

ALASKA AELS BOARD

August 2002

Quarterly Board Meeting

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AELS Quarterly Board Meeting

The Board of Registration for Architects, Engineers, and Land Surveyors (AELS) held its quarterly board meeting on August 22-23, 2002 at the Atwood Building, 550 W. 7th Ave., Conference Room 602, Anchorage, AK 99502.

Board members in attendance were: Robert Miller, Chair; Daphne Brown, Linda Cyra-Korsgaard; Donald Iverson, Pat Kalen, Scott McLane, Lance Mearig, Patricia Peirsol, and Ernie Siemoneit, Secretary.

Excused were:
Marcia Davis, Kathy Gardner, Vice-Chair. Patricia Peirsol was absent on August 22, 2002.

Some highlights of the meeting:

Board Actions on Proposed Regulation Changes:

Non-Discipline Specific Engineering License (12 AAC 36.100)

Draft Regulations Proposal

The Board asked staff at the August 02 meeting to prepare specific regulation changes on expansion of engineering disciplines for licensure. The Board is still considering this issue and will review revised draft language at its November Board meeting.

Proposals Under Consideration:

The National Council of Examiners of Engineers and Surveyors (NCEES) currently offers nineteen disciplines by examination. They are designated as **Group I exams** (Chemical, Civil (Structural Design Standards, Transportation Design Standards)

Electrical/Computer, Environmental, Mechanical, Structural I, and Structural II and **Group II exams** (Agricultural, Architectural, Control Systems, Fire Protection, Industrial, Manufacturing, Naval Architecture/Marine Engineering, Metallurgical, Mining/Mineral, Nuclear, Petroleum, and Architectural Engineering. (Architectural Engineering is the newest examination first offered in April 2003). Alaska issues licenses in only 6 of these 19 disciplines.

The Board has been considering these two proposals, as follows:

1. **Non Discipline Specific:**

Under one proposal, instead of the six discipline-specific license it currently issues (civil, chemical, electrical, mechanical, mining, and petroleum), the Board would issue a general "professional engineering license" (and track the Group I and Group II exam specialty in its database).

Although Group I and Group II exams are commonly discussed at national and regional NCEES meetings, it wasn't clear to the public what those terms meant. In fact, the Board's attorney indicated the terms would need to be defined (list the specialty) and advised that if the regulations were adopted, any future changes to the examination structure (additions or deletions) would have to be public noticed.

2. **Expand to add some disciplines:**

Under the second proposal, the Board would expand the engineering disciplines offered to include those disciplines most frequently asked about (environmental, fire protection, and control Systems).

Regulation Changes Public Noticed

Site Adaptation

The Board voted at its February 2002 meeting to **public notice** proposed regulation changes that would modify site adaptation (12 AAC 36.195) regulations. Those regulations were public noticed August 19, 2002 and public comment will end on September 30, 2002.

Background on Site Adaptation

It came to the Board's attention that some practitioners stamp the design on site adaptations (12 AAC 36.195) without independently re-doing all of the calculations currently required.

The Board discussed site adaptation and decided that it was impractical and unnecessary to redo all of the calculations during the review process of the project.

The Board decided that when a professional architect or engineer, or landscape architect stamps the site adapted design, that design professional is taking responsibility for the design work and is held accountable for the project. Under the proposed regulation change, the decisions of the project review are left up to the design professional in much the same way as a supervising architect or engineer currently reviews and seals the work of a subordinate. This change allow architects, engineers and landscape architects to affix a statement of certification that ensures the design professional has reviewed the calculations and determined they comply with all applicable codes and regulations for 12 AAC 36.195, Site Adaptation.

The specific proposed regulation change would read: **12 AAC 36.195 (3) independently performs all calculations and maintains them on file or affixes to the calculations to be site adapted the following sealed statement, "I certify that I have reviewed these calculations and they comply with all applicable codes and regulations."**

Participant's Comments

Bonnie Smith asked the Board for guidance on her quest for licensure as an environmental engineer. She is licensed in another jurisdiction as an environmental engineer but since Alaska only licenses six disciplines she is unable to get licensed without more experience or by taking an additional PE examination (civil). The Board suggested that she take the PE examination, Civil, and select the environmental segment in the afternoon. They also advised her they are currently reviewing adding environmental engineer or going to a non-discipline specific licensure, either of which could alleviate her concerns.

Darren Bucks asked the Board if industrial engineers would be required to be licensed if the Board adopted the proposed definition of environmental engineering. The Board advised him that they did not consider all industrial engineering to fall under AELS purview and they would review their proposed definition to ensure that the Board does not unintentionally capture aspects of fields that do not constitute professional engineering.

Proposed Statutory Changes Requested

Legislative Requests:

The Board requested statute changes in its FY02 Annual Report in the following areas for the upcoming 2003 Legislative Session:

Continuing Education (CE)

Until the Legislature grants authority, the attorney general's office has advised the Board that it does not have explicit authority to develop a continuing education regulatory program for professional land surveyors. The Board has requested statutory authority for CE in its FY02 Annual Report, and if granted, regulations could be developed for land surveyor's CE. Initially, a CE program would be developed only for land surveyor's CE. The other professions (architects, engineers, and landscape architects) have not expressed adequate, uniform support

The professional societies asked the Board, in February, for more time to discuss and consider both proposals with their members.

Next Action

The Board will consider adopting the draft regulation changes at its November 14-15, 2002 meeting.

Background on Non-Discipline Specific Proposal:

The Board staff often has inquiries by engineers currently licensed in another jurisdiction seeking licensure in Alaska in a discipline we don't license (such as Environmental Engineering, Fire Protection, or Control Systems). Since we only license six of 19 engineering disciplines (specialties), many engineers cannot practice their specialty in Alaska.

Mobility has been a key issue at the national level and the NCEES leadership has encouraged all jurisdictions to allow U.S. engineers more flexibility to move within U.S. jurisdictions. Growing interest by international governments seeking agreements between host nations are being increasingly sought, and there is concern that U.S. engineers may be disenfranchised by impediments imposed in many U.S. jurisdictions.

These reasons, coupled with comments the Board has received over the past several years, have led the Board to reconsider its current licensing structure, and to consider if it may be beneficial to add more disciplines, or perhaps add all engineering disciplines, in Alaska.

The national trend is to license by non-discipline specific licensure (41 other jurisdictions currently issue professional engineering licenses). Jurisdictions using the non-discipline specific system have strengthened their requirements for ethics and disciplinary laws to ensure public health, welfare and safety is met.

for a mandatory CPC (or CE) program.

The model under consideration for the regulatory program was based on the NCEES recommended guidelines for CE. If statutory authority is granted, CE would likely be phased in for the 2005 renewal cycle (in order to allow registrants time to comply with the new CE requirements).

Term Limits:

The Board voted at its February 2002 meeting to support a change to the statutory requirement for term limits. Currently, if the Governor's process to appoint a Board member extends beyond two years, a Board member who serves 6 years is prohibited from being re-appointed. The Board will request that a full term be considered two or more years. This change would allow a Board member filling a partial term to serve a full 8 years.

Specialty Contractors:

The Board continues to have concerns about the current exemption under AS 08.48.331 (7) for specialty contractors and will ask for revised statutory language. The Division of Occupational Licensing Investigator reports that some specialty contractors perform unlawful design work under the auspices of the specialty contractor exemption and has requested a statute change to address this issue.

Subgroups

The AELS Board worked informally in subgroups: Building Officials; Work Experience Verifications and Canadian Reciprocity; and Land Surveyor Monumentation.

Subgroups can continue their work between meetings and Any suggested changes are considered by the full board at subsequent meetings.

Building Officials Handbook:

The Building Official's handbook subgroup will circulate a draft version to the Board and then to Building officials and groups for comments about mid-September.

Canadian Reciprocity and Work Experience Verifications:

Draft prepared by Nancy Hemenway
Last printed 09/18/02 1:40 PM

The subgroup will continue its focus on Comity issues and compare the Canadian experience, education and examinations to the U.S. system. One member will be attending an upcoming meeting of the British Columbia engineers (APEG-BC) in September. Three areas the subgroup discussed were:

- 1) To consider work experience under a registered Canadian engineer to meet engineering education requirements;
- 2) To have an AELS Board member & a APEG-BC Board member participate as observers at an ABET accreditation of a Canadian university.
- 3) To review the regulation (12 AAC 36. 090) for Fundamentals of Engineering Waiver, and perhaps consider reducing the requirement from 20 years of professional work experience to 10 years of professional work experience.

The Subgroup recommended, and the Board adopted the revised work experience verification forms for both engineers and land surveyors.

Land Surveyor Monumentation

The Subgroup discussed specifics of practices by governmental agencies using engineers to do work that falls under the definition of land surveying (AS 08.48.341 (13)).

What's New

AKLS Exam

The Board will offer the Alaska Land Surveyor Examination (AKLS) on October 25, 2002, due to interest within the Land Surveying community to hold the exam more than once a year. How often the examination will be offered depends on the number of applicant requests, so candidates should check with the AELS Board staff, or the AELS website for AKLS exam dates for 2003.

Land Surveyor Requirements for FLS/PLS exam applicants:

On January 1, 2002, new regulations went into effect for educational requirements to sit for the

Fundamentals of Land Surveying (FLS) and Principles of Land Surveying (PLS) examinations(12 AAC 36.064-065*). Both examinations require a minimum of at least two years of post-secondary education credit hours in a board-approved curriculum of land surveying to qualify to sit for the exams. *Refer to the full text and tables of the regulation to see the combination of education and experience required, and also check FAQs.

Landscape Architect Registration Exam (LARE):

The 2003 LARE Exams will only be offered in Anchorage unless otherwise posted on the website. Candidates should check with the AELS Board staff or the website for future LARE exam locations.

Incidental Practice Overlap:

The Board continues to ask for feedback and comments on "incidental practice of minor importance" between professions. Currently, the practice of architecture and engineering definitions in statute (AS 08.48.341) allow for incidental practice of minor importance. Many states do not have such a provision and the Board has made several attempts to define "of minor importance" with little success. Please let us know any comments you may have.

Other Updates

Occupational Licensing Director

Catherine Reardon discussed legislative requests, and technology updates such as on-line applications.

On-Line Applications

The Director will authorize the in-house data processing staff to begin work on applicant checklist. This will be the first phase and will connect with on-line application process once digital signatures have been approved by the agency for application use.

Outreach

In February 2002, the O.L. Director granted the Board expenditures of up to \$3,500 to publish information in yellow page directories, and online yellow page directories to alert the public of the necessity for professional licensure of architects,

engineers, land surveyors, and landscape architects. Many of the directories are in use and the Board hopes this effort will help to eliminate unlicensed activity.

AKLS Workshop: The Board asked the O.L. Director to proceed with an emergency contract for the December 2002 AKLS workshop. This is the second workshop in 2002 to be held in conjunction with Test, Inc. to review the state-specific examination and to develop test questions.

The O.L. Director advised the Board that the agency will need to do a request for proposal or other competitive bidding process for subsequent (June/November 2003 – 2005) AKLS examination workshops . Workshops will be held when warranted.

Host Conferences:

The AELS Board has continued to have good representation by Board members at its national and regional conferences due to budget increments for travel, and support of this Occupational Licensing Director. This has helped to bring the NCEES Presidents' Assembly/MBA Group in February 2003 (Girdwood); the NCARB Region 6 conference to Alaska in March 2003; the Western Zone regional meeting (NCEES) in May 2005; and the NCEES Annual meeting in September 2006. All meetings will be held in Anchorage (or the Anchorage area).

Board Travel:

The Board will send representatives to participate at conferences: CLARB annual meeting, September 12-13, 2003 (New Orleans); the NCARB Member Board Chairs Conference, September 18-19, 2003 (Denver); the APEG-BC meeting, October 23-26, 2003 (Victoria, BC); and the NCARB MBA Workshop November 8-9, 2003.

Applicant Files Reviewed

The board reviewed 100 applicants' files for examination or comity licensure for architects, engineers, land surveyors, and landscape architects. The Board approved 90 applicants for

comity and examination, found 7 applications incomplete, and denied 3 applicants for FE, PE or PLS, or AKLS exam or comity licensure.

AELS Deadlines

All applications for comity and any supporting documents are due in the Juneau office no later than November 4, 2002 to be considered at the next AELS meeting scheduled for November 14-15, 2002 in Anchorage.

The June LARE examinations will be given in Anchorage on December 9-10, 2002.

All requests for examination retakes engineer and land surveyor exams for the October 25-26, 2002 exams must be received in the Division of Occupational Licensing *Juneau office* by September 10, 2002.

Staff Reports

Investigator's Report

John Clark, Occupational Licensing Investigator for the AELS Board, reported the status on the investigative cases and actions (see attachment A)

Board Administrator's Report

The AELS Board administrator reported on statistics of registrants and exams. The administrator will be interviewing in September to hire a 2nd licensing currently vacant.

The Executive Administrator report is attached (see attachment B, website)