comments at that time.
12 Basically they wanted to wait for the public process. In our last meeting, February meeting
13 of 2010 our committee was tasked to prepare to go to General Licensure for Alaska. And, in
14 general terms, the things that you wanted us to do were basically two-fold. One, come up
15 with a specific licensure structure for General Licensure. And secondly, draft Statutes
16 and/or Regulations necessary to support that language. That's what we're doing right now.
17 One of the first things we did was, we came up and proposed a position paper of the
18 committee. I'm not going to go into the details of our background discussion, each one of
19 you have one in front of you. What I will do is bounce the conclusions, because the
20 conclusions and recommendations are basically the results of our discussions, advantages,
21 disadvantages and so forth. These are basically the conclusions we have:

- 22
- 23 1. The increasing development of Alaska's natural resources actually equals the need
24 for engineer disciplines and branches in the State. The State does not presently
25 recognize enough disciplines. So we need to increase the development of other
26 disciplines.
- 27 2. We cannot accommodate future engineering needs with the existing structure. We
28 have a structure that's been in place for 27 years. We have had folks say we need
29 to take a look at it and our sunset recommendations one of which was, you need to
30 look at extra disciplines, came into play. The fact that we have some people saying
31 that we probably need to invite more disciplines into the state. We can't
32 accommodate in the future what we have today.
- 33 3. Wider more encompassing range of branch and/or disciplines stimulate depth and
34 breadth of the engineer family to meet the future. We feel that this will stimulate the
35 State of Alaska with more depth and breadth and have something that's better than
36 what we have now. Very important, we think that wider more encompassing range of
37 branches and or disciplines will better serve and protect the health, safety and
38 welfare of the State of Alaska. That's our mission. We felt that was extremely
39 important.
- 40 4. No significant increase in the workload of the staff will be affected. Now I put over
41 here enclosure one. We have enclosure one to our paper that we put out to you
42 folks. That enclosure one is a statement or a memo to record provided to me by our
43 Executive Administrator and in essence he says there doesn't appear that there is
44 going to be any significant increase, just more of the same. I think that's what you
45 said Vern.
- 46 5. Alaska should establish a General Licensure structure. That's a conclusion that we
47 made.
- 48 6. Alaska should adopt into Regulation all of the branches and disciplines of the
49 professional engineer exams offered by NCEES. Again, that's enclosure two. Two
50 of our committee got together and they analyzed the NCEES examinations in detail
51 and they gave me results of their conclusions. Their conclusion was we need to
52 have all of them. Don't pick three or four but take what NCEES has.

53
54 Our recommendations:

- 1
- 2 1. Adopt a General Licensure structure.
- 3 2. NCEES PE exam specification and design standard should be used. We should
- 4 accept all those branches or disciplines and I'll discuss those with you later.
- 5 3. If it can be done, we accept by reference all future revisions of the adopted NCEES
- 6 examinations so that we aren't constantly trying to update ours. We do this quite
- 7 often with other things so we thought that was worthy of a recommendation so we
- 8 don't have to revisit this every time NCEES changes. Now what does it look like. A
- 9 very daunting list and I'll talk to you later because I mean when you get down to here
- 10 NCEES organization and PE exam. You can get that if you go on your computer and
- 11 dial up ncees.org then you tap on exams then you tap on professional engineer
- 12 examination you're going to get this list. If you wanted to look at it in more detail, you
- 13 can do that later. These are the lists of the examinations that that NCEES offers in
- 14 engineering:

15 Agriculture, before I go through there I put b and you'll see some d's, I'll explain those in a
16 minute.

- 17 1. Agriculture, that is a branch of engineering.
- 18 2. Chemical, we already have that now. That's a branch of engineering
- 19 3. Civil. Civil engineering is a branch of engineering. But a sub-division of that
- 20 branch of civil is civil: construction, civil: structural these are different disciplines
- 21 that they give examination in civil. Civil: structural that is interesting because if
- 22 you come down here there is also a structural being a branch as opposed to a
- 23 discipline within another branch. Civil: transportation, civil: water resources and
- 24 environmental. And those are all civil. Now the difference between the branches
- 25 and the disciplines is you'll see where civil and a couple other have different
- 26 categories within that branch that would be a discipline from a branch.
- 27 4. Control systems. That's a branch within its self.
- 28 5. Electrical and Computer, that's electrical engineering and computer: computer.
- 29 So the electrical branch has a discipline in computer. Electrical and computer
- 30 and they special or they have a discipline in electrical and electronics. Electrical
- 31 and computer: power. So they have four disciplines within their branch.
- 32 6. Environmental, a branch within its self.
- 33 7. Fire protection, a branch within its self.
- 34 8. Industrial, the same thing.
- 35 9. Mechanical. Mechanical has mechanical: HVAC and refrigeration mechanical
- 36 has mechanical: mechanical systems and materials. Mechanical has thermal
- 37 fluids systems. All of which are disciplines within the branch of mechanical.
- 38 10. Metallurgical and Materials, a branch.
- 39 11. Mining and Mineral Processing, branch.
- 40 12. Naval Architecture and Marine, branch.
- 41 13. Nuclear, branch
- 42 14. Petroleum.
- 43 15. Structural engineering and I just put one branch there because structural I and II
- 44 we have that structure today 2010 what's going to happen in 2011 will probably
- 45 be in force by the time we get this thing finally finished, if we get to that point.
- 46 There won't be a structural I and II they'll be a structural and it'll be two sessions.
- 47 And in order to be issued a structural engineer you will have to take both
- 48 sessions. And they're two eight hour sessions. Very, Very involved and very
- 49 complete. So that's going to change very quickly and it's just going to be one.
- 50

51 So in essence we have 24 separate examinations that NCEES gives you examinations on
52 and what we're saying is the State of Alaska, as has 80% of the rest of the States plus the
53 jurisdictions have already adopted these in some nature or form. Some States have
54 decided on five or six of them or something less than the full amount. Most of the States

1 accept the full amount. We have 24 systems. When you get to the ones we have disciplines
2 within the branch, they have a morning session and that morning session is one where they
3 have the basics for any civil engineer and then you get to pick, what do you want to get into
4 that's most interesting to you that will get you added emphasis on that particular branch of
5 civil engineering and of course I just mentioned the ones we have available at NCEES. So
6 there they are. If you want to get into them a little deeper, that's how you can get them on
7 the computer.
8

9 The next thing we did, and we're working on it right now, is Statute and Regulation changes.
10 Basically we went through the Statute, Vern went through the Statute and we don't feel as a
11 committee that any Statutes need to be changed. Because what the Statute says, is they
12 give a very generic definition of engineering and if you take a look at that generic
13 engineering it will mimic any one of these so that does not change at all. Regulations they
14 do a lot of change. Now we're right in the middle of this so I'm just going to try to give you
15 what we're doing right now. That we're deeply involved and basically it's under review now,
16 we're in the middle of it. Regulations changes, we feel we need a change in 12 AAC 36.180
17 (b) Seals. Now you also have a handout that we gave you regarding that. You might want
18 to take a look at that. What we've done in that particular paragraph in our regulations. We
19 have taken out the six and we replaced that by 24. Now what does that mean? We're right
20 in the middle of trying to come up with a definition of each of these examinations. The way
21 we're trying to do it, to give you an idea of what we're doing is we're going into each one of
22 these examinations within the computer. We're finding out what they're giving as topics and
23 sub-topics in the exams both in the morning and the afternoon sessions. And it gives an
24 excellent idea as to what that particular branch or discipline is examining on which is
25 basically the emphasis of what they'll be able to do once they pass that examination. We
26 get the best wording we have. You go to a dictionary on civil engineering and you can
27 probably get about six or seven definitions. You go to the examination of what we're looking
28 for in that examination for civil engineer and it gives you specifically in NCEES
29 examinations, what they're looking for, which is an excellent basis to formulate a definition.
30 I've done myself about six of these already. I gave you the example of one of them. You
31 have it in your handouts. Just to give you an idea of what I came up with. This is the
32 agricultural engineering. If you're interested you can read that otherwise if you don't have a
33 copy. I know you have a copy somewhere.
34

35 Jones: The one in here is civil engineers.
36

37 Brownfield: Well take the civil engineer then, I have a definition of each of the civil
38 engineering disciplines that we have. You'll find five definitions. Each would have emphasis
39 on that civil engineering examination. Now I might have gotten too wordy in there, I sat
40 down with the examinations and went through the questions they're asking and that's the
41 definition I came up with. We're now trying to refine that. I haven't gone to my folks yet
42 simply because this is a daunting task to do. I can tell you the hours it took for me to come
43 with a definition of 5 of those, plus agriculture. I don't want us to go any further or burden
44 my folks on it number one if I couldn't do it. And secondly, if there is any change in direction
45 this Board may have, through you, Mr. Chairman, on the direction we're headed. So you
46 might take a look at that and ask questions if you want to but I do need a little direction on
47 that, either to march or turn left or 20 degrees or whatever you want to do. So, those are the
48 changes we're making. That's 12 AAC 990. I want to try to put that in sub-paragraph 17. If
49 you take a look at our Statutes and Regulations now and with six disciplines we drove
50 through the definitions. Every time I do that with a new book I've got to hunt and peck to
51 find out where chemical engineering is and where civil is because their all integrated in
52 alphabetical order in a page and half or so of definitions and I'm always having to go back
53 and find them. What I think is more logical and what I want to do is put it in such a way that
54 I identify engineering definition and below that put the definition of all the engineer

1 disciplines we have so when you or anybody opens up our Regulations, it's clear. So they
2 don't have hunt and peck. And obviously with 24 rather than 6 we're probably going to have
3 a page or page and a half more of definitions solely on the disciplines or branches that we
4 are looking at right now. So it's going to be more logical if we just put them all together so if
5 anybody looks at it, it is very easy for them to understand. That's what I'm trying to do here.
6 So that takes care of 12 AAC 36.990.

7
8 We had to change 12 AAC 36.180(b) in the seals. I think I just might have mentioned that.
9 We took out chemical engineers, we listed these 24 and we also stated in there that we
10 would take out the requirement for folks that put their stamp down and then they put under
11 there their discipline or their branch. We no longer do that. That's probably the biggest
12 issue that makes this general engineering. No longer are you and I going to stamp down
13 there on a drawing and then put under there "CE" or "EE". It's just going to be "Professional
14 Engineer". At least that's where we're headed. Not much of a change except that we just
15 have a longer list of disciplines. This is something that's new. Let me try and explain to
16 what we're trying to do. We had mentioned that what we're doing here may well help
17 incidental practice. While we're going to have a General Licensure system that doesn't
18 mean that we're not going to continue to follow each and every registrants expertise. And
19 be on top of what he basically is qualified to do and what he's not qualified to do. So we're
20 coming up with what we call basic expertise. That would be the branch or branches, cause
21 some of us are professional engineers in more than one. As a basic branch, and that's
22 going to go in his or her record through Vern, that he got his education and did his PE in
23 civil. We'll have that record, it won't be on the stamp, but we'll have it. And beyond that if
24 he wants to go into another area or something he wants to emphasize. In other words right
25 away, I'm a civil and I want to go into the structural side we will have what we call
26 endorsements which is less than your primary discipline. So if you want another
27 endorsement, depending on the type of education you get and the experience that you have
28 we will give that individual an endorsement for the extra expertise that you may have at that
29 time. As an example if I take civil and I choose to take the structural emphasis, which I
30 would get that afternoon, I will automatically be a civil engineer, endorsement structural.
31 That doesn't mean that all I can do is structural in the civil engineering because I'm a civil. I
32 can do all the civil work that I'm qualified to do. And I look at it and say yes I think I have the
33 qualifications. That's this personal ethics that we always talk about. But what it does mean
34 is that you'll be recognized in your record as having a special expertise in the structural side.
35 Because that's what you chose. Same thing when you get down to electrical, they have that
36 choice to make. They'll have an automatic endorsement that they can have if I as a civil
37 engineer want to get deeper into architecture. Then I can, let's see do we have architectural
38 under civil? What we're trying to do, and we have contacted NCEES to see if we could do
39 this, is that if they have the specialty courses in the afternoon or whenever they have their
40 examinations, maybe, we're just toying with it now, maybe, what we could do is have them
41 have the individual if you want to get specialized in a certain other area, that you go take the
42 afternoon examination so that you form the basis of examination, your three legged stool,
43 you have to have a certain amount of experience. We haven't figured out what may be
44 something we can present to the full Board. But we have that so that we can as a full Board
45 say that, yes we feel that your experience and your education allows you to have an
46 endorsement in say architectural field which will give you a recognized benefit to slip over
47 into another discipline or profession to a certain extent. And we recognize that on your file.
48 But it won't be a stamp, it'll be on the file that you have in the State of Alaska. That's a
49 tough one. We're dealing with it, you're going to hear about it more and I'm sure we're
50 going to hear about it from you. This is the direction we're going as a General Licensure
51 Committee. And I guess at this point I can answer any questions you might have. I'm not
52 looking for you to tell me what I need to do. I'm looking for direction if we're going in the
53 wrong direction.

1 Baker: I really commend you on this. I think it's definitely the right direction. My only
2 comment would be with listing out all these disciplines within the engineering, obviously
3 since we've only licensed 6 within the last 27 years, maybe half of these didn't exist, or a
4 third of them. They've been added in there so by listing these out and putting these
5 definitions in here are we going to allow or have any means to if NCEES recognizes another
6 one and starts testing for it, to have it slip in as well or do we have to go through this whole
7 process just to bring that in? I like the direction you're going but I would like to have that
8 availability.

9
10 Brownfield: We had this on the first page where I said that we accept by reference any
11 future developments. That was one of our recommendations because we recognized that if
12 you come up with something different, and I argued with myself on that because should not
13 this board have the opportunity when it comes out that rather than it be automatic we think
14 about and talk about and maybe it's something we don't need we ought to have that option.
15 I think we have that option anyway. We adopt by reference like we do so many other things.
16 When a higher authority changes their regulations we automatically adopt them.

17
18 Jones: Even if it's by reference we have to review it every time. An example is our NCARB
19 Education Standards that is adopted by reference. Every time they change that standard
20 we have to re-adopt it. So, with this if they added another branch or another exam we would
21 have to change that section to add name there and the definition.

22
23 Rearick: I have a question on whether or not the public would access to see what the
24 endorsements are for the individual licensee. If I'm hiring somebody and they do have a
25 structural endorsement, I'd like to know that.

26
27 Brownfield: What we're going to try to do is Vern's going to put that list up and anybody that
28 wants to know Joe Doaks what his degree's in or what his basic engineering is in, does he
29 have any endorsements, he can give it to them. So we'll have that online, Vern can you add
30 to that.

31
32 Jones: Initially I can go in and find it, but I'm going to try to get them to update our license
33 search program so that if you went online and brought an engineer's name and clicked
34 details it would tell you if he was a civil or a mechanical or whatever.

35
36 Rearick: Another thing, I got a lot of concern with the architectural engineer endorsement. I
37 think it's going to add a lot of confusion to the public and to the engineering and architecture
38 community. And I haven't looked at the exam criteria for that, understanding exactly what it
39 entails. I have those general observations right now.

40
41 Brownfield: Let me make a comment on that because as I told you before, I haven't gone to
42 the rest of the committee to come up with areas, and I do have a roster to give to each one
43 of them which identifies what they're going to do within the next several weeks to come up
44 with the definitions that each of them have an assignment on. I was going to suggest to
45 them that they contact the other folks that aren't on our committee, for instance you're on
46 the committee, he just pointed that out. That you'll have ample opportunity, as a matter of
47 fact the list that we have in there says architecture, if there's anything with architecture on it,
48 your going to come up with a definition. So you'll have ample time to review that Rick. But
49 my suggestion was that even if you're not on the committee they will go to you and say is
50 this alright, am I missing something? I would strongly support them bouncing it off of
51 whoever has that expertise.

52
53 Baker: The only other thing I wrote down when I reviewed this earlier. In endorsements,
54 and this may be something for future discussion that you guys do in your committee. The

1 Board in it's discretion may upon receiving additional acceptable combinations of
2 examination and experience. What I'm reading in that is that any time an licensee wants to
3 expand his expertise into another field he's actually going to be reapplying to this Board to
4 get that endorsement. So that's going to change the fee structure too. Because he's going
5 to have to actually pay that fee for that review. It wouldn't be a full fee thing, he's not going
6 to be doing the testing and everything because he's going to, I don't know, I guess that is
7 what my question is.
8

9 Brownfield: We haven't gotten the answer to that question and just off the top of my head
10 I'm not sure we would try to charge them.
11

12 Jones: The way I would see it is it would be an application fee of \$50 and then if he needs
13 to take the exam, that's between him and NCEES. He pays them for the exam. It would be
14 an application fee of \$50 and you would look at his experience and decide if you're going to
15 let him take the exam.
16

17 Brownfield: And we need to discuss that further.
18

19 Walsh: If we went this way with General Licensure I had in my mind that it was going to
20 simplify the process. That we were going to rely much more on people's ethics to guide
21 them in what they were capable of doing in their profession. So this idea of having all these
22 endorsements and putting all this extra work on the Board to review that and archive them it
23 seems to me kind of out of place with my concept of what General Licensure is.
24

25 Brownfield: Point well taken and if it's the will of this Board and they don't want that you
26 need to tell me so that we don't go in that direction and after we've done the work we come
27 back to the same comment. So I appreciate that comment, we just need guidance on that
28 particular issue. And Mr. Chair I'm going to ask you to give me guidance so that we don't go
29 the wrong direction or the direction is not where you want us to go. We want specifics with
30 this because that will make our life a lot easier. This was a way for us to try to get an
31 endorsement on there that would recognize somebody. And then it would make the
32 incidental practice, it would complement that practice.
33

34 Chair: I need to think about it.
35

36 Fredeen: I was, along the lines with what Dan was saying, I'm more concerned about the
37 fragmentation within the disciplines themselves. Civil seems to be a broader discipline
38 where people do kind of stay when they do their structural, environmental, transportation
39 and water, they do seem to stay within there but I was looking at the three mechanicals.
40 The materials one we pretty much would stay away from but mechanicals move pretty
41 fluidly between those three categories from job to job and I would just be worried that from
42 the endorsement standpoint it might be difficult for somebody to move from endorsement to
43 endorsement.
44

45 Brownfield: They don't need that endorsement to do that work. They are going to get
46 automatically one endorsement by the mere fact that they took that examination that had, in
47 the afternoon session, that had that slant to it. But you as a mechanical engineer could do
48 any one of those just as a mechanical engineer just like you're doing now.
49

50 Fredeen: Well what I'm worried about though is about the flip side when it comes to when
51 John Savage is looking at it saying well wait a minute why are you stamping this? You
52 actually took this test. To me it might create more issues in an investigation and look worse
53 if their floating in between, I don't know, I'm worried that it gets away from the professional
54 of relying on somebody to stay within their discipline and just paint somebody in a corner

1 like if I have my HVAC and Refrigeration, then I go off and I do a pump system for an oil
2 thing and it's like well wait you didn't take the thermal and fluids test.

3
4 Brownfield: So you're worried about the anticipated assumption that somebody may take.
5 Because no matter you're a mechanical engineer you can do those three.

6
7 Fredeen: But from a professionalism standpoint where before I could do that work, now I
8 would feel that I had to get that endorsement before I could do that work.

9
10 Brownfield: I understand what you're saying, that's a good point.

11
12 Eriksen: I can see what you're saying about an endorsement. It kind of holds them to a
13 higher standard. That maybe they should prove that they've gotten the additional education
14 and experience to perform some function. And the example maybe that your giving is
15 relevant but maybe if you take the next extreme where your comparing mechanical and
16 electrical or civil and electrical you know there's some gray area but maybe they should be
17 held to a higher standard have some additional experience and education.

18
19 Brownfield: Let me give you an example of that and what really caused us to think in that
20 direction primarily and that is what we have in the DOT that I was there for 12 years. We
21 have civil engineers that are doing electrical engineering period. And they have for years
22 and we're putting a stop to it. A system like was my thought that if a civil engineer wanted to
23 get into electrical engineering to a certain extent and it's in the area of signalization and
24 power where it fit into the electrical engineering side of it. If they wanted to continue that as
25 a civil engineer we have asked NCEES, would it be possible for a civil engineer who was
26 dealing in electrical work daily, could he take the afternoon examination in electrical after he
27 has a certain amount of experience and feels he can pass that part of the test, that gives
28 him credence that he knows the full realm of what he's getting into. He can get that
29 endorsement and then this incidental practice crossing back and forth sort of, it doesn't go
30 away but a large part of it goes away. That's kind of the driving point of what we had there.
31 That's the reason we actually came up with that.

32
33 Jones: The endorsements are between branches, not disciplines within a branch, right? So
34 if you're a civil engineer can do those things, your ethics bind's you to do whatever your
35 specialty is whether it be geotechnical or transportation. But, you're a civil engineer, you
36 don't need an endorsement you just need the exam.

37
38 Brownfield: An endorsement's what you can do if you want to but that doesn't make you
39 any less a mechanical engineer you're always working within your realm of expertise
40 anyway.

41
42 Baker: I see a couple of things with endorsements on one side it's kind of a neat idea
43 because if you get that endorsement it's something you can use for advertising and it can
44 look good that way. On the flip side I look back at when we first licensed landscape
45 architects. And Mark with his big pie diagram actually covers all three areas of architecture
46 and engineering and stuff. So we put in the regulations that anybody that had been doing
47 such and such a work before could still continue to do that but then all of a sudden it gets
48 turned around and the municipality of Anchorage says, well we want a landscape architect.
49 So when you start having all these endorsements they may come out and say you have to
50 have this endorsement. You have to have this, so then you're going to start forcing people
51 that have been doing this stuff before to start coming to this Board and saying I need that
52 endorsement. I like the way that Dan and Craig look at this because I think it's more of your
53 professional ethics. Endorsement to me is more of a window dressing to say, hey, I can
54 advertise this that I do that now.

1
2 Brownfield: Well, they probably could and probably would if they took the extra effort. They
3 don't have to take the extra effort. That's not required.
4

5 Baker: That's not what I'm saying. The people writing out RFP's may start saying you will
6 and they have a right to do that but when you put that avenue or approach for them to do
7 that I think you'll start seeing that come out in the RFP's. And, really, as a Board, no matter
8 how we write those regulations, don't have the authority to come back to them, and say no,
9 you can't do that. That's my concern.
10

11 Hanson: On the divisions, I guess, do we have the research on the different tests that have
12 been taken, like in civil.
13

14 Brownfield: What sort of research?
15

16 Hanson: Well, what's the most popular test? Which division of civil? Is it construction or
17 what?
18

19 Brownfield: You mean how many have taken the exam?
20

21 Hanson: Well, I guess my point is that lots of people pick exams and I know this I guess not
22 by personal experience, I took the transportation, but a lot of people pick the exam, not
23 based on their experience, but what they feel they might pass the easiest. I think right now
24 construction is the most popular. Several years ago, whether it's fact or fiction, you know a
25 few years ago it was water resource. I think, right or wrong people are doing this and you
26 start putting endorsements on these based on what test I chose to take, I happened to take
27 the transportation because that was my expertise, that was what I worked in, that was what I
28 knew.
29

30 Jones: Again, the endorsement wouldn't be within the branch. If you were a civil and you
31 wanted to add electrical that's a different branch you would need an endorsement to have
32 electrical. You're a civil, you can do whatever your ethics allow you to do in the civil arena
33 there.
34

35 Brownfield: I think what I hear you say is perceptions people may have and what they turn
36 those perceptions into are like Cliff was saying.
37

38 Hanson: Right, kind of along the lines with Cliff. You end up with a lot of people taking one
39 exam because they think they have a better chance of passing it and then all of a sudden
40 people are saying well we're going to be doing a transportation project so I only want civil's
41 with a transportation endorsement.
42

43 Brownfield: The tests are up where you have a basic engineering you're going to get in the
44 morning. The first four hours everybody gets the same thing which is civil engineering. And
45 then when you go into the afternoon test it's not going to all be transportation, but it's going
46 to be weighted a little more on transportation than it would be on geotechnical for instance.
47 But it's still civil engineering. And you can get a flair for what that's going to be by looking at
48 testing in the afternoon. I understand what you're saying, we're looking for guidance.
49 We're not looking to get out of work but I don't want to do work that's not necessary.
50

51 Walsh: Again, speaking to the endorsement idea, it sounds like to me like that's an
52 argument for licensing the individual disciplines. That's kind of the ultimate endorsement. If
53 you're going to go down a level, then why not just go up a level and license all these
54 individually. You have all on their stamp and everybody knows exactly what you should be

1 practicing. If you want to move to General Licensure I think that it's pretty much should be
2 left up to their ethics what their capable of doing by their education and experience and
3 probably more so by experience than anything else.
4

5 Fredeen: One of the things that we had that we have been constantly reading in the
6 responses back is the fragmentation. We don't want to add structural and environmental
7 and fire protection because that would start fragmenting the original six that we have. I'm
8 afraid that if this is put out to the general public that list, everyone's going to say "holy cow,
9 we're completely fragmenting everything" so I would recommend to not worry about those
10 sub-disciplines and just put them all as civil and put them all as electrical or mechanical and
11 just kind of leave those as line items and not worry about the sub-branches of a discipline.
12 Otherwise I think it'll scare people.
13

14 Brownfield: So you're talking about just say civil once, mechanical once and electrical.
15

16 Fredeen: Yes, because otherwise everyone's saying well we didn't want to add three more
17 disciplines because of fragmentation and they going to say holy cow we now have 18 and
18 you're really going to start getting some letters of misunderstanding. And the other aspect
19 that I wasn't sure about was what would actually show up. At one point in time we were
20 talking about if you went to the website you see what test they took. That would be the
21 aspect that the public could go and say well I have this engineer what discipline are they.
22 They could go to the website and say oh they took the civil test. Would we say they took the
23 civil test or would we say.
24

25 Jones: We would just say civil.
26

27 Fredeen: We wouldn't say they took the civil structural or the civil transportation. We would
28 just say they took the civil test.
29

30 Brownfield: I don't think the public going get into, I'm going to dial up NCEES and I'm going
31 to look up this one or I'm going to go to this, I don't think they're going to go to that extreme.
32 I understand what you're saying. It's a very good point.
33

34 Fredeen: I would, if I'm reviewing fire protection, if I had these drawings that I want stamped
35 by an engineer, you know the sprinkler thing we had earlier, I know I would want to go to the
36 website and make sure it's not a civil engineer stamping fire protection drawings. Because
37 then I need to call Savage up and say hey. I want to have a method where I can go and
38 say, what was the test this person took.
39

40 Rearick: As an architect hiring a consultant I would definitely go to the website and look up
41 what exam they took even if there is not a listed endorsement. I want to know that they
42 have that basic background and the focus at least at the start of their career.
43

44 Shiesl: If you're a civil practicing structural and somebody else does not have that
45 endorsement that are practicing structural, is there a penalty?
46

47 Brownfield: If you're a civil and you go structural, nothing it's just civil. The thing the
48 endorsement does is give our record some indication that you have a little bit more
49 education in that area and from what I hear from you and what feedback you're giving me. It
50 sounds to me that the endorsement thing probably isn't necessary and I understand what
51 your comments are and agree with many of them. This is the type of feedback we need. I
52 kind of want to wind up saying, ok, what I hear you say, through your chairman now, so,
53 we're not going to do this we're going to do that, this is our direction at this point forward.
54 And from what I hear from you, it might save us a little work.

1
2 Baker: The other thing is as far as coming up with definitions even if we don't do this list do
3 you want to come up with definitions for the general part of it? I would think that NCEES
4 probably has definitions without going into

5
6 Brownfield: No, their definitions come from their examinations. We tried to get definitions
7 from them. They don't have them. I tried like mad to find out because it's not easy to write a
8 definition. Their examinations, Cliff, from my observations is, it's far more hitting the point
9 than if you had some generic engineering definition out there. Because this definition of civil
10 construction is based the examination taken for that.

11
12 Eriksen: Just maybe a question for members who don't seem to, I guess have a different
13 opinion on the endorsements or the necessity for endorsements. How do you envision
14 things work say if you had an electrical engineer and got his general licensure through the
15 electrical exam. Wants also to design buildings and wants to start practicing as a civil
16 engineer. Does he have to demonstrate that ability in any fashion or can he just, assuming
17 he thinks he has the education he needs and some experience, can just go ahead and start
18 practicing?

19
20 Brownfield: Well that was the purpose of having that. If he wants to get into another branch
21 and he can demonstrate to us to our satisfaction that he has enough education and
22 experience to have an endorsement.

23
24 Eriksen: But I'm asking the people that don't agree with the endorsement.

25
26 Walsh: I think if you're going to go down this General Licensure road you just have to
27 expect that ethics are going to have to control that.

28
29 Eriksen: But as an engineer I would prefer to have a way to demonstrate that I've been
30 recognized so I won't get to a point where it's a gray area and I could get in trouble. Or if I
31 didn't have quite the same ethics or understanding that maybe I need to take an extra class
32 or extra exam that maybe somebody else on the Board thought I should have.

33
34 Brownfield: That is sort of a positive for that and that was sort of a driving force that I had
35 even thinking about General Licensure.

36
37 Eriksen: I still think there can be General Licensure with some of those requirements or
38 endorsements or whatever you want to call them. In Idaho they refer to it as specialty
39 qualified. It's kind of similar to an endorsement based on the examinations you take and
40 stuff and they still have General Licensure. I don't think it precludes us from having a
41 General Licensure format.

42
43 Walsh: I don't think it precludes it Eric, I just, the benefits of it seem to become diminished.
44 If you've got a General Licensure then I think that's to simplify things. If you want to have all
45 of these specific licensures in your regulations then you can go that route.

46
47 Eriksen: Some of the things I think are, generally, still simplified is this mechanism for
48 recognizing licenses in general. We are now we moving to this system of generally going to
49 recognize NCEES as the testing mechanism for licensure plus the other problem was
50 maintaining and updating and changing seals. General Licensure allows us to go without
51 having to make all those adaptations every time there's a new discipline or something. So
52 there are some benefits still with General Licensure. I understand what you're saying that
53 there are administrative things, tasks that are still going on.

1 Walsh: I'd just add that I'm not even sure I'm in favor of General Licensure. All I'm saying
2 is, if you go to General Licensure it seems there should be some benefits in doing so.
3

4 Baker: I think that if you have somebody like Eric who says well I'd like to question his self
5 and make sure. That individual's going to go and get the education and experience. So I
6 think if you're going to go down the General Licensure road it becomes more of an ethics
7 and self policing. You're going to know if this guy over doesn't have it. Especially if you
8 come across the work and realize that there gaps in what he's supposed to be doing. So
9 that needs to be reported. The public isn't trained to be able to understand, otherwise they
10 wouldn't have to hire us to start with. So it's us and the investigator that has to work
11 together self policing and ethics and most that question whether or not, am I really qualified
12 for this, their going to go out and get the qualifications and the experience and training. The
13 ones that aren't going to do that, you're going to have trouble with no matter which way you
14 go. We already do, if you have bad apples, you're going to have bad apples whether you go
15 this route or, I mean they're just there.
16

17 Eriksen: People are allowed different standards. We saw that with our continuing education
18 credits and we had some discussion on how to deal with this big nebulous great thing we
19 created with continuing education and I'm encouraged that they are working on bettering
20 themselves. But I see the licensure thing as being a little different. It is more acutely the
21 direct link to this health, safety and welfare of the public and how people are practicing, not
22 so much how they are bettering themselves and people's standards are going to be
23 different. Getting back to why we test on this three legged stool for each discipline. I think
24 there should be some sort of standard to recognize these people that are practicing in
25 different areas. It's not a subjective thing.
26

27 Brownfield: Let me throw this out. Would it be better if something like that were available
28 on a voluntary basis, in other words, there is a mechanism that if you as an individual want
29 to, not only, get more expert in that area but you want to reflect that. If for no other reason,
30 if something did come up, you could demonstrate some official direction of going there to
31 include you writing him and saying this is the extra I have would you guys accept it as an
32 endorsement. And the endorsement becomes something which is sort of a personal issue
33 for those that want to have it officially sanctioned.
34

35 Rearick: Well it seems like with General Licensure, in a way we're saying an engineer is an
36 engineer. And they're going to police themselves and get the education they need to move
37 into whatever area they want to move in, in engineering. Some of those are very technical,
38 very complex disciplines within engineering. Yet we're saying an individual can go to night
39 school or work under somebody and get the experience and become expert enough to work
40 on it. But I tend to take a look more at Eric's viewpoint and when we look at the surveying
41 we're saying well surveying has become a much more complex discipline so therefore they
42 need to have 4 years of education, now we're going to require that. Yet we're taking
43 engineering and we're saying these are very complex disciplines but we're going to make
44 less restriction on the engineer. Maybe I have a little less faith in humanity than some of
45 you but there are people out there that are going to abuse the system and sometimes
46 they're going to abuse it because they don't know better, not because they're being
47 malicious. But they think they've got some experience here, they've got a little bit of
48 experience in structures so now they think they can do something that's beyond their
49 capability. And if they're not doing it on a regular basis they're dabbling in it, and those are
50 probably the worse because they're not educated on the foot notes and the nuances of the
51 code or the practicalities of that discipline. So I guess I'm a little less in favor of General
52 Licensure at this point anyway.
53

54 Chair: I guess what I'd like to see is assigning a task of one side to one person and

1 assigning the task of the defensibility of endorsement of a different branch. In other words,
2 be a true General Licensure or get into the specifics and go ahead and assign that task to
3 one individual and then, one of the big things that you came back with, which is huge in my
4 book was that it doesn't appear that we need to do Statute changes. So to me, it's not as
5 big of a rush anymore because we keep putting it off but it looks like we can do this through
6 Regulation I'd like to see both arguments brought back. Both people argue that position of
7 endorsements or General Licensure and then come back and debate it based on an
8 individual's research. So you could assign that task to your committee persons or take the
9 task on yourself. You seem like you could go either way so probably I would either pick Dan
10 and Eric. I guess Dan isn't on the, Craig is on it but if Dan wouldn't, Dan could take your
11 spot (laughter).

12
13 Walsh: I'm probably not interested in taking that on.

14
15 Brownfield: Let the committee do that.

16
17 Chair: But you hear what I'm saying is I wouldn't take it any farther. The urgency that I had
18 in my mind was that if it was a Statute change we need to get on it quickly so that we could
19 turn this into the Legislature this fall. But in fact I believe you emphatically, that it's just a
20 Regulation change and maybe all we need to do is just define all the disciplines and not
21 worry about the endorsement and let it go at that. I don't know but I think I'd like to hear the
22 pro and the con on both sides and whoever has that maybe bring it up in the next meeting
23 under a forum process and go with it from there.

24
25 Brownfield: So what I hear you guys telling me and the committee is, the major issue is the
26 concept of endorsements, not the concept of General Licensure. Not the fact that we should
27 move on.

28
29 Walsh: That summary doesn't fit with my point of view. If you're going this route, especially
30 since you've talked about endorsements being an important part of it and I hear some of the
31 issues around the table basically getting to the same point that it is important for us to know
32 what an individual engineer is capable of doing. Why not just accept the NCEES standard
33 and list all these and do this on an individual licensure basis? I guess I'd like to know the
34 difference between that approach and General Licensure and what the pros and cons are
35 there.

36
37 Brownfield: I think I may have discussion on it but I think that's what I hear you say is
38 endorsements is the issue of what we either keep or don't. If we do keep it we have
39 restrictions on it. But if we take endorsements out we could accept these and take it and
40 your either a civil or a mechanical and whatever and you can brag about the fact that you
41 did a little bit more in transportation or water resources but none the less you're a civil and
42 leave it at that. That's basically what I hear you say.

43
44 Walsh: I'm not sure. But you're still saying General Licensure. I'm saying no, maybe not
45 General Licensure. Accept these as individual disciplines, license them all since you're
46 going to have the definitions in here anyway.

47
48 Brownfield: I think to the extent possible that's as general a licensure as you can get. And
49 the bottom line of that is, when you put your stamp down there you don't put civil, electrical.
50 You put professional engineer and you don't have to put down there what it is. That's
51 General Licensure.

52
53 Walsh: It seems like our stamps are one of the important things that are used, they're
54 powerful protection when we're talking about the public being aware of what we do. Why

1 not have this on your stamp.

2
3 Eriksen: On the issue of Mobility, there are some benefits to General Licensure that we can
4 recognize. Things like Mobility are affected by General Licensure. We talked about the
5 mechanism or the costs of the seals and changing them all the time. Those kind of things
6 and so I think there are some benefits to it that we can identify with. I'm not sure what the
7 list would be.

8
9 Walsh: It might be interesting to see that.

10
11 Chair: Well just to summarize all this, again, I think you have a pretty good idea of the
12 direction you should take and I would like to see pro and con.

13
14 Eriksen: Would it be appropriate, is there enough information and discussion to put some of
15 these issues to a straw vote to just kind of see where we're at?

16
17 Chair: No. I'd like to see the pro and the con of it. I'm still, I mean the straw vote won't
18 really mean too much to me because I want to hear more. I've heard a couple of times, I
19 would like a report on California and their licensure problems. Because everybody has a
20 perception that they have specific licensure and in fact they are a mess to say the least and
21 that's a direct quote from one of their board members. Basically they license disciplines and
22 they license titles. There's three disciplines that they license. It's civil, electrical and
23 mechanical. The balance of the branches are titles that they license. So if someone was
24 licensed as an agricultural engineer and his license, it's the title only. And the State can go
25 after him and pull the license, but he can still practice agricultural engineering.

26
27 Fredeen: I don't know how that applies to what Dan's talking about.

28
29 Chair: People throw California up as a good example of a discipline specific state and it's
30 actually not a good example. Not only that, each one of them is found in different places in
31 their statutes. So, civil won't be in the same place as electrical. Electrical won't be with
32 mechanical. It's so convoluted and these are words out of one of the board members. That
33 it's a big mess. So they're licensing titles in one part of their laws and, again, they're only
34 licensing three disciplines civil, electrical and mechanical. The balance of the licenses, are
35 titles only. And a chemist for instance can practice chemical engineering but he can't say
36 he's a chemical engineer. It's very, very convoluted.

37
38 Baker: I just wanted to support what I hear you're asking for in the debate. Because to me I
39 think it would be very beneficial. I've mentioned a number of times in the past that I feel that
40 surveyors have a general license and I understand from what I see that also architects have
41 a general license. In architecture you can do a 20 story high rise or you can do a 3 story
42 residence. But among yourselves you have that control. I don't see that being any different
43 with PE's. What's the difference between designing a 200 bed hospital and designing a 15
44 room hotel.

45
46 Hightower: I've made that point a lot as far as myself.

47
48 Baker: Right, with me I think you've got two of us on the Board that are pretty general and
49 then you've got one area that you've really broken up into pieces and you're talking about
50 possibly breaking it into multiple other pieces. So I'd like to hear that, and I think it would be
51 very beneficial to hear that, debate.

52
53 Chair: So it's up to the committee to assign the pro and con of both positions and come
54 back in August. But, again, because of not having to go to a Statute change, that was huge,

1 that was the big rush. That was the big push that I was putting on that I was afraid that this
2 would cycle into a two year process. If it is just a Regulation change then maybe, the
3 amount of work that Bo has put into this, I don't want to undermine. Frankly from what I
4 know right now I do like the idea of spelling out of the disciplines with definitions. But I
5 wouldn't be for an endorsement process. That's my feeling but I don't have enough
6 information yet to say one way or the other. I think it would do no harm to define all of them.

7
8 Rearick: I want to add one quick note that one difference I think is that generally in
9 architecture you're dealing primarily with the IDC and IFC. Those are lots of different codes
10 that you're dealing with, you know, there are mechanical codes, electrical codes, there's the
11 IDC for structural and then there's other codes don't even know about. That's where I see a
12 lot of the technical aspect of those disciplines coming in as understanding those codes,
13 and, in the case of the engineer, how to apply those calculations that are tucked in those
14 codes.

15
16 Fredeen: I would expand on that, for instance, I wouldn't go and design a building in Guam.
17 Because I wouldn't know anything about the high 100 degree heat yet I'm still a mechanical
18 engineer. I kind of see that as part of the correlation there. So even though within my area
19 there are a lot of nuances, I wouldn't go there. But that's different than me going into
20 electrical engineering.

21
22 Chair: Do you have enough direction?

23
24 Brownfield: Do I have enough direction? I've got more directions than I have disciplines
25 (laughter).

26
27 Chair: Summarize everything is what I had in mind.

28
29 Brownfield: Well the summary that I had is not a two way. The issue of how do we handle
30 endorsements? Do we suggest that it be in our Statutes, should we or should we not, is it
31 clear? There's a clear feeling that it shouldn't and a clear feeling that it should. Within the,
32 whether it's a General Licensure or whatever, it doesn't make any difference what you call it,
33 it's the same you know if it looks like a duck, quacks like a duck, it's a duck. Whether or not
34 we even get into these different sub-titles or what I call disciplines within a branch. The best
35 thing I heard is that you don't want to do all that stuff. Just go to branches, don't worry
36 about disciplines. You're going to get disciplines anyway because when you go take the
37 course they're going to say what do you to be, you want to get it in transportation, you want
38 it in this, and that's in electrical, civil and mechanical, the only three that they're going to get
39 into that. So they have to make a choice. But that choice only means that they get a little
40 bit more in that than they do the rest. It doesn't mean anything less than being a
41 mechanical engineer because they didn't take that particular discipline. They're still a
42 mechanical engineer, they have to work within their discipline. So that may be a real easy
43 way for us to knock out a bunch of definitions if you will. You were saying you like the
44 definitions. It lets me know exactly what he has. And just stick to the definitions of the
45 branches that we don't have definitions for. It's going to make our committee a lot easier.
46 So the question is do we want to take the short cut or do we want to really deal with all of
47 them with definitions to the point of having endorsements.

48
49 Chair: We have about 3 minutes then we need to call for the, uh,

50
51 Brownfield: Am I too far off on that? And we can discuss that, you're still on the committee
52 whether you like it or not. And you're going to have to do a huge share too.

53
54 Chair: With all of that said we do have an expenditure report call that we need to make at

1 3:15. The bottom line too is that in other jurisdictions I've observed with General Licensure
2 it took about a page and a half. It's very brief and it doesn't do all of this. Just throw that in
3 there. Are we ready to call?

4
5 Jones: Sure.

6
7 Chair: We can continue this right after we call, is it Ms. Mason? It's item 16.

8
9 **Agenda item 16 – Expenditure report**

10
11 Jones: Hi, Cathy, this is Vernon, you're in the meeting.

12
13 Mason: Oh, sorry, I've got too many thing going at once. So I guess you just want me to
14 do the Board Report?

15
16 Jones: Yes.

17
18 Mason: Let me pull it up here real quick, hold on. Ok, so, as of May 10th the AELS Board
19 had Personnel Services of \$170,100 for direct expenses and for indirect \$109,300. You had
20 travel so far a direct of \$30,000 and indirect of \$1,100. Contractual there was \$47,500 direct
21 and \$243,400 indirect. You will notice that the indirect is going up and will probably
22 continue. We've had a couple of expenses this year that have been allocated to us that we
23 not expecting and so contractual will be somewhat higher this year. Supplies are \$5000
24 direct and \$4,800 indirect. At this point there is no equipment expenses and there won't
25 probably be any this year. We're not going to be purchasing any equipment. There was a
26 possibility of purchasing some computers but I think that has gone out the window at this
27 point. Bottom line you're direct to date is \$252,600 the indirect \$358,600 and your total
28 revenue has been \$797,800 so you're still in the good \$186,600. Are there any questions?

29
30 Brownfield: That is through June?

31
32 Chair: May 10th.

33
34 Brownfield: I'm talking about the remaining? Our fiscal year ends at the end of June so we
35 have \$186,600 left?

36
37 Mason: No. That is the difference between what you've spend already and your revenue.
38 In other words, your still in the black for this year because your expenses do not exceed
39 your revenue, your revenue exceeds your expenses by \$186 thousand and yes there's
40 about, from the 10th, there's about six weeks to go that will probably, you know, you're
41 revenue and expenses will probably change somewhat and that number, your revenue over
42 your expenses probably will go down a little bit. But your still going to end the year in the
43 black on a positive note.

44
45 Walsh: Cathy history tells us that next year we'll run a big deficit so I just wanted to be
46 assured that our roll forward's going to be there to cover that.

47
48 Mason: When you say, hang on just a second while I put on speaker. What are you
49 anticipating as huge expenses next year that your going to need this roll forward for?

50
51 Walsh: We don't get our income that year it all came in this year.

52
53 Mason: Oh, I see what you're talking about. I thought maybe you had a big case or
54 something that was going to be coming up. Right now if you looked at it you have over a

1 million dollars, if you just take what you have right now the \$186,600 plus your roll forward
2 from 2009, you have over a million dollars in roll forward.

3
4 Walsh: That was my question. Just that that roll forward balance of 865 was going to be
5 here for us to use.

6
7 Mason: Oh yes, nobody's taking that away from you, except through the fee process and
8 that really is going to have to start coming down.

9
10 Chair: Any other questions? Cathy what was that unexpected expense.

11
12 Mason: It was an expense that we pay for services that we don't provide and for overhead
13 services from within the agency.

14
15 Fredeen: Such as?

16
17 Brownfield: Who's bill are we paying?

18
19 Mason: Well there was a parking garage assessment in Anchorage and there was an
20 assessment from the Commissioner's Office. So there were a few expenses that and other
21 things have gone up this year so that's why your indirect is somewhat higher than previous
22 years.

23
24 Chair: Would it be inappropriate to get some kind of detailed explanation about that. I'm not
25 blaming you for this.

26
27 Mason: (laughs) I know I'm just the bearer of bad news.

28
29 Chair: It'd be nice to understand and have maybe a little expansion of, uh

30
31 Mason: Well you have to realize that you pay indirectly for all kinds of services. We're
32 talking postage, now I'm trying to, you guys renewed this year right? Ok, so you probably
33 mailed out your renewal forms and you paid for all that postage and you paid for all the
34 printing of those forms. That would come out of your contractual. You know the building
35 leases, those come out of contractual, any mail assessments, any agency like the
36 Commissioner is considered overhead for us. Any accounting and auditing, that's paid by
37 the agency to other agencies. If we have RSA's with anybody that would involve you guys,
38 that's part of an assessment, your law bills. That all comes out of contractual and those are
39 all other agency assessments.

40
41 Fredeen: I was just kind of wondering, I'm assuming every other board is asking the same
42 questions about why the indirect went up 25% this year so is anything else being prepared
43 for the other boards describing what the 25% was?

44
45 Mason: No.

46
47 Fredeen: We're the only ones who asked?

48
49 Mason: (laughing) A lot of the boards I don't attend the board meetings just because they
50 don't, I think they're examiner answers a lot of the questions. So I have not really been
51 asked that. I do get a lot of requests, especially if you've got legal services and people want
52 to know exactly how, because you know those are usually huge bills. And it could be that
53 your indirect assessment went up to and that is done by the total number of licensees. That
54 could have gone up from last year. I was just going to pull that up and see how much that

1 went up on you, hang on just a second. Your assessment is 11.66 and last year it was
2 11.49 so that's not going to be where it would make a huge difference in what you've been
3 allocated. I'd say it's probably more in expenses maybe from legal bills, from interagency
4 services, from that kind of thing.

5
6 Chair: Thank you Cathy. Is there any other questions on the expenditure report?

7
8 Mason: If you guys come up with any more questions, give them to Vern and he can, or you
9 can email me and I'll be more than happy to try to get you answers on anything.

10
11 Chair: I appreciate it, so, I don't mean to dwell on this too much. Per chance would the
12 legal fees be under contractual service expenses and they are indirect.

13
14 Mason: No that's going to be a direct, but you do get some indirect in legal services
15 because if the Division is doing an overall regulation change or something that effects, or
16 their getting opinions on stuff for the agency. You then would get allocated by 11.66% those
17 kinds of fees. Your biggest fee is going to be a direct fee because would be an attorney
18 actually working for your board on a case or something and those fees can be determined
19 and directed towards your board. So that's the difference.

20
21 Chair: Thank you Cathy, Bert, last question.

22
23 Lent: I'm just kind of scratching my head, thank you Richard, and I'd kind of like to hear
24 from Vern and Alicia on this, we have no funds at all set aside for equipment and I see that
25 this been very low priority for a number of years, if any commitment at all. What about this, I
26 mean don't you folks have need occasionally for, like, a new fax machine or what have you.

27
28 Jones: We occasionally get new computers and stuff like that which we did I believe year
29 before last then that would show up there, right Cathy?

30
31 Mason: Yes it would show up in the 7500 and can tell you right now that it used to be that
32 we would get new equipment about every, and don't quote me on this, but about every 2
33 years and it's now about every 4 years. Because things have been a little tight this year
34 because of some unforeseen things so we are canceling, at this point, the computer order
35 for this year. Normally what happens at the end of the year there's a certain portion of
36 money after the operations for the year and those are usually assessed for new equipment.
37 I know last year we had enough money left over we got new, we leased new copiers and
38 that kind of thing. Sometimes people get new printers. We've gotten a couple of color
39 printers this year. So there has been new equipment bought but we aren't going to be
40 purchasing new equipment like we did last year.

41
42 Jones: And what you're talking about there, our share would be that 1.7 of the indirect,
43 right?

44
45 Mason: Yes, 11.66.

46
47 Chair: Thank you Cathy very much for joining us this afternoon, are there any other
48 questions? That's it Cathy.

49
50 Mason: Ok, well, thank you, have a good day.

51
52 Baker: Now that she's off the phone I just want to say that because of that big shortfall she
53 was talking about, don't mess with my parking garage. (laughter)

1 Chair: I did pass around a report that belongs to Bo. Does somebody have that? Do I hear
2 a motion for a short break? It's been moved and seconded hearing no opposition lets break,
3 we'll come back in 10 minutes.

4
5 3:30pm – 3:42pm Break

6
7 Chair: Now we're on item 17a.

8
9 **Agenda item 17 New Business**

- 10
11 a. 10% across the board reduction in travel expenditures.

12
13 Chair: We've discussed this a little but I'd like Vern to talk a little on that, beyond just the
14 reduction of 10% across the board. Anybody who wants to go you've got to make sure Vern
15 has your name. Vern's going to talk a little bit about travel when you're going down and
16 when you're coming back and when your going to stay a little longer. Go ahead Vern.

17
18 Jones: One of the problems we've run into lately is, uh, your travel has to be approved
19 before you can be reimbursed for your hotel and your airline. So if you're going to go down
20 early or if you're going to stay late that has to be included in that approval or they won't pay
21 until it is approved. I'll have to resubmit it to be approved again and they may or may not
22 pay it. So, if you're going to, say we're going to Nashville and you want to go down on the
23 weekend before the meeting starts and have a few days there before or if on the way back
24 you want to take an excursion and stop in another city for a visit that all has to be in the
25 original request that I submit. When you're going to do that make sure I know. I'm going to
26 try to get this request in, I was going to do it next week but I'll say a week from Monday I'm
27 going to submit the request. So if you've got anything out of the ordinary that needs to go
28 on there, let me know so we don't have to do it a couple times. I don't normally send out
29 copies of the TA's to everybody because I can just submit them. Its transmitting paper that's
30 not necessary. If you want a copy of your TA I'll be happy to give them to you. What I will
31 start doing before I put this request out is tell you what the travel days are, the official travel
32 days. 99% of the time it's going to be the day before the meeting starts and the day after it
33 ends if it's in the lower 48 just because airline schedules are kind of hosed up. You can't
34 always get there the same day or back the day it ends so that's the way I submit it.

35
36 Baker: When you say the day before the meeting starts, like western zone. Registration
37 was one day but the meeting didn't actually start until the next day. So is that the day
38 before the registration or.

39
40 Jones: That is the way I submitted that one.

41
42 Baker: Because I ended up flying late. I was able to register but I did the red-eye thing and
43 your just toast the day of the meeting.

44
45 Jones: When I do these travel requests I have to estimate the cost. And if it comes out way
46 off when you submit a claim that's \$500 more than I estimated we're going to have to get the
47 whole thing approved again. What I do is go online to Alaska Airlines get the most
48 reasonable cost for a direct flight to and a direct flight back. Once I tell you that travel is
49 approved you need to make your reservations as soon as possible so that you get past the
50 14 day thing and get the best price. If you wait until three days before the meeting it's going
51 to cost you a lot more and travel is going to want to know why.

52
53 Rearick: I've got a question on that. You get the most reasonable cost flying anytime of the
54 night.

1
2 Jones: No, I usually shoot for sometime in the morning like 6, 7 o'clock I don't pick the 1am
3 flight. Unless it's for myself, but I don't put you guys in that spot.
4
5 Bert: This is kind of an odd ball question. If you're going down for an AELS meeting or
6 AELS related like CLARB and it's something that's being paid for out of fees and this type of
7 stuff and you have a second meeting in the same general area of the lower 48 and you're
8 going to that second meeting. Are the people that are controlling the purse strings on travel
9 going to want to know about that second meeting and if they know about the second
10 meeting are they going to deny the overall request for transportation.
11
12 Jones: I don't know. You're talking about like when we went to Seattle and then your went
13 from Seattle to Chicago for another meeting right? So, yes, that all needs to be in the
14 original request.
15
16 Lent: So are they going to say, well, you're going to a ASLA meeting too.
17
18 Jones: They're probably not going to pay for that portion of it. They'll pay for the CLARB
19 meeting
20
21 Lent: So, they'll get me to the CLARB meeting then balk on getting me back?
22
23 Jones: No, they will pay whatever it costs you to go to the CLARB meeting and return to
24 Juneau, or Anchorage, I mean. And that excursion out there for the ASLA, you're on our
25 own for that. That has to be in the request we put in for the CLARB meeting because it's a
26 deviation.
27
28 Lent: Ok, good.
29
30 Baker: I guess to follow up a little bit on that. The reason you do that excursion is the ASLA
31 doesn't really have to be part of that. You just going to go off and you can call it personal
32 time or whatever but if you say ASLA then there's another organization and they should be
33 kicking in the bill.
34
35 Jones: If you're afraid they will disapprove it because you're going to another, non-
36 sanctioned society meeting, just call it personal travel.
37
38 Walsh: Vern, just to follow up on that, if you were doing personal travel, vacation on one
39 side or the other, are they going to frown on that?
40
41 Jones: No, it's not going to impact your ability to do it it's just that if it costs more for you to
42 make the deviation you've got to pay the difference.
43
44 Brownfield: So what you do is you go in your computer. You print out an agenda for going
45 there on Saturday, doing your stuff Sunday, Monday, Tuesday coming back Monday get the
46 price of that. Then go back in again and make one Saturday, Sunday, Monday and then I'm
47 coming back next Thursday and put that down and your going to pay the difference.
48
49 Walsh: I understand that but in a sense the State of Alaska is paying part of your holiday, I
50 don't want that to impact our future travel budget requests if they frown on it, if they don't,
51 no big deal.
52
53 Jones: And when you do that you have to submit both itineraries up front and they will
54 compare and will pay for the one for you to go there and straight back. If the one for the

1 excursion costs more you have to pay the difference. If it's the same price you're ok.

2
3 Brownfield: But your work for the State, you're paid by the State, I'm not, he's not so it
4 wouldn't be additional holidays or whatever, it's just difference in price of travel for us.

5
6 Jones: For example when we go down in June for the NCARB meeting I'm going to stay an
7 extra week. I have family in Sacramento so I'm going to stay a week there. My return
8 flight's going to be \$85 more than if I came back right after the meeting so I had to give them
9 a check for \$85 when I submitted my request.

10
11 **b. Indiana policy on verifications.**

12
13 Chair: Would you like some kind of, uh

14
15 Jones: What I would like is for you guys to bring this up at the National meeting with the
16 bigwigs up there and say, you know we have discipline specific states out there and
17 somebody needs to be keeping these records. You can't tell me that nobody knows what
18 test this guy took. I'm not buying that and I don't understand why NCEES doesn't keep that
19 information.

20
21 Chair: It's not that complicated, it could be very digital. Being as you're the delegate you
22 could mark that down for Eric as a task in Denver. Vern mark that down that Vern will
23 investigate in Denver.

24
25 Fredeen: I have one more new business. That motion for the reg project to change from
26 "the Board will give conditional approval" to "the Board at it's discretion may give conditional
27 approval".

28
29 Chair: Ok, why don't you go ahead and read that into the record then.

30
31 Fredeen: During the review process I found some verbiage in the regulation book that I
32 would like to get changed. It has to do with the amount of conditional approval that we
33 have. This will be a first reading. Look in your books to 12 AAC 36.010(d). The verbiage in
34 there says except as provided in 12 AAC... the board will give conditional approval of an
35 application for examination or registration. And it's basically mandating that the Board give
36 conditional approval for all of the following items. Vern had an application come that was
37 basically the application and letters of recommendation and arctic engineering and nothing
38 else was in there. Transcripts weren't there, the FE the PE none of that other stuff was in
39 there but since basically all we have to look at are the letters we are required by this section
40 right now to provide conditional approval. Even though we are missing a large part of their
41 application and so what I would like to do is change that verbiage from "the Board will give
42 conditional approval" to "the Board at its discretion may give conditional approval". So that
43 gives us a little bit more leeway to say no this is an incomplete application or the Board
44 really needs more information about some other stuff.

45
46 **On a motion duly made by Fredeen, seconded by Walsh it was**

47
48 **RESOLVED to create a regulation project to change 12 AAC 36.010(d) from "the Board**
49 **will give conditional approval" to "the Board, at its discretion, may give conditional**
50 **approval".**

51
52 Chair: Is there any discussion?

53
54 Walsh: I read this all, Craig, what you're saying. I'm just looking at 4 here and I'm not sure

1 how it fits in but it says “Board has received all supporting documents required for board
2 review of the applications defined in (i) of this section” I guess we have to look at (i).

3
4 Jones: I think (i) is going to have to be changed too or maybe reworded.

5
6 Walsh: It seems to me this gives us the leeway we need. I mean all supporting documents
7 required for board review “means documentation of the applicant’s education, work
8 experience and responsible charge experience.

9
10 Fredeen: “and this chapter except for” there’s an, except, in there and it lists basically all the
11 things we give conditional approval for.

12
13 Baker: I was trying to read (d) right there, is that what we’re talking about? You read
14 through that and then you come down to “or other corrections to the application if the”,
15 applicant provides all of these things. So that “if” doesn’t mean that you have to give that
16 conditional approval until you have those other items. It says “if the applicants for is
17 substantially complete and includes, if the application fee has been paid, if the board has
18 determined that the applicant’s qualifications as listed, if the board has received all
19 supporting documents. That “if the” is the critical part of that.

20
21 Fredeen: Right and maybe this is something that we want to discuss right now but if people
22 want to look through there because there are a lot of nuances about, because Vern and I
23 went through this yesterday. 5 is the only thing that I saw that’s was close to giving us
24 leeway but 1 through 4 says if the application has this information which is only those first
25 three pages. So it’s kind of

26
27 Chair: And this is the first reading.

28
29 Jones: You need to look at (i) also because that’s the one that makes the exception.

30
31 Fredeen: So, I know it’s going to be sprung on you guys so this first reading is so you can
32 look at it and think about it.

33
34 Chair: On a first reading it’s the Board’s decision that I will ask that the motion will be put
35 forward to the 2nd reading so therefore I will ask all those in favor signify by saying aye, all
36 those opposed, any abstention?

37
38 Motion passed with one abstention.

39
40 Chair: I will task Cliff with the review of the regulations project to review and come back with
41 a report if that is applicable.

42
43 Fredeen: One other clarification. The intent is not to have a complete separate posting of
44 this. This thing is so minor that

45
46 Chair: It’ll be attached to one that’s had its first reading already, that’s understood. CLARB
47 report, Bert, are you ready?

48
49 **Agenda item 19 – Meeting Reports.**

50
51 **a. CLARB spring meeting**

52
53 Lent: I was kind of discouraged up front because Vern couldn’t go. I thought Vern got a lot
54 out of the previous meeting and I was hoping that he could go. So something happened

1 there, Chuck Leet did go and he had quite a bit to say and contribute to the meeting.
2 Certainly the young ladies found him to be quite a unique attraction because of his height I
3 guess.
4

5 This is just a brief report regarding what is happening. Now because Vern couldn't go and
6 they were having a very valuable presentation that they had scheduled regarding their new
7 disciplinary database that was reserved for Member Board Executives (MBE's). They
8 distinguish between Member Board Executives and Member Board Members (MBM's) and
9 quite frankly I was not invited to the early session. I asked Vern if he would like me to try
10 and attend that and he said yes and I did get a lot of valuable information from that particular
11 meeting that I'm going to share with Vern. I've got a brief one page report for him and I'm
12 going to fill him in on the utilization of their new disciplinary database. So I'll get together
13 with you before this meeting's over and go over that. They precede their spring and fall
14 meetings with a teleconference. In that teleconference we just basically give the other
15 delegates that are all over the 11 western states and are part of the western conference
16 information as to what we would like to see, current problems and this type of thing. So I
17 participated, first, in that teleconference in preparation for the meeting to follow. The
18 teleconference was on February 10th. The meeting that followed was on Friday and
19 Saturday February 26th and 27th in Dallas Texas. And it was really a, this is probably the
20 most valuable meeting that I have attended because of the database that we were able to
21 get good information from. There were a number of activities and a lot of exchanges
22 between the different members. As you can imagine we have breakfasts and lunches and
23 this type of thing. So it's all very cordial and you get to know a lot of people on a first name
24 basis and get to know what their problems are.
25

26 In the morning of Friday, that was when the MBE meeting took place and all the executives
27 from all over the country attend that and they did go into how to utilize their new disciplinary
28 database. So I got some valuable information and was thankful that they let me attend that
29 meeting. Then Friday afternoon they got into more applications of learning about
30 disciplinary measures, and how to document those disciplinary activities. We had a big
31 member board exchange where other members of the group brought up their ideas.
32

33 Then in the late afternoon they had a walking tour of some of the important public spaces
34 and parks in downtown Dallas. They've done a lot of significant things there and they've
35 introduced transit and public parks that are very important to that particular community. A
36 lot has changed there, the last time I was there was, I think 1955.
37

38 On Saturday we had testing analysis information which was discussed and this has to do
39 with their application of the LARE exam, that's Landscape Architecture Registration
40 Examination, and they're the ones that structure the exam, write the exam, edit the exams
41 and finally grade the examinations. This is their most important activity of course. Then
42 they have a strategic plan development for modernizing the information systems. I won't get
43 into all of that, but there was a report on that.
44

45 Then Alicia, they made a specific request that we are to send the State of Utah a copy of the
46 Guidance Manual. This is something I didn't get taken care of so I'm announcing that now.
47 They also want disciplinary history of what we've done in this state and I've got to find out
48 what the security is on that, because they're interested in disciplinary data, for the State of
49 Utah.
50

51 Kelly: Do you want me to follow up Bert and make sure that don't fall through the crack?
52 Ok, we'll find out.
53

54 Lent: The National Office of CLARB made us sit down and go through what we thought the

1 word welfare meant. We had all kinds of input and this was in a regional meeting of
2 Western Region. We filled all kinds of flip charts and I have not got the summary back from
3 that yet but when I do I'm going to share that with Bo and all of you so we can have a
4 discussion on welfare.

5
6 Something unusual happened at this meeting that I got a kick out of. The Western Region
7 of CLARB includes British Columbia. There is one other province in Canada that that is a
8 member of CLARB and that's Ontario. I forget which Region that they're attached to. But
9 we have British Columbia and have had for some time. So we've got an international
10 situation and some time there are difficulties about testing and communications but we've
11 been working through those problems. There was a strange person that I didn't recognize
12 at this particular meeting. The gal from Texas, who's quite a dynamo got up and introduced
13 this person. And this is an Architect, Landscape Architect from Mexico City. So, she was
14 there very quietly taking copious notes. And was not totally fluent in English, of course I'm
15 not totally fluent in Spanish. But she's there and she's just sort of following people around
16 and I'm wondering since the Western Region already has a foreign province why she
17 wouldn't want to be part of Western Region. So I invited her to our Western Region
18 meeting, introduced her, and it was unanimously approved to have her join the Western
19 Region and so the Western Region now includes the Republic of Mexico. What they want to
20 do is institute licensure for landscape architects in Mexico. I'm sure we can help them out.
21 We already have Puerto Rico, so this was kind of an interesting thing. That's the sum total
22 of my clandestine activities at the CLARB meeting. It was a great meeting. Are there any
23 questions?

24
25 Chair: Thank you Bert. We have WCARB, 19b.

26
27 **b. WCARB Regions 6 and 2.**

28
29 Rearick: I'll give that presentation. Harley, myself and Vern attended. It was a joint
30 Regional meeting. However I'm mostly reporting here on our Region and our Region
31 meeting. But on the National level I wanted to mention that the cheating issue that they
32 experienced last year that was so prevalent seem to have abated and they've been very
33 vigilant in watching the websites and trying to keep that down so that's good news.
34 NCARB's income is down and they're kind of responding to that by trying to handle some of
35 their outreach in electronic format, which is the web and a little bit less travel and
36 publications. Currently they're searching for a new Executive Vice President on the National
37 level. Lenore Lucy who's been there a long time is going to be leaving, I believe, next year.

38
39 There was some discussion on whether or not we should continue with a combined joint
40 Regional meeting or if we should have our separate Western Conference Group and it was
41 agreed that it was good to have the joint Regional meeting because you got to interact with
42 some of the folks on the National level. Like in this case we're in Boston. Boston hosted it
43 and we were able to meet some of those folks from the East Coast. In our State reports,
44 Utah reported that they are working on a definition for incidental practice and I think, Harley,
45 you were already aware of this and we will be following that.

46
47 Continuing Education was a very big discussion. One of the issues with continuing
48 education was trying to find a way to have some commonality with the other states and
49 some people that have this in multiple states are facing are one state might require that it's
50 their birth date that they've got to renew and complete their continuing education and
51 another it's biannual, annual or the date that they were originally licensed so they're having
52 a hard time keeping up with it. Vern I believe made the point that because we are a mixed
53 board it would be a little bit hard for us to come up with something that was going to be
54 totally uniform to what the other states were doing. Ken Naylor, who is the First Vice

1 President of NCARB, and who's in our Region was in our Western Zone meeting. He made
2 a point to say it's the National level that we need to keep in mind an work on it on a National
3 level not just a Western Region.
4

5 On continuing education there also was a big discussion, George Miller, President of AIA,
6 was at our meeting and there was quite a discussion about whether or not NCARB should
7 try to develop continuing education requirements and tracking. Whether they should do that
8 independent of what AIA's doing. Whether they should somehow do something jointly with
9 AIA or just let AIA kind of be the leader in that. And that's yet to be determined but there's a
10 lot of good discussion about that, it was good to have the President of AIA there.
11

12 There was a lot of discussion about the travel issues. Colorado was not represented at our
13 meeting they weren't allowed to send anybody. California has a total restriction on travel no
14 matter who pays for it unless they get an exemption from the Governor. And there's another
15 state or two that have that same type of restriction. So we talked about perhaps bundling
16 new structures or have an a-la-carte structure that might have a travel option and we
17 expressed that the bundled option probably works best for us.
18

19 John Baker from California kind of snuck over to the East Coast to attend our meeting. He
20 was elected as our next Regional Director for WCARB.
21

22 And I think the last item to report is that I was selected for the Professional Conduct
23 Committee with NCARB. I'm really fortunate to get on that because they only had like 8 or a
24 dozen committee openings and I think they had over 80 applicants. I believe that I was able
25 to get on that committee directly as a result of attending last year's NCARB, WCARB and
26 this year's WCARB. Ken Naylor who's the First Vice-President was in charge of selecting
27 those committees. He's in our Region and from the first meeting I went to last year I was
28 able to make contact with him and talk to him at every meeting. So, that's our report unless
29 Harley and Vern have anything to add.
30

31 Hightower: I'd just add one thing. The Western Region is fairly active now and getting
32 involved in serving on the National Committee and that's an advantage to us because as
33 Richard said that helped both of us get appointed to committees by having people involved
34 on that National level. So it's a big benefit for us to travel if we want to be involved in this
35 committee work and with WCARB and NCARB. Which we feel is an advantage to the Board
36 and the folks we serve because we get just that much more knowledgeable about what
37 we're doing.
38

39 Lent: I have a quick question for Richard. We ran into the same thing with California
40 shutting down travel which is totally arbitrary and doesn't make much sense because travel
41 is paid for through fees. Yet California administrators were not able to attend. What is the
42 bundling concept? Is that supposed to, is that for addressing the financing of the travel?
43

44 Rearick: Yes, basically. But in the case of California it wouldn't matter how it was set up
45 they still wouldn't be authorized to come under their current restrictions and the same with
46 Colorado. No travel at all. So they're basically losing their voice at these meetings with
47 respect to these issues because they're not there to discuss it and California probably has
48 more architects than any other state and they're not represented.
49

50 Brownfield: Colorado isn't attending NCEES meeting either and they're losing out by not
51 being represented.
52

53 Chair: Any other questions? Thank you, Rick, Harley and Vern. We're to NCEES Joint
54 Western and Central Zone meeting and in fact we were dealing with the same issue.

1
2 c. NCEES Western Zone
3

4 Lent: I'm sorry Mr. Chairman, I'm out of order. Something I forgot to mention. If somebody
5 travel's with me to the CLARB meeting in August it's going to be a very important meeting,
6 it's the 40th anniversary of CLARB.
7

8 Chair: Is there anybody on the Board that's interested in attending with Bert. Vern is
9 planning on asking to go. So, Back to NCEES Central and Western Zone meeting the
10 issue of travel and the Governors of Montana state, Washington state, California and
11 Colorado were all restricted. In particular Washington state was allowed one delegate
12 because NCEES was paying for one delegate to attend from Western Zone and Montana
13 was restricted also but their Board meeting was at the same time so there was a conflict
14 there. I wasn't aware of that until after I talked to their Member Board Administrator. But,
15 please at your discretion, Craig would you want to, I would only mention very briefly and
16 maybe Cliff could shore this up a bit that stands out with the surveyors forum. There was a
17 straw poll on the requirement of a 4 year degree by surveying registrants and it was a 100%
18 endorsement. There was a general feeling that the vocal opposition to it was
19 overshadowing the silent majority, in particularly Nebraska indicated that when it was
20 brought up in a in person forum it seemed like it was split 50/50 but when we stepped back
21 and actually took a silent ballet vote it was 80% percent of the participants in the poll
22 endorsed the 4 year degree requirement. I think that was pretty prevalent strong support for
23 requiring the 4 year degree to get licensed and take an examination. Did you want o say
24 anything more about the surveyors forum on the record?
25

26 Baker: We talked quite a bit about the CBT and there was strong support for that.
27

28 Chair: I didn't read your report, I'm sorry Craig, did you talk a little bit about that in there?
29 Why don't you go ahead and highlight your report without sitting there and reading it.
30

31 Fredeen: There were some pretty big topics that were discussed. CBT is one, Computer
32 Based Testing, right now they're looking at just the FE and FS exams. No one is looking at
33 the PE because it would be too difficult to do that. Limitations are the amount of books you
34 can bring into these Computer Based Testing for an open book test. The benefit being that
35 the FE and FS already has a book of equations that can be on the computer. There were a
36 lot of synergies there about putting those two towards Computer Based Testing. So they're
37 going to move to further looking to that. They're some things in this report that we need to
38 look into. I did find something within our Statute 08.48.091 that says we have a written test.
39 That was one of the things they said to check your Regulations and Statutes to make sure
40 they don't say written test. That might not allow us to do Computer Based Testing. That's
41 down the road, so eventually we have to do a Statute change to make it just say "a test".
42 There's other verbiage that would make that work.
43

44 There's a move to, uh, right now if some ones caught cheating, NCEES sends something to
45 us and says, hey, we think this person cheated. We have complete authority on whether or
46 not we want to allow somebody, you know, to strike somebody's exam. They want to take
47 from all the states and just have NCEES have the total power of removing somebody's
48 ability or discounting somebody's test. That was kind of controversial among the states
49 about NCEES taking power away from them. That would be something we would have to
50 look into further.
51

52 Masters or equivalent was talked about. Those two items are in there, I won't go over them
53 but there was some discussion on that. Surveying we talked about reducing the amount of
54 books required for the PS test. They are trying to limit the amount of books you can bring to

1 a test so they can get to be computer based.

2
3 A big item was trying to get faculty members licensed. That was a big push this year.
4 That's a pretty controversial item because number one they want to get all the Phd's and
5 faculty members to get their PE thinking that that would then influence their students to get
6 their PE's. But the way that their doing it is basically the faculty member doesn't have to
7 take the FE test or the PE test. They only have to take this smaller ethics and business type
8 test which is like, well, that has some controversy with it. There was some things in there
9 regarding, you know, could we even allow that? Again, that something if Alaska's even
10 considering there's some verbiage that we would have to change. In our regs the FE
11 waiver's not allow for Phd's. Model Law has an exemption for the FE if you have a Phd.
12 The State of Alaska doesn't have that exemption. So there's some verbiage in here and just
13 kind of read it on your own. There are some controversial topics that were brought up.

14
15 Chair: Thank you, Craig. Dan Welch, I mean Dan Walsh (laughter). I did that to embarrass
16 Craig.

17
18 Walsh: That covers the high point I recall from that meeting. We had a lot of good
19 discussion in the forum about faculty licensing, Computer Based Testing, I thought it was a
20 great meeting.

21
22 Baker: One thing that I heard come out was about satellite offices. They want to restrict
23 one resident registrant at each satellite office. You have to actually be there, you can't have
24 a registrant in Anchorage and be able to work and stamp out of a satellite office in
25 Fairbanks. That's a big issue.

26
27 Chair: And that would have been under Model law? Do you remember Brian?

28
29 Hanson: Yes, I think it was Model law.

30
31 Fredeen: I wasn't sure if that meant any engineer, like for instance with our business
32 license you have a PE per discipline or just a PE?

33
34 Jones: Yes, per discipline.

35
36 Fredeen: So, I wasn't sure if they said you just had to have a PE in that office that took
37 responsibility for that office or if you had to have a PE for every discipline. For instance if
38 USKA opens a branch office In Galena they can say well we can only do electrical
39 engineering rather than all disciplines.

40
41 Chair: I think it's a stretch myself.

42
43 Eriksen: You mentioned that there was a Statute change down the road. Again is it
44 something we to address in the next couple of years or is it something beyond that?

45
46 Fredeen: It will be a couple years because it'll take, do you remember what the schedule
47 was for CBT?

48
49 Chair: 2012 is what I thought.

50
51 Hanson: So it's not that far out realistically.

52
53 Baker: As long as it takes to get a Statute change we better get going now.

54

1 Eriksen: Another thing is, is there anything that you thought of that we need to be prepared
2 for as we go to the annual meeting, anything, any homework or direction or anything?

3
4 Chair: I would defer to Craig and have him forward to you things he felt were germane and
5 will be an issue.

6
7 Eriksen: I guess as far as opinions even and stuff like that.

8
9 Fredeen: I can talk to you about it before the next, we have one more meeting before the
10 National. Is it two weeks prior to the National? So I think that's normally when we start
11 really.

12
13 Eriksen: We haven't got to the calendar yet, I have to ask to be excused from that meeting.

14
15 Chair: It's on the 5th and 6th.

16
17 Hanson: That was my first meeting and I appreciated the opportunity to be able to go. It
18 showed a lot of what was going on throughout the country. I thought it most interesting that
19 we were talking about making it much easier for faculty to get licensed to promote licensure
20 and then we want to up the education requirements so high that it's difficult to obtain
21 licensure. I found that interesting. They're very lively discussions. I appreciated the
22 opportunity to be able to go there.

23
24 Chair: Brian, I would encourage you to engage and network to the point where you
25 participate on the National level. The information that you get when you start to volunteer
26 for committees and everything, I wish I would have been encouraged to do that right from
27 the get go. I definitely would like to see you pursue that along with Eric because you'll be
28 here long after most of the rest of us. The more involved you are on the National level, the
29 more informed you'll be and you'll be able to deal with a lot of issues that you're going
30 encounter and understanding all of that is very helpful. So if you have the opportunity to
31 volunteer for a committee, jump at it.

32
33 Brownfield: No that covered it all. I was very impressed with about two or three of the
34 issues that were mentioned. We're taking issue on them and apparently we're going to
35 solve them so it was very productive meeting. A little bit more productive than the normal
36 meeting I've attended. Normal meetings are more argument than activity and this one was
37 good. Of course this is not the National, this was the Zone meeting is it was preparing for
38 the National. We're going in there with some pretty good issues.

39
40 Chair: And again it was a joint Regional meeting so we had the exposure of about 28. Oh
41 that's right, Brian should note that 2015 we will have a Western Zone meeting in Alaska.
42 Most certainly it'll be Anchorage. I don't want to hash over this again but I think the highlight
43 for me was the enlightenment of the debacle with the engineering licensure in California and
44 it is a nightmare. I'm sure attorneys love it. But in fact they only license three disciplines
45 and license the balance of the profession with titles. It is bazaar.

46
47 Brownfield: It's to the point of unworkable, it's not functional and they will be the first to
48 admit it.

49
50 Baker: I just want to make one quick comment on our surveyor forum. Some of the
51 conversation about CBT, I guess it's either Minnesota or Michigan already do their state
52 exams. And since they've started they have had no problems at all with collusion, they
53 haven't had any issues with loss of tests, it's reduced their costs for giving the test. Part of
54 the thing they talked about is it's going to increase the cost for the applicant. But for Mobility

1 if you want to get licensed in another state you can take it here because your window to take
2 it is a lot easier. It's been a good success so far.

3
4 Chair: I haven't verified but you can't actually get licensed in Michigan unless you graduate
5 form a 4 year degree program in Michigan. So if you were a graduate from Fresno you
6 couldn't become a licensed land surveyor in Michigan. And I was told that was the same
7 way in Russia, you have to have a degree from a Russian university in surveying before you
8 could become a licensed surveyor in Russia.

9
10 Baker: I would have a reservation on that being true with Michigan because they were the
11 first state that passed the 4 year degree requirement. At the time they passed it they didn't
12 even have a 4 year program in Michigan. So they would have been able to accept from
13 outside of Michigan.

14
15 Chair: I think they were the first to have a 4 year degree program nationally, 1974 is what I
16 was told. I don't mean to dwell on innuendo or rumor but I can verify that and look into it a
17 little more. Alicia are you ready. I was going to ask her to give a brief report on her
18 participation in the MBA forum.

19
20 Kelly: It will be brief (laughter). It was very informative. It was interesting to see how other
21 Member Boards handle issues. We did get some sympathy from Nebraska on the
22 verification issues with Indiana and another state, Maine stopped providing verifications.
23 What they have done probably wouldn't work for us. They're actually going back so far as to
24 check the character references and ask what discipline the engineer is practicing in because
25 they can't get the PE discipline verified any other way. So they've actually changed their
26 regulations and that's how they worked around that. Nebraska actually went to licensing by
27 discipline about five years ago. They liked that route. Those of you who heard the sesame
28 street song, that was the member from Indiana and they say they don't intend to keep that
29 data on file now or in the future. So most of the meeting was taken up discussing B+30
30 issues and unanimously they expect the big problem will be getting that through every level
31 of the legislative process. And the academic sector, they expect a lot of push back from
32 them. Pretty much there was no one in favor of it. Jerry from NCEES gave his perspective
33 that he is having difficulty in moving forward without clear direction.

34
35 Chair: Thank you, any questions? Let's go to the Examiners Report.

36 37 **Agenda item 20 – Examiners Report**

38
39 Kelly: So without reading it all to you I'll just give you the numbers if you can follow along.
40 And you've already discussed the changes in the Structural exam. This was, I thought,
41 interesting in a survey by NCEES they conducted with the FE exam candidates only 60%
42 said they understood licensure requirements. We've got a little work to do there. The task
43 force is investigating ways to become more consistent for comity licensure, and be more
44 user-friendly in the future. NCARB, we have the six-month rule going into effect in July.
45 They are receiving requests for IDP records from members that aren't active. They aren't
46 going to do that anymore. They will wait until those folks become current. Bert, CLARB now
47 has a face book page so you get on there because I'm going to look for you on face book.
48 The rest is just numbers that you all can scan through and compare.

49
50 Chair: Thank you Alicia. Any questions? Board travel, I think we've talked about and it's
51 pretty well set.

52
53 Brownfield: You said you had a list?
54

1 Chair: Why don't we get a quick raise of hands, who wants to go to NCEES? Pretty much
2 everybody. Let's go to Board tasks.

3
4 **Agenda item 22 – Board Tasks. (To-do list)**

5
6 Chair: So under Board tasks, Bo.

7
8 Brownfield: Letter is written. 2 I think is done. 3 is done. 4. I don't know anything about
9 that incidental practice. Oh, that's DOT I've done nothing on that based on General
10 Licensure. Because it kind of falls in that.

11
12 Chair: So number 1, 2 and 3 are done and we'll make a new number 1, supplemental work
13 on Incidental Practice. And item 2, is continuing on General Licensure.

14
15 Chuck should be replaced by Brian.

16
17 Baker: How you doing on that flow chart? (laughter).

18
19 Chair: We never did get the flow chart. That was volunteered on Chuck's part. I don't know
20 that we need it. Just for informational purposes Gayle will calling, we will be calling her at
21 9am instead of 11. So we will be finishing up in time if folks have changed their reservations
22 to noon it'll work out alright and the rest of us can sit here and entertain ourselves. So Brian
23 will be working on General Licensure with Bo.

24
25 Jones: That's a committee assignment, right?

26
27 Walsh: I think he's on my Mining and Geology Committee too. We'll make some progress
28 there.

29
30 Chair: These to-do lists are mostly for things that are outside of the committee. That's a big
31 enough task that I don't really want to see, I want to see the focus on that, I think everybody
32 would like to see that move somewhere.

33
34 Dan on NCEES Bylaws review I think we're just about ready with Gayle's input to adopt with
35 the one re-write that was suggested.

36
37 Walsh: Those are different Bylaws though.

38
39 Chair: I'm sorry, that was kind of a moot point its' done. And item 2 Dan?

40
41 Walsh: Continuing to gather information there. I went to the Society of Mining Engineers
42 meeting back in late February, March and talked to several engineers and went to the AIPG
43 booth and talked to a couple of geologists. I asked for information on definitions and
44 possible guidance. Nothing is really concrete. I think probably if we wanted to wrap this up
45 the easy thing to do would be to come up with a definition of what geologists are certified or
46 licensed to do. And just have that in our Regulations. Then we could use that as a guide to
47 whether they're basically violating their certification with respect to civil, mining or other
48 engineering disciplines.

49
50 Brownfield: Do we have anybody up there saying that we are going to be taking over
51 sponsorship?

52
53 Jones: No.

1 Brownfield: So it's a dead issue.
2
3 Jones: Well, it has to be a statute change.
4
5 Brownfield: That sounds reasonable but what you're saying we ought to do is neither in our
6 Regulations or our Statutes or our authority to do. That's the reason we wanted to do this.
7
8 Walsh: Well we do have reference to geologists, is it Statutes or Regulations?
9
10 Chair: A Statute.
11
12 Jones: For the Board to take over geologists there has to be a Statute.
13
14 Walsh: Well we wouldn't really take them over. But we could have a definition of what a
15 geologist does or is certified to do. Other states have them, we could borrow that, we could
16 public notice it, get some input. I'm not sure, it's just a thought, we don't even need to go
17 down this route. We can just leave it status quo, but it's going to keep coming up in this
18 state particularly with the Canadian Consulting Firms. Because they're going down this
19 route of having what is called a qualified person, in that instance PE and geologist overlap in
20 Canada.
21
22 Chair: Would you like to write something up, a proposal?
23
24 Walsh: Yes, I can certainly do that, give it to Brian, Bo and Bert, pass it around and see.
25
26 Chair: 2, report on Licensure Mobility.
27
28 Walsh: It's a work in progress. Are we interested in that more broadly than just Australia?
29
30 Chair: Yes.
31
32 Walsh: I've done nothing on it broadly. It could be tied into Marks success in Canada if he
33 ever tries that.
34
35 Chair: And then you're down here to review Harleys work on Specialty Contractors.
36
37 Hightower: That's a work in progress. I'll get everything to Dan, or, I'll get input from him
38 then give him a final product for review.
39
40 Walsh: I would kind of be interested in knowing what the Board wants to do with these
41 exemptions in Statute. Do we want to try to really nail those down? Find out what those are
42 exempt from or do we just want to leave it as is?
43
44 Chair: I thought he was going to come back with a paper on that.
45
46 Walsh: I didn't know if he was going to just do number 7 or do them all.
47
48 Hightower: Number 7 is the big one. I think the rest of them we can almost verify.
49
50 Chair: The Bylaws with Don. I think those are pretty well on their way, again, with the
51 exception of the historical information wording that Dan came up with. So there's not much
52 more to do with that.
53
54 Jones: If everybody agrees with what she comes up with tomorrow we can adopt that and

1 add that

2

3 Chair: Add that as a first reading as a reg project in August. And Bert I think you've gone
4 through the Guidance Manual and your annual CLARB dates are done and did you have
5 some kind of an observation about the reduction?

6

7 Lent: I sure do, thank you. We have a reduction. Those are basically out of state
8 landscape architects except for one and that one who is in state retired. So we haven't
9 really lost any in state landscape architects to speak of. We're down a little bit in our
10 numbers, that's all. So we effectively, continuing education requirement washed out some
11 out of state landscape architects.

12

13 Chair: Thank you Bert. Rick did you have an opportunity to

14

15 Rearick: I did not. I contacted Vern a little late in the game to get that completed. Just
16 leave that on the list and I'll do that this next time.

17

18 Chair: I'm not sure based on what I've heard her say, I'm not sure that that's as high on the
19 list as I

20

21 Jones: I sent a request to Jenny but I didn't get a response. I think the lack of money may
22 have something to do with that. Because they do charge us, we pay for that every time we
23 ask them a question.

24

25 Chair: Just leave it on the list and do some follow up maybe and then go to the John
26 Cooper letter.

27

28 Rearick: I passed out some talking points I had on this letter. I didn't re-circulate the letter
29 we had it in our last Board meeting packet. The basic contention that Mr. Cooper had was
30 that he felt that by having non-licensed personnel in the review capacity. That he wasn't
31 able to discuss the truly technical aspects of the design with them and they tended to go to
32 the standard tables. He felt by doing that they were basically practicing engineering and
33 trying to force their engineering ideas on to his design. Within this letter, it's a little bit odd in
34 that, he prefaces this letter with two chapters that talk about exempt structures and if that is
35 what the review jurisdiction is there to do, review structures that are exempt from licensure.
36 I found that irrelevant to the discussion. He also tries to make an analogy between court
37 systems and the upper court and lower court and, again, I thought that was not applicable to
38 what we're talking about here, this isn't a judicial process, it's a review process. Under item
39 13 of our exemptions we do allow public jurisdictions to do plan review without being
40 licensed and in fact in most of the country that's the case. He offered up some wordage in
41 the definitions, it's brief and I'll read it to you here. He would attempt to resolve this issue of
42 the reviewers practicing engineering. So he says add to 12 AAC 36.990 definitions. (34)
43 reviewed as used in AS 08.48.331 (13), which is the exemption, means the examination of
44 professional work for conformance with applicable code requirements and does not
45 authorize explicit or implied performance of functions regulated under AS 08.48 by non-
46 registrants. It's my opinion that the regulation that we have in place right now is appropriate
47 and I don't think that it's the position of the State to start mandating that the jurisdictions be
48 licensed to review plans. It sounds to me like it's more of an issue with perhaps some
49 personality problems and that there are mechanisms in any jurisdiction to work your way up
50 the ladder to contest something that the reviewer is saying. So I didn't really feel that it was
51 something necessary for Board action. I don't think we need to start a reg project but I did
52 want to bring it forth and get other comments. I also have two items on this letter that I just
53 wanted to bring up for information about this matter. In 1992 Massachusetts made it
54 mandatory requirements for independent structural engineering review of the design of new

1 structures. That was across the board, you had to have an independent structural
2 engineering review and that's the way that they're set up. Now in Florida they gave you the
3 option of having a private provider conduct plan review and inspections in lieu of the
4 jurisdiction. We actually had, Dan Coffee was working on an amendment for the
5 municipality that would allow for private plan review. However, he never brought that forth
6 as an official amendment before he left office. There was a lot of controversy over that. So,
7 I wanted to throw it out there and see if anybody had any comments on it and the I can
8 formulate a letter in response to Mr. Cooper.

9
10 Walsh: I'm interested Richard because of the tie in with the exemptions. Does the
11 exemption mean that people don't have to be qualified? Or, does it mean they have to be
12 qualified but they don't have to be licensed? That would be my question.

13
14 Rearick: it says that they don't have to be licensed. The qualification rests on the
15 jurisdiction determine what qualifications they need to review the plans and even in
16 Massachusetts where they require that you have an independent structural review they state
17 in there that it's not a detailed review. It's to look at general principles and more of an
18 overview. It's not recalculating and it's not going through a detailed review and in fact I'd
19 offer up that even if we had licensed professionals doing the plan review it wouldn't resolve
20 these conflicts with the jurisdiction. It might even make it worse because now you have one
21 licensed professional arguing against another licensed professional. Who's right? I don't
22 know.

23
24 Chair: We are at 5 o'clock. We could finish this or continue it tomorrow, what's your
25 pleasure?

26
27 Rearick: Well I'd kind of like to hear from everybody.

28
29 Lent: I'm kind of surprised at the idea of a private review. Is this something that we're
30 looking at?

31
32 Brownfield: No

33
34 Baker: I didn't get a chance to work with Richard on this too much, he just handed to me but
35 I pretty much agree with ever thing he's come up with, he did a good job.

36
37 Fredeen: I think he did a pretty good job and I concur with him.

38
39 Chair: Any other?

40
41 Brownfield: I agree with what you're saying, I don't think we need to get in the middle of it.

42
43 Eriksen: I certainly sympathize with him but here must be a process in place where he can
44 appeal. He can go get another independent review himself and take it to the public
45 committee or you know that kind of thing.

46
47 Rearick: You can always go to the person's superior even if there's not a formal process in
48 place.

49
50 Hightower: And typically that person, the building official can if he chooses or if you put
51 enough pressure on them you can get it reviewed through the ICC, the folks who write the
52 code and get an official interpretation.

53
54 Brownfield: I think the key issue was made by Dan when he said is this an issue of a not

1 qualified reviewer or they don't have enough education to review it. Our Statutes give an
2 exemption all that does is say we exempt you from our regulations which is all about
3 registration not about your depth of knowledge. You could have people out there that are
4 not PE's that are a lot smarter than a PE. And that's exactly what he said. I think that that's
5 the issue and this guy just objects to somebody, in his eyes, lower than he is looking at his
6 work. I think that's an issue he has to wrestle with.

7
8 Chair: On that basis I would say, probably draft a letter summarizing what you said and
9 maybe not even a draft, but if it does what report says. I'd just forward it to him, it doesn't
10 need formal Board action.

11
12 Baker: I think it has to come from the Chair.

13
14 Rearick: Just send it through Vern?

15
16 Chair: Yes.

17
18 Rearick: There was one other item there, number 3 on mine. Just very quickly I just wanted
19 to say that NCARB didn't have anything new as far as Mobility except they do have a
20 proposed change to their, let me just look through her real quick, to the handbook for interns
21 and architects on the Broadly Experienced Foreign Architect program. They are proposing
22 to strike, it says foreign architects, and here's the part they're striking, "credentials in
23 countries NCARB determines offer reasonable reciprocal credentialing opportunities for U.S.
24 architects may apply". So they're taking out that whole section and saying that foreign
25 architects may apply because they felt that that was probably discriminatory, it was onerous
26 and time extensive and it really varied from country to country.

27
28 Chair: Thank you Richard. I'll entertain a motion to adjourn until tomorrow morning. It's
29 been moved and seconded, Any discussion? All in favor? We are adjourned until 8 in the
30 morning.

31
32 **Friday, May 28, 2010**

33
34
35 Meeting called to order at 8:00am

36
37 Roll call: All present except Fredeen.

38
39 Chair: We left on Board Tasks and I think Richard you're finished so we're at Harley and I
40 think that hasn't changed, it's a work in progress and Dan's letter referencing, which Dan's
41 letter?

42
43 Walsh: I think that was the letter to the AG asking about the exemptions.

44
45 Chair: We're going to Eric, Ongoing Legislative Process and that's a work in progress.
46 Please note, Craig has arrived.

47
48 8:02am Fredeen joined the meeting.

49
50 Eriksen: Is there any feedback for that?

51
52 Chair: We'll do that at the next meeting and put that all together then. Continue to work on
53 Mark. I think Craig that your book might be with Bert. We'll go to you Cliff and move to
54 Craig after he gets settled in. You have the spread sheet and work on Coopers letter, that

1 can be finalized based on Richard's work. And the new Guidance Manual is ready so I think
2 the only thing important Craig is according to, there isn't really a grandfathering issue on
3 General Licensure. This is item 22. Did you want to verbalize what you had a list for?
4

5 Fredeen: Yes. I also have a letter to Dave Hughes that I need to write. I'll just email Vern
6 about the stuff in Western Zone regarding the Statute changes about Computer Bases
7 Testing. Then General Licensure.
8

9 Chair: So the last item was on Vern's. The Guidance Manual has been posted on the web
10 so I think we're up to speed on that. You've done the number of hits and it's getting higher,
11 a hundred hits a month and pretty much answered the question on updating the National
12 Enforcement databases. That's all been taken care of, do you have any new assignments.
13

14 Jones: Actually, get copies of the Electrical and Mechanical administrators Stats and regs.
15 A note to Bo regarding continuing education disciplinary actions, research the 90 day deal
16 on the CE letter. The Indiana problem and update the enforcement exchange.
17

18 Chair: Lets go ahead and jump a little bit. Will we have time to read those into the record
19 before we call Gayle? Could it be done in half an hour? Well we'll get the motion ready for
20 someone to read, Cliff probably. Let's review the calendar, August 5th and 6th, 2010 in
21 Wasilla.
22

23 Eriksen: Richard I was going to bring up that I need to be excused from that meeting. Our
24 company board meeting is on the same days.
25

26 Chair: Please send correspondence to Vern and we'll act on it at the next meeting, or
27 should we act on it now? I think rather than act on it now let's do it at the next meeting.
28

29 Lent: Somebody needs to contact Julie Dickerson at the Legislative Affairs Information
30 Office in Wasilla and arrange to pay the \$25 rent.
31

32 Jones: I'll do that.
33

34 Chair: Ok, that's noted.
35

36 Fredeen: Do we need to set up any future meetings?
37

38 Chair: Yes, November 18th and 19th, 2010 in Anchorage. Initially I thought it would be nice
39 to go to Juneau in the spring and switch but the Legislature won't be in session so I think we
40 need to probably keep meeting in Juneau in February. So we need to pick a date for the
41 February meeting. They pick the fly in date based on what we pick don't they Bo? So set it
42 for February 10th and 11th, 2011 tentatively in Juneau. That's three meetings out so I think
43 that's enough we can deal with the May meeting later. Are you ready?
44

45 **On a motion duly made by Baker, seconded by Shiesl it was**

46 **RESOLVED to approve the following list of applicants for registration by comity and**
47 **examination with the stipulation that the information in the applicants files will take**
48 **precedence over the information in the minutes:**
49

50
51
52 *The subsequent terms and abbreviations will be understood to signify the following*
53 *meanings:*

- 1 'FE': refers to the NCEES Fundamentals of Engineering Examination
- 2 'PE exam': refers to the NCEES Practices and Principles of Engineering Examination
- 3 'AKLS' refers to the Alaska Land Surveyors Examination
- 4 The title of 'Professional' is understood to precede the designation of engineer,
- 5 surveyor, or architect.
- 6 JQ refers to the Jurisprudence Questionnaire.
- 7 'Arctic course' denotes a Board-approved arctic engineering course.
- 8

Anderson, Lawrence S.	Electrical Engineer	Comity	Approved
Batres, Mario E.	Electrical Engineer	Comity	Approved
Cook, Mark Richard	Civil Engineer	Comity	Approved
Erpenbeck, Eric Anthony	Mechanical Engineer	Comity	Approved
Fellows, Jeffrey A.	Civil Engineer	Comity	Approved
Goodell, Christopher R.	Civil Engineer	Comity	Approved
Hall, Georgi Justin	Civil Engineer	Comity	Approved
Jaeger, Mark Andrew	Mechanical Engineer	Comity	Approved
Kriebel, David Lane	Civil Engineer	Comity	Approved
Larson, Kelly Dean	Civil Engineer	Comity	Approved
Leonik, Krzystof C.	Electrical Engineer	Comity	Approved
Magness, Gregory John	Chemical Engineer	Comity	Approved
Marlow, Lee R., III	Civil Engineer	Comity	Approved
Molby, Douglas Steven	Civil Engineer	Comity	Approved
Morgan, Laurel K.	Civil Engineer	Comity	Approved
Morse, Robert Lyle	Electrical Engineer	Comity	Approved

Niehoff, Walt W.	Architect	Comity	Approved
Salem, Yasser	Civil Engineer	Comity	Approved
Sharma, Radhe Shyam	Electrical Engineer	Comity	Approved
Smith, Jason K.	Mechanical Engineer	Comity	Approved
Smith, Timothy Nathaniel	Civil Engineer	Comity	Approved
Ulring, Joel D.	Civil Engineer	Comity	Approved
VanSchaardenburg, Michael Scott	Civil Engineer	Comity	Approved
Vaughan, Nathanael Denali	Civil Engineer	Comity	Approved
Wang, Wei	Mechanical Engineer	Comity	Approved
Wasserman, James Jeffrey	Architect	Comity	Approved
Weltzheimer, Ronald George	Civil Engineer	Comity	Approved
Aye, Michael	Mechanical Engineer	Comity	Approved –
McMechen, William M.	Chemical Engineer	Comity	Approved – conditional upon verification of PE Chemical exam
Thivakaran, Mahendran	Civil Engineer	Comity	Approved – conditional upon Arctic course.
Dorn, Charles M., Jr,	Architect	Comity	Approved - conditional upon JQ
Issa, Ossama M.	Mechanical Engineer	Comity	Approved – conditional upon the JQ
Baron, Jeffrey A.	Electrical Engineer	Comity	Approved - conditional upon the JQ & an Arctic course.
Yuan, Jun	Civil Engineer	Comity	Approved – conditional upon the JQ & an Arctic course.
Danner, Timothy W.	Electrical Engineer	Comity	Approved - conditional upon the JQ & Arctic course.
Horton, Larry C.	Electrical Engineer	Comity	Approved - conditional upon the JQ & Arctic course.

Chalstrom, Drew Anthony	Civil Engineer	Comity	Approved – conditional upon the JQ & Arctic course.
Harris, Robert A.	Mechanical Engineer	Comity	Approved – conditional upon the JQ & Arctic course.
Kupper, Scott T.	Electrical Engineer	Comity	Approved – conditional upon the JQ & Arctic course.
Ray, Ryan S.	Mechanical Engineer	Comity	Approved – conditional upon the JQ & arctic course.
Simpson, Steven Robert	Architect	Comity	Approved - conditional upon the JQ & arctic.
Cohen, Jonah Gabriel	Architect	Comity	Approved – conditional upon the JQ & Arctic.
Moore, Matthew G.	Civil Engineer	Comity	Approved – conditional upon the JQ and clearance by Investigations.
French, Harrison O., III	Architect	Comity	Approved - conditional upon the JQ.
Kim, Youngjin	Electrical Engineer	Comity	Approved - conditional upon the JQ.
Alfano, Anthony D.	Mechanical Engineer	Comity	Approved – conditional upon the JQ.
Clark, William Scott	Architect	Comity	Approved – conditional upon the JQ.
Funk, Tama L.	Mechanical Engineer	Comity	Approved – conditional upon the JQ.
Holland, Jeremiah Erik	Civil Engineer	Comity	Approved – conditional upon the JQ.
Matthews, David John	Architect	Comity	Approved – conditional upon the JQ.
Rauscher, Daniel A.	Civil Engineer	Comity	Approved – conditional upon the JQ.
Schalk, Brian Nicholas	Civil Engineer	Comity	Approved – conditional upon the JQ.
Seavey, Justin Tuell	Mining Engineer	Comity	Approved – conditional upon the JQ.
Shaw, Scott Edward	Architect	Comity	Approved – conditional upon the JQ.
Sotura, Michel	Mechanical Engineer	Comity	Approved – conditional upon the JQ.
Spencer, Stephen W.	Civil Engineer	Comity	Approved – conditional upon the JQ.

Bowland, Luke	Civil Engineer	Comity	Approved – conditional upon the JQ.ba
Domloj, Hachem	Civil Engineer	Comity	Approved – conditional upon verification of current licensure; the JQ & Arctic course.
Spradling, Daniel Leon	Electrical Engineer	Comity	Approved – conditional upon Arctic course
Viers, Robert D.	Mechanical Engineer	Comity	Approved – conditional upon arctic course & JQ.
Reynolds, Bradley F.	Mechanical Engineer *****	Comity	Approved - conditional upon clearance from Investigations & letter noting he is only allowed to practice Mechanical engineering.
Tams, Gary L.	Land Surveyor	Comity	Approved – conditional upon FS & AKLS.
Butler, Timothy W.	Civil Engineer	Comity	Approved – conditional upon receipt of transcripts; verification of licensure and exams; and the JQ.
Hagan, Wayne Paul	Electrical Engineer	Comity	Approved – conditional upon successful completion the JQ & payment of all fees.
Scholes, Terry Porter	Civil Engineer	Comity	Approved – conditional upon the Arctic & JQ.
Young, Bradley Rae	Civil Engineer	Comity	Approved – conditional upon the arctic course & JQ.
Kusmuk, Branka	Civil Engineer	Comity	Approved – conditional upon the Arctic course.
Shackelford, Joshua W.	Civil Engineer	Comity	Approved – conditional upon the arctic course.
January, Ryan P.	Civil Engineer	Comity	Approved – conditional upon the JQ.
Lawson, David J.	Civil Engineer	Comity	Approved – conditional upon the JQ.
Prindle, Douglas John	Civil Engineer	Comity	Approved – conditional upon the JQ.
De Iaco, Roger Francesco	Mechanical Engineer	Comity	Approved – conditional upon verification of Canadian

			licensure; 3 additional references; Arctic & JQ.
Sutherland, Susanne K.	Land Surveyor	Comity	Approved – conditional upon verification of FS exam from Archives & passing AKLS.
Nelson, Joseph R.	Civil Engineer	Comity	Approved – conditional upon verification of PE Civil exam & Arctic course.
Beehler, David R.	Civil Engineer	Comity	Approved – conditional upon verification of PE Civil exam; the JQ.
Heath, Stephen Douglas	Mechanical Engineer	Comity	Approved– conditional upon verification of PE Mechanical exam.
Larson, Cark Erik	Mechanical Engineer	Comity	Approved.
Thetje, Jeffery Dale	Electrical Engineer	Comity	Incomplete - conditional upon verification of exams; 3 yrs Abet-accredited coursework; verification of current licensure; JQ & Arctic course.
Mason, Corey Daniel	Landscape Architect	Comity	Incomplete – needs verification of an additional 3 months experience under a landscape architect
Ward, Michael J.	Civil Engineer	Comity	Incomplete – per AS 08.48.171, the Board requires further information regarding ‘Yes’ answers to the General Information section of the application.
Bass, Tommy Roy	FS	Exam	Approved
Mukaigawara, Hiroshi	FE	Exam	Approved
Pinilla, Aleida Yaneth	FE	Exam	Approved
Sorenson, Ryan Emil	FS	Exam	Approved
Stark, Jeremy D.	FS	Exam	Approved

Tallant, Carolyn Anne	FE	Exam	Approved
Gross, Terry D.	Civil Engineer	Exam	Approved – conditional upon the JQ
Lewis, Steven E.	Civil Engineer	Exam	Approved – conditional upon the JQ
Bangma, Gerritt James	Civil Engineer	Exam	Approved – conditional upon the JQ & Arctic course.
Erskine, Brenda Jo	Electrical Engineer	Exam	Approved – conditional upon the JQ & Arctic course.
Mehta, Sanjay S.	Civil Engineer	Exam	Approved – conditional upon the JQ & arctic course.
Robinson, Alden C.	Civil Engineer	Exam	Approved – conditional upon the JQ & Arctic course.
Smith, Nichelle E.	Civil Engineer	Exam	Approved – conditional upon the JQ.
Theodorou, Anthony Lloyd	Civil Engineer	Exam	Approved – conditional upon the JQ.
Shepherd, Patrick T.	Electrical Engineer	Exam	Approved – conditional upon the JQ; verification of transcripts; passing PE Electrical.
Schutte, Laura E.	Civil Engineer	Exam	Approved – conditional upon verification of an additional 16 months experience; & the JQ.
Swalling, Ryann Elizabeth	Architect	Exam	Approved – conditional upon passing all divisions of the ARE & completion of the JQ.
Harper, Scott G.	Civil Engineer	Exam	Approved – conditional upon passing PE Civil Exam.
Revells, Christopher Lavon	Electrical Engineer	Exam	Approved – conditional upon passing the FE & PE Electrical exam; an arctic course; and the JQ.
Zeigler, Nathan P.	Mechanical Engineer	Exam	Approved – conditional upon passing the Mechanical PE exam, kan Arctic course and the JQ.
Jensen, Erica Sue <i>(left off of last Board meeting; scheduled for April exam; will</i>	Civil Engineer	Exam	Approved - conditional upon passing the PE CE exam & the JQ.

<i>read at May mtg)</i>			
Warner, Douglas Alan	Electrical Engineer	Exam	Approved – conditional upon passing the PE of Electrical exam
Zwiefel, James Fredrick	Civil Engineer	Exam	Approved – conditional upon the Arctic course; JQ; & verification of an additional 6 months work experience.
Colquhoun, Jason	Mechanical Engineer	Exam	Approved – conditional upon the JQ.
Revells, Christopher Lavon	PE	Exam	Approved – FE, Arctic, JQ
Midthun, Jennifer	Architect	Exam	Approved – upon IDP; passing ARE exams; & the JQ.
Kornegay, Joseph Kent	Civil Engineer	Exam	Approved exam , back to Board re: FE waiver

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Chair: Having read those into the record, any further discussion? All those in favor signify by saying aye. Opposed? Abstentions? It's so moved.

Motion passed unanimously.

On a motion duly made by Baker, seconded by Shiesl it was

RESOLVED to find the following list of applicants for registration by comity and examination incomplete

Ayala, Glenn	Land Surveyor	Exam	Incomplete – per 12 AAC.36.064 must obtain 30 additional supplemental credit hours; pass FS exam; & clearance from investigations.
Moore, Melissa Renee	FS	Exam	Incomplete – per 12 AAC.36.064 needs 22 credit hours in surveying + 30 supplemental credit hours
Thetje, Jeffery Dale	Electrical Engineer	Comity	Incomplete - conditional upon verification of exams; 3 yrs Abet-accredited coursework; verification of current licensure; JQ & Arctic course.

Mason, Corey Daniel	Landscape Architect	Comity	Incomplete – needs verification of an additional 3 months experience under a landscape architect
Ward, Michael J.	Civil Engineer	Comity	Incomplete – per AS 08.48.171, the Board requires further information regarding ‘Yes’ answers to the General Information section of the application.

1

2 Chair: Having read those into the record is there any further discussion? All those in favor
3 signify by saying aye. Opposed, abstentions? It is so moved.

4

5 Motion passed unanimously.

6

7 Baker: Do we have to do this same thing for the CEU's?

8

9 Chair: I don't know, it seems like we did something.

10

11 Jones: I don't think we do, if I'm wrong we'll read them in next meeting.

12

13 Chair: Ok, I think we've signed all the consent agreements and certificates and so have
14 about 35 minutes before we talk to Gayle.

15

16 **Agenda item 26 – Board elections.**

17

18 Chair: Elections. Do I hear any nominations?

19

20 Walsh: In the spirit of our past history of this Board in our elections and nominations I'd just
21 like to nominate the entire current slate of officers for re-election.

22

23 Shies: Second.

24

25 Chair: It's been moved and seconded. Bert.

26

27 Lent: I would like to nominate Cliff Baker for Secretary.

28

29 Fredeen: Second.

30

31 Chair: It's been moved and seconded so let's handle the first two are there any other
32 nominations?

33

34 Fredeen: Move to close nominations.

35

36 Walsh: Second

37

38 Chair: It's been moved and seconded. Any objection? No objection. What we'll do is go
39 ahead and hold a quick election by ballot and assign

1
2 Walsh: Could we just hear from both, just a quick statement of interest?

3
4 Hightower: I considering withdrawing and defer to cliff.

5
6 Brownfield: Is that a consideration or is that a done deal?

7
8 Hightower: That's a done deal.

9
10 Chair: Do you have any comment Cliff?

11
12 Baker: No, it's just a year ago we were both on there and I withdrew for Harley.

13
14 Chair: Well, no ballots are necessary. Nominations have been closed so all those in favor
15 of the initial motion with the amendment of Cliff being added as Secretary signify by saying
16 aye. Opposed? Abstention's? The Officers are myself, Chair, Bo Vice-Chair, and Cliff
17 Secretary for another 12 months I guess.

18
19 Brownfield: Let me try to wind this up if I can for us because we had a lot of good dialogue
20 yesterday, I got a lot of feedback. Basically last night I made a few notes here in some
21 attempt to bring to closure some of the guidance that we have, we still need guidance but I
22 think we have a pretty good handle on it. First of all I heard loud and clear that nobody
23 complained about or suggested we don't continue with acceptance of the NCEES
24 examinations. Generally that would be in my mind General Licensure. You suggested Dan,
25 that it not even be called that. But that's administrative rather than it changing any of the
26 structure. Secondly I heard a very strong voice challenging the concept of endorsements.
27 So I want to point out to you all that I didn't come up with that out of the air. Vern and I had
28 talked about that, actually Vern came up with it first from the standpoint that some States do
29 that. I discussed with Richard and he has three States, Montana, Washington and Idaho
30 that don't do that. So my first thought was to drop the concept of endorsements and I think it
31 is at this point to many of us confusing. So based on that we want to bring it back and at
32 least talk about it in the committee but with the clear understanding that the full Board at this
33 point is unclear and probably not for a formal endorsement. That's what I heard. The third
34 thing is definitions. We have six disciplines, they have a clear definition each. All of them
35 fairly lengthy but they describe the parameters by which you become a chemical engineer
36 verses a civil and the differences become clear if you review those two together. There is
37 some suggestion also that define the various branches of engineering such civil, chemical,
38 now nuclear and the other array of branches not getting into the disciplines. I'd like to hear
39 a little bit of dialogue on should have definitions or should we wipe them all out. And my
40 view if you wipe them all out then our investigator is going to be at a great loss on where
41 one starts and where does it fall off. He has to have something to grasp onto. There's a
42 suggestion again that in three States that Richard has that they don't have those definitions.
43 So without getting to deeply involved if anybody has a strong position on that, to include you
44 and I talked to you out in the hall about it, and then I'm going to get down with our committee
45 and we are going to hit hard at the direction that this Board wants us to go. So could I hear
46 some discussion on definitions of the Branches which doesn't include four different
47 definitions of civil just because they have those disciplines.

48
49 Eriksen: You know I'm a little confused like you described. I think you discussion on the
50 opinion of the Board or the position of the Board on endorsement was pretty accurate. You
51 were kind of for endorsements, I agree with your discussion on that. The definitions kind of
52 to me seemed related to the endorsements. I in a way found them a little confusing. It's a
53 lot of information and I'm not quite sure, the value. I can see that definitions have more
54 value if we follow through with endorsements. If we don't have the endorsements then

1 maybe the definitions aren't necessary as well.

2
3 Rearick: I think whether or not you have the endorsements if you're going to allow licensure
4 through the architectural engineer category and put a definition in for that that it would be
5 proper to notify all the architects just like we notified all the engineers of this proposed
6 change so that they have a voice in it. If you use the term architectural it's definitely going to
7 cause confusion and I think the architectural license holders have a right to review that.

8
9 Brownfield: That's a good point and incidentally that point you could repeat on several other
10 issues. In mining for instance they get into vary similar branches in the NCEES
11 examinations. I think at that point where it affects you folks like architecture and certainly
12 we have a mining engineer on our committee and Dan who may not be on our committee.
13 We would want to bounce those specific thing against you folks to say what do you think
14 before we dive into something that might be confusing in the future.

15
16 Lent: Since landscape architecture has the word architecture in it I'd bounce it off the
17 landscape architects too so that everybody understands what's going on.

18
19 Fredeen: I think we would be wise to be very proactive about the architectural engineering
20 license. Because not only, I'm sure, are the architects going to say, now wait a minute,
21 architectural engineering, they're going to be licensed to do architecture and do buildings
22 and then the Building Officials and Fire Marshal's are going to ask the same thing. Can an
23 architectural engineer stamp a building the same as an architect? That is going to be, in my
24 opinion, the biggest, well one of the biggest issues regarding General Licensure is going to
25 be that debate. And we want to make sure we're going to be ahead of that debate. Maybe
26 within the AIA news letter you can say that this is coming but we are working on the
27 definitions and trying to state exactly who can do what working with Fire Marshals. You
28 guys can be proactive with your news letter on that before all of a sudden the rumor mill
29 starts going the engineers are trying to take over everything.

30
31 Hightower: The bigger thing than that is can I use PE behind my name?

32
33 Eriksen: Yes, I'm really familiar with the definitions of the separation between architectural
34 engineer and an architect and stuff so if it is going to be interesting, and I agree that it is a
35 very contentious thing. It makes me think a little bit about the issues we've been having that
36 was brought with the fire protection and the sprinklers systems. Maybe look at those kind of
37 existing gray areas and see if they can coexist.

38
39 Lent: One area of contention has been irrigation sprinklers. I have municipal people
40 specifying that engineers can do outdoor sprinkler systems. That is actually something that
41 is a practice of landscape architects. Landscape architects prepare outdoor sprinkler plans
42 and there's a little confusion there so when you get into that just remember that.

43
44 Walsh: I didn't know if I wanted to throw this out but I kind of hinted yesterday that if we go
45 to General Licensure, I'm still not convinced that we need to do that. That's just my thought.
46 I think a lot of people think that the existing six disciplines that we have are somehow a real
47 barrier to licensure of other engineering disciplines. I think it is for a few but I think those
48 few are rather obscure anyway. I think a lot of the other disciplines could, if they wanted to,
49 get licensed under the existing six disciplines that are there. I think Brian is a good
50 example, he might want to speak to this sometime. He's trained in mining and he's
51 originally, I think you got your mining engineering degree first and then you went got your
52 civil PE. I'd be interested to know how that worked out in your process and how much of a
53 problem it was.

1 Hanson: As Dan said my degree was in mining and I happened to work for one of the few
2 mining engineers in the State. I got my PE by exam in mining then I believe it was a year, or
3 maybe it was two years later, applied and got my civil license by examination. Because I
4 had actually asked a question to the Board regarding whether I needed to get the second
5 license. It was a question in my mind. I used the example of haul trucks. At the time I was
6 working on bike paths and here I had a mining stamp and could design a road for 150 ton
7 trucks and blasting and mine plans, all these sort of different disciplines with overlaps in
8 electrical, mechanical, building, you know if it was within my expertise I felt the license allow
9 that but I couldn't design a bike path for a road out in Dillingham. So to me it was a question
10 in my mind of where are the limits of this professional license. Basically I believe that mining
11 is a little more advanced in that stage. We already have to use our ethical judgment to limit
12 our practice. My interpretation of the regulations is pretty much is if it's on a mine, a mining
13 engineer can stamp it if they're knowledgeable about that subject. That would go for
14 mechanical, electrical items, buildings we have plans which cover all the disciplines. I would
15 never be able to do that because that's not my expertise. I mostly work in the dirt side of
16 things. Mining is an example of a general license almost. I believe it works well in that area.

17
18 Shiesl: You know I'm coming around to Dan's way of thinking. That you know the public's
19 going to get awfully confused if we change this. Whichever way we go we need to have an
20 education program to make sure people understand what we're trying to do and what the
21 new rules are. I'm sitting here thinking the average contractor out there out to try to find
22 somebody to do some work. How is he going to differentiate one profession from another
23 and determine, without some education, that's my point I guess, no matter what we do we're
24 going to have to have an education program for the public.

25
26 Baker: I think we already have that problem, not with the single disciplines but with doctors,
27 dentists and stuff. An MD get's his license then in the phone book he'll have GYN listed in
28 there and that's his specialty. He doesn't get a license to be a GYN he gets a license to be
29 a doctor. I think we already do that with civil engineers. You get a civil engineer but you go
30 in the phone book and there'll be civil engineers that specialize in environmental and they'll
31 be under that list of environmental. That doesn't mean he can't do the other stuff but he lists
32 that and so when the public goes and looks for something they want and they go look in the
33 phone book and they'll find that under what that particular registrant feels that he's most
34 qualified. So I think that's already there.

35
36 Shiesl: I don't know if that's enough or not. You have to go to a phone book to you know,
37 that to me is fairly skimpy.

38
39 Baker: It's not just the phone book, it's online and everything else and it may be fairly
40 skimpy. I'm kind of leaning towards partway between Dan and what you guys are talking
41 about for architecture. I think there's some places, architectural engineering is a really great
42 example, that is so close to another really separate discipline that you need to have that
43 defined. But then I'm not sure that you need the definition for all the other ones that are
44 clearly engineering and that falls in that area.

45
46 Brownfield: I'm glad to hear your comments Don but I wouldn't, you know we're all saying
47 it's going to be too complicated, it's going to be confusing, it's going to be this, it's that. But
48 that's an extreme. There's another extreme, it's too simple, you can do everything. And if
49 we say the public is going to be confused about these things, just keep in mind that
50 something like 81% of all of the States now are doing it and their accepting NCEES so there
51 must be some awful confused people out there that we don't hear about or we have a
52 population that may be exceedingly dumb. I don't see how everybody is going to be
53 stupefied for the next 20 years because we go to a system that requires a little bit of learning
54 to come on to because that's always required. So I don't buy totally the argument, it's too

1 confusing because anything is confusing when you first start it. But how far do we go is
2 what I'm looking at. One extreme is do nothing the other extreme is do everything. I'm
3 aiming for something in the middle that would satisfy the requirement but something that's
4 short of do nothing. I don't in my own mind think, you know we've been doing it for 27
5 years, you know it's like, why change because it's worked the last 25 years. This State is
6 getting bigger. You've got the Pebble Mines, you've got the natural gas lines, you've got
7 geothermal, you've got all this stuff over the horizon that we're talking about it we just don't
8 have the money for it. And clearly in my mind when we talk, well we're going to keep the
9 same basic six and everybody that wants to come in here and do it your going to have to
10 pick on of those six and take and all of you have to take another license. I think that's as
11 narrow as much as the broad side is too broad. So I'm trying to find something in the
12 middle. I like your comments because basically they are very valuable for this board.

13
14 Lent: We'll discuss this all the way back to Wasilla. I really feel that the large picture here is
15 that this is a developing State. Developing very rapidly, mistakes are made and we need
16 the best talent we can get and if you have a list of specialties that is NCEES approved and
17 then when somebody is considering well maybe I would like to practice in Alaska and I've
18 got the capabilities for doing so then they can see that that is a discipline or a specialty that
19 is accommodated here. I think it would get us the best talent. I think it is out there in the
20 way of an invitation, you can come up here and practice. We've provided for your individual
21 specialty. I think that is a step in the right direction for the public.

22
23 Hanson: When Eric and I were talking about this earlier. That was one of the things we had
24 talked about that by allowing the people that have take the other licenses you actually may
25 get a lot more expertise. Because as an example any one of those other exams we don't
26 offer fire controls. Every fire control engineer in the country has essentially taken the same
27 exam. They have been measured at the same level across the board across the country
28 and measured equally year to year against one another. Whereas you can't say the same
29 for civil engineer you can have five civil engineers in a room and they've all been measured
30 on, their breadth portion in the morning is the same so they have that basis of knowledge.
31 But their expertise is all different and they need to stay, you know there's that ethical portion
32 that they need to stay within their bounds.

33
34 Eriksen: That just reminds me I had a discussion, my affirmation I guess for the
35 endorsements. To me the endorsement creates that 3 legged stool. Bo kind of preached it
36 when I first came on the Board he explained his version of the 3 legged stool. I think we
37 need to still hold that true and I still support the endorsements. To me that's a medium
38 between too general and too tight and I support General Licensure.

39
40 Jones: As far as the endorsements go when we are checking out people's verifications, and
41 we go online quite often you know, you've got a mix, a lot of the States just say he's an
42 engineer. A lot of the States just say he's an engineer but down at the bottom they've got a
43 little note, civil, electrical or civil by its self or mechanical. I think between that and having
44 the definitions in there it's going to be a huge help to the investigator when he's trying to
45 figure out when a guy is working in his area or not. And if you take that away then he's kind
46 of just throwing darts.

47
48 Shiesl: I'd just like to reinforce, and that's what I was going to say Vern is that whatever we
49 do we need to make sure we don't set up the investigator to fail. So it has to be looked at
50 from an enforcement standpoint as well.

51
52 Baker: I guess I want to go back to your statement about maybe we have a really dumb
53 public out there. The public has been set up for quite a long time to go to either online or to
54 go to someplace and look for a general license that specializes, they do it with attorneys,

1 they pass the BAR and then you look in there and they say hey I deal with divorces, I deal
2 with land. They already do that, they already do it for medical, they do it for almost every
3 other field you can think of. They do their own research and pick out the specialist. They
4 talk to the people that have been through that system and say we're doing this who do you
5 recommend. The public does that, I don't think we have a dumb public out there. I think we
6 have a public that's use to this system.

7
8 Hightower: I frankly don't think it will help the investigator. I think this general license will
9 widen that gap on incidental practice. I think that the 95-99% of us that work in our own
10 areas of expertise will continue to and it'll just open up for that small percentage that thinks
11 they can do everything. And it'll make it a gray area for the investigator.

12
13 Jones: As far as the public, I get calls often asking can you recommend an electrical
14 engineer. So, no I can't but I can take them to the website and tell them how they can find
15 an electrical engineer in their city. Show them how to search our website to find all the
16 electrical engineer in Anchorage or in Juneau or whatever. So they do know to ask and
17 they're searching for a way to find them.

18
19 Rearick: I kind of disagree because there are owners and those out in the public that really
20 don't know the difference between an architect and an engineer and I cite a recent RFP by
21 DOT that asked for, under the disciplines, it asked for an architectural engineer. So what
22 are they asking for, are they asking for an architect or are they asking for an engineer? So
23 here's DOT the biggest contractor in the State doesn't understand the difference. So
24 oftentimes with owners and public entities they think that we're structural engineers or they
25 think that structural engineers or other engineers are capable of doing building designs. So
26 I think if we don't have some enforcement it's just going to further confuse those folks.

27
28 Brownfield: I would just point out that we're homing in on architect verses engineer and to
29 me that's the most interesting one to look at because in my mind I see a lot of overlap and
30 you see it in practice also. But don't forget that's just one of 24, you've got nuclear. Nobody
31 here I think would even touch nuclear. But we're talking about nuclear things, we're talking
32 about naval architecture a real confided area of architecture and marine engineering. I
33 mean DOT's going to go nuts over that just because somebody's coming on their turf. But
34 that is a very specialized area of expertise that we don't have now because we don't let
35 them in there if they want to come they have to take the civil. So I think there's a heck of a
36 lot more than just an architect verse the engineer. And I think that's the most interesting
37 because we're always hand in hand doing something and that would be probably the most
38 challenging. But there's a lot more there that we don't have that expertise in the State of
39 Alaska and we're the turtle saying well if you want to come in here you'll just have to take
40 civil or another one and in my mind that's behind time. If we're like the rest of the world,
41 we're going to start looking at international. We're going to be forced to if we don't deal with
42 it now. It's an issue where we can't say well we just want to stay where we are now. I would
43 be very much against that but if that what the Board wants, fine, we'll probably suffer in the
44 future.

45
46 Eriksen: I was just curious, this is for Richard, with this architectural thing that there's some
47 high percentage of other States that may have already dealt with this. I wonder how they
48 see that relationship.

49
50 Rearick: I haven't studied it but I can look into it.

51
52 Eriksen: I am just curious, there might be some other examples out there where we can
53 see if it worked or it didn't, if it fell apart.

1 Rearick: The other thing to realize with other States too is that a lot of them have a separate
2 architecture board than engineering so they don't have control of each other. If they have
3 some maybe cooperative agreements on what they do but they can act quite independently.
4

5 Chair: I would summarize everything by saying I would feel that you could come back with
6 definitions for all the disciplines by the next meeting. Whether we accept them or not, we'll
7 leave it up to the full Board. Is that fair?
8

9 Brownfield: May I suggest that branches as opposed to disciplines. And we as a
10 committee, we need to be active you guys so I'm going to call you because we need to talk
11 and we need to discuss this and we don't need to be shy about going over to Harley and
12 saying, look at this and get help from other folks like Harley and Dan and specifically you
13 Don, because your important and so often in our wee little technical minds we're not getting
14 the public involved.
15

16 Fredeen: Can we just ask the other States what their definitions of the disciplines are. It
17 would be very tedious for us to create our own.
18

19 Brownfield: I don't want to get into detail. I had to do this for 4 or 5 of them and in my view,
20 first of all there are no definitions that I'm aware of at NCEES.
21

22 Jones: NCEES doesn't, some States may have, I haven't looked yet.
23

24 Brownfield: The best way for us to do that is to go to the exam that people are going to take
25 to test them on their skills and then you have in essence defined what that particular
26 examination tells you.
27

28 Fredeen: ABET criteria would be one.
29

30 Chair: We need to go to the phone for Gayle. But I think you have your direction.
31

32 Jones: Good morning Gayle this is Vernon.
33

34 Horetski: Good morning how's it going?
35

36 Chair: Good Morning Gayle this is Richard Heieren the Chair. We've received your fax, it
37 looks real good to me. Did you want to go over it or
38

39 Horetski: Well, good morning Mr. Chairman and members of the Board. This Gayle
40 Horetski, just to mention sir that the additional language that came out of the Board history
41 document was put into Article 3 which talks about procedures and meetings and what use to
42 be the parliamentary procedure section that was also moved to there it made sense to me to
43 organize it in that fashion. So if there are any questions basically the new language appears
44 at the bottom of page 1 and the top of page 2 of the Bylaws. Also I hope you had a chance
45 to look at what is now one page of the document that was titled Historical Information and
46 has a revision date of 5/28/10 in the lower corner. Basically this is all that is left from the 4
47 page historical document some of which has already been put into regs, some of which
48 didn't belong in that kind of a document, some of which we moved to the Bylaws. So, if you
49 would take a quick glance and make sure that everything here is correct and what the Board
50 wanted in this historical document. That of course doesn't have to be adopted it's just
51 maintained by Mr. Jones. If the Bylaws are ok then the next step would be a motion to adopt
52 the regulation and of course the Bylaws are adopted by reference and go ahead and sign
53 the adoption order and then this project's done.
54

1 Chair: Thank your Gayle, question Don?
2
3 Shiesl: Just a technical issue could the historical information be another article within the
4 Bylaws so it doesn't get detached at some point and it's incorporated in there so we know
5 where it is? People aren't scratching their heads wondering why it isn't there. Just
6 incorporate it as another article.
7
8 Chair: What do you think Gayle?
9
10 Horetski: Mr. Chairman, I don't think so because a Bylaw basically are the rules by which
11 an agency operates. And this is just sort of like an informational sheet. It's a summary and I
12 think it's a good thing so I think you could pass it out to applicants or if there are questions
13 but really it's not a Bylaw. And you can take things off or add things and you wouldn't want
14 to amend a regulation to do that.
15
16 Hightower: We need to look at, on page 2, that item number dealing with Emeritus Status.
17 We need to look at that because we had some discussion yesterday on that.
18
19 Chair: Gayle to bring you up to speed we reworded that a little bit to make it a little clearer.
20 Can we make those changes before we adopt them? Do you need to review that?
21
22 Horetski: The Board can make any changes you want before re-adoption. I'm glad you
23 looked at that because I was trying to write what I thought the Board explained on
24 Wednesday and maybe I misunderstood.
25
26 Chair: Gayle, no you didn't misunderstand we hadn't formulated the exact language we felt
27 we needed for that. Do you need to review that before we adopt it or amend it?
28
29 Horetski: No I don't need to. You can read it to me if you want. It's not up to me it's up to
30 the Board.
31
32 Chair: Ok,
33
34 Horetski: You know I did have one question Mr. Heieren. On page 2 there's that paragraph
35 7 that says the Board may appoint two Board members to be an Investigative Review
36 Committee and then it says what you do for that and of course it was lifted from the historical
37 document. But I'm wondering, down below in article 6 it talks about Board Committees and
38 it says there Standing Committees, Guidance Manual, Legislative Liaison and Emeritus
39 Status. I wonder should we list Investigation Review Committee also. Is that a Standing
40 Committee?
41
42 Chair: Good catch Gayle, yes it is.
43
44 Horetski: Maybe we should put a "d" at the top of page six so it would say, and what would
45 we call it? I called it a Investigation Review Committee. That's what it seemed to me it was,
46 you could use a different name if there's a better name.
47
48 Chair: We call it Investigative Advisory Committee.
49
50 Horetski: That would be fine. You would want to make that change in both places both on
51 page 7 and at the top of page 3 with the new "d".
52
53 Chair: Ok, duly noted, Gayle, any other questions of Gayle? Thank you for being so prompt
54 in helping us work through this Gayle. We don't have any other questions I guess we'll sign

1 off, is that alright?
2
3 Horetski: Yes that's great, you guys have a safe trip home.
4
5 **On a motion duly made by Shiesl, seconded by Hightower it was**
6
7 **RESOLVED to add Article IV 1. D. Investigative Advisory Committee and Article IV 1.**
8 **E. Budget Committee and to change language of Article VI 2 as attached.**
9
10 Chair: Do we need that on a paper or just insert it?
11
12 Jones: I think what we need to do is to do a motion to adopt as amended.
13
14 Chair: Would somebody do that for Vern? Dan
15
16 Walsh: Just a suggestion, this is kind of Don's baby, is it out of order that he just take this
17 and review it, work with Harley on the emeritus language and bring it back to us next time?
18
19 Baker: On the Emeritus Status, Article 3, 6, reading it I think all we need to do is take
20 NCEES and add NCARB and CLARB in both instances and I think that covers it.
21
22 Chair: Vern would like to see this done. We actually have the wording Harley provided
23 yesterday. Let's just plug that in.
24
25 Hightower: I'll write up a motion with the amendments and give it to Don.
26
27 Fredeen: Rather than having the individual NCEES, NCARB, and CLARB in there can we
28 just say National Licensure Group or something like that or something?
29
30 Chair: He actually has it written up. If you want to read that real quickly Harley, the, what
31 you have in your hand?
32
33 Hightower: Ok. Emeritus Status: The Board will appoint Board Members for Emeritus
34 Status to the Board on a yearly basis when the Board notifies the Board that they will be
35 serving on an NCEES, NCARB or CLARB committee or as an Officer on a Regional or
36 National Board after the conclusion of their term on this Board. This also covers officers and
37 that only covers committees. Someone may be going for the Chair at NCARB or NCEES or
38 WCARB.
39
40 Baker: But the way that's written would that cover AIA, I'm not sure it should.
41
42 Hightower: No it wouldn't. It would only be NCARB, CLARB and west, the Regional
43 Officers too. Someone may be involved as a Regional Officer for two or three years after
44 their off this Board, or on committees.
45
46 Lent: Did you say a Board notifies a Board? It should be a member notifies a Board.
47
48 Hightower: That's what I say, Yes. Let me read it again. Emeritus Status: The Board will
49 appoint Board Members for Emeritus Status to the Board on a yearly basis when the Board
50 Member notifies the Board that they will be serving on an NCEES, NCARB or CLARB
51 Committee or as an Officer on a Regional or National Board after the conclusion of their
52 term on this Board.
53
54 Chair: I think that does it.

1
2 Baker: I guess I'm a little confused because you say NCARB and then you say or as an
3 Officer on a Regional Board or National Board. But, when you say that "or" can that open
4 that up for something other than NCEES?
5
6 Hightower: No, it's part of the same sentence, will be serving on an NCEES, NCARB
7 committee or as an Officer.
8
9 Baker: Of the same thing, ok.
10
11 Chair: Didn't we have a motion with a friendly amendment?
12
13 Shiesl: I can reread the motion. I move to add Article VI 1. D. Investigative Advisory
14 Committee and Article VI, 1. E. Budget Committee. And to change the language of Article
15 VI 2 as attached.
16
17 Emeritus Status: The Board will appoint Board Members for Emeritus Status to the Board
18 on a yearly basis when the Board Member notifies the Board that they will be serving on an
19 NCEES, NCARB or CLARB Committee or as an Officer on a Regional or National Board
20 after the conclusion of their term on this Board.
21
22 Chair: Was there a second for that?
23
24 Hightower: I seconded it.
25
26 Baker: What we're voting on if we do this is to add to something that we haven't made a
27 motion to accept yet.
28
29 Chair: Correct. Are there any other comments or questions? All those in favor of the
30 amendment to the Bylaws as submitted by Gayle signify by saying aye. Opposed,
31 abstentions? Two abstentions, Dan and Bo.
32
33 **On a motion duly made by Baker, seconded by Shiesl it was**
34
35 **RESOLVED to accept the Bylaws as submitted by Gayle as amended.**
36
37 Chair: Discussion?
38
39 Fredeen: Do we need to do a first and second reading?
40
41 Chair: I think we've actually adopted this once already. Basically what we did, we have to
42 adopt the regulation don't we? So we've actually done that about two or three times now
43 and this is the edit from Gayle.
44
45 Fredeen: I guess now that I make that joke, where in the Bylaws does it talk about a first
46 reading?
47
48 Chair: It was removed, I think.
49
50 Shiesl: It references the State Statutes so it would be in the back where it shows the State
51 Statutes.
52
53 Chair: No, it's not in regulation. It's just been a practice. She pulled it out.
54

1 Fredeen: That's the hard part about us rushing forward on adopting this stuff immediately is
2 that is do we know what she pulled out and is it something we need.

3
4 Chair: I think this is a working document. It's going to have the ability to be modified if
5 needed. I think we can practice something that doesn't necessarily have to be in these
6 because it's a good practice. I think we do need to get something approved at this stage.

7
8 Brownfield: I agree with you. We can do that and it doesn't violate anything and we need to
9 do this because we're out of time. But anytime something like that is arbitrarily pulled out I
10 immediately see red from the standpoint of why. Especially if it's a practice that's used very
11 commonly and I don't think that's her job. I agree that we need to get something down.

12
13 Shies: I call the question.

14
15 Chair: Ok, we'll vote on the question first. You want me to do that formal or do you just
16 want to

17
18 Chair: All those in favor of the Bylaws as amended and submitted signify by saying aye.
19 Opposed, abstentions? Dan abstains. It's so moved and I will sign them. Dan your task will
20 be to review them and come back to us with any amendments that you see need to be
21 added.

22
23 Chair: I think we're finished. I would like to go around the room and do this a little
24 backward. Cliff?

25
26 Baker: You assigned a couple of tasks the last couple days and then when we were going
27 through the tasks you asked if there was any new tasks and I thought those should be listed.
28 But there were also a couple tasks you assigned that I think we've already resolved and I'd
29 like to probably get those taken care of now if possible.

30
31 Chair: Sure, are we hitting a deadline for tickets or anything?

32
33 Baker: I don't think they'll take very long.

34
35 Hanson: So, 10a in your packet, that's the chapter 36 amendment. This is the first reading.
36 So we would like to add to on page 5, 12 AAC 36.520 (a)(4). The computation of credit for
37 published papers, articles or books is

38 A. Based on one professional development hour of preparation of the paper, article
39 or book.

40 B. The responsibility of the professional

41
42 Rearick: Could you restate where you're at?

43
44 Hanson: Sorry, I'm on page 5 of 10a down towards the bottom third there and we're talking
45 about computation of continuing education credit.

46
47 Rearick: And you said adding an item to 4a.

48
49 Hanson: Item 4. Essentially it's in the Statutes and Regulations 12 AAC 36.420 is the
50 surveying side of computation of continuing education credits, page 33. We'd essentially
51 like to mimic that almost verbatim. We've got a couple of reference changes that need to be
52 made. As well as the 10 professional development hours, we'd like to limit that to per
53 renewal period and only give them one opportunity to do that. So they would only get 10
54 professional development hours per renewal period may be claimed for a published paper,

1 article or book. Instead of for each, it would be for a, or for one. And the changes between
2 520 and 420 are the number 4 on page 33. The 4, A, B and C under section (a). and the
3 number 5 right below it, credit for participating in Professional and Technical Societies. And
4 then in section (b) number 6 up to 10 professional development hours per renewal period
5 may be claimed for a published paper, article or book. And then number 7 as well, for
6 serving as an Officer or actively participating.

7
8 Shiesl: is that up to 10 hours for participating?

9
10 Hanson: It's 8 actually, for up to 8 professional development hours.

11
12 Chair: Could you put that in an email and forward that to Vern? If no one has any
13 objections or comments, that would be another Brian task. We will be able to revisit this
14 again at the August meeting. Any others?

15
16 Baker: And then the other one that Nils Degerlund brought up. And that's on page 35 in the
17 book. 12 AAC 36.510 and you come down to (g)(1). It says the subject matter must
18 address the public's health, safety and welfare by instructing in the proper planning and
19 design in the area of the registrant's registration or discipline. And this is where it got to be
20 an issue was it says "for the constructions of buildings, structures, infrastructure, or the
21 spaces within and surrounding such facilities". And so that would eliminate a lot of the tasks
22 that surveyors work on for raw property and also for landscape architects that work on raw
23 property. So I wanted to pick up after "within and surrounding such facilities" then go to
24 comma, preservation and enhancement of land use and natural land features, measuring
25 and locating land property boundaries, platting, planning and design of subdivisions or the
26 preparation, or perpetuation of maps or record plats. Then go back "so that generally". I
27 took those out of parts of the definitions of landscape architects and surveyors which pick up
28 the other aspects of what we do. This will allow work on raw land and boundaries and not
29 have it tied to facilities. This is all part of the first reading. I'm trying to get it all done at one
30 time.

31
32 Chair: Email to Vern.

33
34 Lent: Vern could you please email me that when you get it done?

35
36 Chair: He'll be sending it to everybody.

37
38 Baker: Then one other that you gave me was under the applications which is on page 10 of
39 this Statute booklet. There was discussion that Craig had brought up about what people
40 submit with their application and whether or not we have to accept and approve them
41 conditionally on them fulfilling the rest of what's skipped there. I haven't had time to look at
42 that so I guess that would be one of the tasks I will do for next time.

43
44 Rearick: Cliff I didn't hear if you noted, if further on down that page where it's just
45 referencing 35 that you just read through and added that language, where it also says
46 number 2 below that, "the course or activity must be relevant to the practice of professional
47 architecture, engineering or landscape architecture". There are several instances on that
48 page where it seems like it should also say surveying.

49
50 Baker: That's part of this amendment here.

51
52 Walsh: That issue Cliff addresses in 1 (a) through (d) kind of goes to what Vern was asking
53 about yesterday. This was all put in here as trying to come up with some definition of HSW
54 and if we are able to come up with a better definition somehow we might try to substitute

1 that entirely. But I don't know if there is a good definition out there.
2
3 Lent: I think with the additional language Cliff has come up with will help explain that. This
4 is not an easy thing and nobody has a good definition.
5
6 Chair: Just for clarification Bo has developed a definition of health, safety and welfare and I
7 believe it's supposed to be in the Guidance Manual.
8
9 Lent: It's in the Guidance Manual on page 1.
10
11 Chair: That certainly can be looked at and tweaked as much as you like.
12
13 Baker: That was actually part of what Gayle talked about, a couple days ago, that we have
14 under in our historical thing. We have in there, E. which was the definition of health, safety
15 and welfare and she said that actually needs to be moved to regulations.
16
17 Walsh: Well it comes down to, it's a legal issue. It's really the most legal issue this Board
18 will ever face. Any attorney would probably tear any definition we come up with completely
19 apart.
20
21 Brownfield: Are you suggesting that we don't have one?
22
23 Walsh: I think the best thing would be to look at the definition in Webster and leave it at
24 that.
25
26 Brownfield: Actually I think we've done that. I think Harley started, remember a long time
27 ago we were wrestling with that and we came up with one and then the AG shot it down.
28 Then we came up with another one and we tweaked that a bit and we adopted it and now
29 we're adopting another one. It's very difficult because most States don't have one. What
30 they do is say here are examples of, but that's not a definition. I know we've wrestled with it
31 time and again trying to come up with one.
32
33 Lent: I have to ask the question, have there been any real challenges to this other than the
34 gentleman that was here yesterday?
35
36 Chair: No
37
38 Chair: With that let's go ahead and go to Board Member comments. Let's do this a little
39 backwards and ask the Staff to maybe give some comments. We're all thick skinned Vern
40 you can be critical.
41
42 Jones: I would just kind of, I know this thing with the General Licensure is a very big issue
43 with a lot of people and I would just caution everybody to remember that you're not here to
44 protect your profession you're here to protect the public from your profession (laughter).
45 Other than that I would kind of like to know what everybody thought of having the meeting
46 here this time. Was it better, or worse, would you like to try and come here in the future or
47 back to the College or whatever?
48
49 Eriksen: It was convenient.
50
51 Brownfield: Were we forced to come here? They just didn't have enough room?
52
53 Jones: Yes there is a rule that we have to use a State room available we have to take it.
54

1 Walsh: I don't mind a hotel as a venue but I find this room a little confining.
2
3 Hightower: I don't mind a hotel. I'm not sure about this one.
4
5 Jones: Other than that I felt this was a really good meeting I think you guys accomplished a
6 lot.
7
8 Kelly: I took it all in good stride you guys mocking my vegetarian ways (laughter). It was a
9 good discussion on General Licensure. It sure seems to be the way that everyone else is
10 moving. I have heard comments from folks registered in many states and they like that
11 system. And an interesting comment, about the jurisprudence questionnaire. One architect
12 said it certainly woke him up and he began to pay more serious attention to our process
13 after failing that.
14
15 Walsh: Thanks to everybody. I appreciate all the hard work that all the other Board
16 Members put into this and dedication and professionalism. Thanks to the Staff.
17
18 Hightower: I think in this meeting I realized what a hard life Bo has and good luck, if you
19 need any help holler and thank all of you for your hard work.
20
21 Rearick: I'd like to thank our Fairbanks hosts for giving us this nice weather. It's nice to
22 come up here and actually see summer. I think it's been a good interesting meeting. I
23 appreciate all the dialogue we had especially on the General Licensure. I did want to say
24 that I don't want people to think that I'm just taking the architects position, I'm not. I actually
25 manage a structural engineering department as well. Our firm has civil engineers,
26 mechanical engineers and surveying. So I get all perspectives all the time and I can see
27 conflicts and issues that come up because of that, within their disciplines as well. I just want
28 to pass that on and thank everybody.
29
30 Shies: Thanks to the Chair and everybody for getting us through a very, very productive
31 meeting. I'm glad we got some of these things out on the table and started discussing these
32 and getting results hopefully in the near future.
33
34 Lent: I'm kind of awed, because I was really worried about this initial go around with the
35 CEU audits. I didn't think that we would get all this done. I'm really impressed with your
36 keeping things moving and getting us through an initial go around and thanks to the staff for
37 helping us along too. We accomplished a lot in the time that we had so that's impressive. I
38 think we need guidance for the people who are filling those forms out and that will make it
39 go even faster. Alicia you're doing extremely well for being new and I've heard positive
40 comments on your being very helpful to people who have called in. Bo you've done a
41 fantastic job on that subject of General Licensure and I think that's a step in the right
42 direction. Thanks very much for a good meeting.
43
44 Eriksen: I would also like to say the continuing education process was impressive and
45 impressed to me the professionalism of the registrants we sampled and hope that that
46 equates to the whole body. I would also like to recognize Brian and a job well done for a
47 new board member and stepping in and playing an active role. And to Bo for finding
48 someone that was so diligent and thanks to everybody, it was a good meeting.
49
50 Baker: I can only support all the comments that have already been made about continuing
51 education. Lots of accolades to Bo for bringing a very difficult subject that we've been
52 working with almost as long as I've been on, or actually we've been on the Board, and finally
53 bring us something that we can get our hands around. Brian has done a real excellent job,
54 much better than I did the first time around. My first meeting I had to have someone guide

1 me all the way through. I was also impressed with the review of the CEU's of the people
2 that we sampled. It seemed to me that it shows a lot of professionalism in our ranks
3 because people didn't restrict themselves to the minimum 24 or even the 15 or 12 that they
4 could carry over. Many of them were well over that. I would like to congratulate Richard on
5 his National appointment. I think that's really great and I'd like to compare notes when you
6 start doing that. And I'd also like to congratulate CLARB. It seems they have solved the
7 illegal alien issue on both the North and South borders.

8
9 Hanson: Thanks for the comments. I just want to say I'm appreciative for being on the
10 Board and that it's interesting and I hope to be involved for a long time and be able to
11 contribute. Thanks for the opportunity.

12
13 Craig: I reiterate what's already been said. Thanks to the Staff for all the hard work. You
14 had double duty this time, in addition to the 100 plus applications, trying to get all the CEU
15 stuff together was a lot of hard work and I appreciate your making it easier for us to review
16 things. It was interesting going through those. It was a learning process for us as well.
17 Hopefully it will help us refine what we need to do going forward with our outreach and
18 regulations about continuing education. Next time it'll be a lot quicker and easier. Also
19 reiterate Brian, outstanding job. First day you jumped right in. I was most impressed with
20 the applications, you just took right off. I think I was still asking questions, well, yesterday I
21 was still asking questions, after 6 years (laughter). And Bo, great job getting us going on
22 General Licensure. That's also been something that's been kind of sitting around and
23 needed your leadership on grabbing it and moving forward. I appreciate that, you're driving
24 us forward, we really needed that.

25
26 Brownfield: I thank you for those kind words, we are hard charging. I don't think people
27 outside this room recognize how hard charging we are. You probably do if you deal with
28 other boards if they charge as hard as we do. Because I think in the long run we are very,
29 very professional. I probably would apologize, sometimes I get focused and it's my drive to
30 do what is right and in doing I always try to keep my mind open. I think this was a
31 particularly hard charging meeting we had not only from the standpoint of tough issues to
32 deal with but also with new issues that are coming in and a larger agenda that we have to
33 deal with. We're just doing a very good job. As long as we keep professional and as long
34 as we close the door, get red faced, but open the door and we continue to march in a very
35 professional manner, which we do very well. I don't think any board can match or exceed
36 the amount of effort we put into it, not only at this table but also during the time between
37 meetings. We have a great team.

38
39 As a member looking at the last couple of years, getting somebody like Brian in here, he is
40 somebody to reckon with now and in the future. He's grasp it very well just like Eric has and
41 I'm very pleased with that. He's kind of my namesake as I'm folding up and he's coming in,
42 civil engineering is in very good hands. He just sat down and immediately became a very
43 meaningful moving part of this Board. I appreciate that and we welcome you here. We look
44 for big things from you and I think one thing that Richard mentioned in your respect you
45 need to get involved in the National. Because you do have the background. You certainly
46 handle yourself very well. You will be a great asset, you are a great asset to the State of
47 Alaska and this Board.

48
49 Finally from the standpoint of, there was one comment made, I appreciate and am very
50 impressed with these minutes of the last meeting that you had. I know there was a
51 comment said that we could be a little bit more brief. We might be able to be brief but from
52 the historical value of it the minutes you have of the meeting, even though we have to read a
53 couple more pages of it. It's more accurate and historically, if you never use it, it doesn't
54 mean anything but if you ever have to back up and use it sometime, it could save your

1 bacon. So I think you did a very good job on that and I'd like to see you continue to do that
2 just because it makes history more meaningful. Especially if you have to enter a court room
3 and deal with it in that fashion. Great meeting and I hear you. We in our committee have
4 received a lot of good feedback. So, I appreciate that and we'll work hard on it.

5
6 Chair: It's a real pleasure to be associated with a group of men that are as professional and
7 frankly as intelligent as you folks are. It's a real honor for me to be associated with you
8 guys. I wanted to let you know that and ditto all the other remarks that were made. We
9 probably don't need to hear all of it again. Bo, please don't get discouraged. I know you're
10 coming to the end of your service on this Board but you still can give a lot of effort and get
11 this thing moving forward so we can get behind it. Your capable of it and don't be afraid to
12 ask for help. The Staff, I really appreciate everything you do. I respect both of you for all of
13 the hard work. You know there are a lot of bureaucrats out there that just occupy space and
14 I certainly don't put you in that category by any stretch. You really put a lot of work into what
15 you do. I see that and this Board sees that. We wouldn't be able to do anything without you
16 guys. And with that I'll entertain a motion to adjourn.

17
18 Jones: Can I add one thing? Something John said the other day. He said of all the Boards
19 he's associated with, this is the most professional.

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21 Chair: Do I hear a motion to adjourn? Harley and a second by Rick.

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23 0947am Meeting adjourned.
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Respectfully submitted:

Richard V. Jones, Executive Administrator

Approved:

Richard C. Heieren, PS, Chair
Board of Registration for Architects,
Engineers and Land Surveyors

Date: _____