

ALASKA AELS BOARD

AUGUST 2003

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 21-22, 2003 at the State Office Building, 333 Willoughby Street, 9th Floor, Commissioner's Conference Room.

Board members in attendance were: Robert Miller, Chair; Kathy Gardner, Vice-Chair; Daphne Brown, Linda Cyra-Korsgaard, Robert Gilfilian, Donald Iverson, Pat Kalen, Scott McLane, Kimberly Mills, and Patricia Peirsol.

Absent and excused was: Ernie Siemoneit, Secretary.

Some highlights of the meeting:

Proposed Regulation Changes Adopted

The Board voted to adopt proposed regulation changes and held over to the November 2003 meeting the following changes (several small projects will be lumped together and public noticed in order to reduce postage costs):

1. Technical changes to Architect Education Requirements

12 AAC 36.061(a)(2): Changed to reflect the revised NCARB education standards publication 2003-2004, in anticipation of the annual NCARB publication update (due in October 2003).

The purpose of this proposed change is an annual update to adopt the current NCARB education standard, which is updated annually.

2. Technical change to Engineering Table, 12 AAC 36.063 (a)(3)(A):

An addition to the Table for combined education and experience requirements for engineers. The portion of the table would allow:

ABET Accredited B.S. degree in engineering not in the branch of engineering applied for listed in 12 AAC 36.990 (17), and a masters or doctorate in engineering acceptable to the Board.

The purpose of this proposed addition is to allow a one year education credit for a masters or doctorate for those applicants who are applying for licensure but hold an ABET accredited degree in a discipline other than the one they are seeking licensure.

The Board also held over a proposed regulation change (adopted in May 2003) that changes the **LARE retake deadline** to allow staff time to order the LARE examination (not yet public noticed).

Other actions taken:

The Board voted not to adopt draft proposed regulation changes to add "Environmental Engineering" to the list of six disciplines it licenses.

Instead, the Board formed a subgroup to discuss accepting NCEES exams offered in an exam disciplines related to the six disciplines for licensure by exam or comity. For example, those applicants successfully passing the NCEES examination in civil, environmental, or structural would be eligible for licensure as a civil engineer provided they met all other requirements, and must work only in their area of expertise.

The subgroup consists of Iverson, Gilfilian, and Miller, and will report at the November Board meeting.

Disciplinary Action Taken

The Board voted to accept the voluntary surrender of a professional land surveyor license from Earl L. Fosse, License AK 3408, with respect to an investigation conducted under #0104-02-006, in lieu of formal disciplinary action.

Public Comment

Lance Mearig, former AELS Board member, spoke in favor of adding “environmental engineering” to the list of disciplines that Alaska recognizes and licenses.

Proposed Statutory Changes Requested

Legislative Requests (included in the FY03 Annual Report):

The Board has requested two new statutory changes in addition to the change to term limits, continuing education program authority, and clarification of specialty contractors exemption under AS 08.48.331(7).

The Board voted to request two additional statute changes:

Statutory Changes to allow its investigator to issue stop work orders on projects due to unlicensed activity.

Statutory Changes to restore its executive administrator to a partially exempt position (the position has recently been moved to a supervisory bargaining unit) and not to recruit for the position until the Legislature has an opportunity to act (late spring 2004).

The Board requested statute changes bills were introduced during the legislative session in 2003, and a summary and status of the bills:

HB 252 (Rep. McGuire) contain a request for Continuing Education and Term Limits (outlined below).

HB 252 passed the House and is currently before the Senate Labor &

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Commerce Committee. The companion bill, SB 207(Sen. Seekins), was referred to the Senate Labor & Commerce Committee.

Continuing Education (CE)

Until the Legislature grants authority, The Board requested statutory authority for CE during the last legislative session (initially requested in FY02 Annual Report), and if granted, regulations could be developed. Initially, a CE program would be developed only for land surveyor’s CE. The other professions (architects, engineers, and landscape architects) have not yet expressed adequate, uniform support 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 or 2007 renewal cycle (in order to allow registrants time to comply with the new CE requirements).

Term Limits (HB 252, Rep. McGuire):

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 has requested that a full term be considered two or more years. This change would allow a Board member filling a partial term to serve the partial term, plus a full 8 years (two 4-year terms).

HB 268, (Rep. McGuire): Specialty Contractors

This bill was introduced to clarify the current exemption in AS 8.48.331(7).

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. This bill is currently before the House Rules Committee. The companion bill (SB206, introduced by the Senate Judiciary Committee) is currently before the Senate Labor & Commerce committee.

Subgroups

The AELS Board met in subgroups to discuss additions and revisions in its draft FY03 Annual Report; and to discuss the practice of Landscape Architecture.

Building Officials Manual:

The Building Official’s Manual subgroup circulated a draft version to Building Officials and groups for comments last fall. Suggested changes were incorporated and the publication has been posted to the AELS Website in December. The Board considers it to be a working document and anticipates ongoing changes to the Building Officials Manual.

Canadian Reciprocity and Work Experience Verifications:

The Board will continue its focus on Comity issues and to compare the Canadian experience, education, and examinations to the U.S. system. Still under consideration:

- 1) To consider work experience under a registered Canadian engineer to meet U.S. engineering education requirements;
- 2) To review the regulation (12 AAC 36. 090) for Fundamentals of Engineering Examination (F.E.) Waiver, and consider reducing the requirement to less than 20 years of professional work experience so long as the applicant holds an ABET accredited degree or its equivalent.

The Board will have a language drafted for its November 2003 meeting to consider changing the requirements of the FE Examination Waiver.

What’s New

NCEES Exam Security

Beginning with the April 2004 exam

Administration, the NCEES will ban the following calculators:
Hewlett Packard, HP 48 GX
Hewlett Packard, HP 49G
Texas Instruments, TI-83 Plus
Texas Instruments, TI-83 Plus Silver
Texas Instruments, TI 9
Texas Instruments 92, and
Voyage 200

The Board staff will post information on its website to allow future candidates time to respond.

Engineer Requirements for FE/PE exam applicants:

Effective January 1, 2004, new regulations will go into effect for educational requirements to sit for the Fundamentals of Engineering and Principles of Engineering examinations (12 AAC 36.063-064*). Both examinations will require a minimum of at least three years of post-secondary education credit hours in a board-approved curriculum of engineering to qualify to sit for the exams. Less than three years of course work or a non-ABET accredited degree in Engineering Technology will no longer be considered to meet the education requirement.*

*Refer to the full text and tables of the regulation to see the combination of education and experience required, and also check FAQs.

Arctic Engineering Course

The Board will continue to work on developing the criteria for the minimum standards to meet the requirements of the Board approved arctic course under 12 AAC 36.110. The Board plans to meet during the interim (tentatively scheduled for Sept. 30th, by teleconference), and will review all courses in November 2003.

AKLS Exam

The Board will offer the Alaska Land Surveyor Examination (AKLS) in on October 24, 2003 in conjunction with the NCEES PLS exams.

How often the examination will be offered depends on the number of

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applicant requests, so candidates should check with the AELS Board staff, or the AELS website for future AKLS exam dates.

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.

Other Updates

Occupational Licensing Director

The Director met with the Board and the Board outlined areas of interest to the Director:

- **Public Outreach:**

The Board is interested in conducting Outreach to curb unlicensed activity:

1. By sending a letter to contractors outlining the need for licensed design professionals' involvement in commercial and public projects.

2. By advertising in the Yellow Pages

- **Travel:**

The Board is interested in having its administrator attend annual and regional conferences and workshops for the councils that represent the licensing boards and offer and develop the national examinations: NCARB, CLARB and NCEES.

- **Proposed Statute Changes:**

In addition to term limit changes, and continuing education program authority, and specialty contractor exemption clarification, the Board has requested support for statutory

authority for its investigator to stop work on projects due to unlicensed activity. They also would like specific statutory authority to place the executive administrator as a partially exempt position (the position has recently been moved to a supervisory bargaining unit).

- **Enforcement**

The Board wants strong support for investigations to curb unlicensed activity.

Applicant Files Reviewed

The board reviewed 154 applicant files for examination or comity licensure for architects, engineers, land surveyors, and landscape architects. The Board approved 147 applicants for comity and examination, found 6 applications incomplete (2 FLS and 4 PE examination candidates), and denied 1 applicant for PLS.

AELS Deadlines

All applications for comity and any supporting documents are due in the *Juneau office* no later than **November 3, 2003** to be considered at the next AELS meeting scheduled for November 13-14, 2003 meeting in Anchorage to be held at the Atwood Building, 550 W. 7th Ave., Anchorage, AK.

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.

The December LARE examinations will be given in Anchorage on **December 8-9, 2003** (Graphic Sections only -C,E).

Board Travel:

The Board will send a representative, Linda Cyra-Korsgaard, to participate in the CLARB annual meeting to be held in September 10-14, 2003 in Salt Lake City.

Investigator's Report

John Clark, Occupational Licensing Investigator for the AELS Board, reported the status on the investigative cases and actions.

Board Administrator's Report

The AELS Board administrator reported on statistics of registrants and exams. Staff reports are posted to the AELS website.