

ALASKA AELS BOARD

November 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 November 14-15, 2002 at the Atwood Building, 550 W. 7th Ave., Conference Room 1270, Anchorage, AK 99502.

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

Absent and excused were:
Marcia Davis on November 14, 2002.

Some highlights of the meeting:

Regulation Changes Public Noticed:

The Board asked the Division of Occupational Licensing to send to the interested parties list the following proposed regulation changes:

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

A technical correction to the Table for requirements for engineers. The portion of the table should read:

ABET Accredited B.S. degree in engineering in the branch of engineering applied for listed in 12 AAC 36.990 (17), and a master's or doctorate in engineering acceptable to the Board.

2. Technical changes to the Architect Education Requirements 12 AAC 36.061(a)(2), to reflect the current NCARB education standards publication 2002-2003.

3. Delete Architect by Comity IDP provision in 12 AAC 36.103(5).

Currently all architects who obtained initial registration after 1/1/90 must provide proof of IDP. Since many jurisdictions require IDP and Alaska requires the "Blue Book" NCARB Council record for registration, proof of IDB is not necessary. These Council Record holders have met education and training requirements. Requiring proof of IDP is an added burden to applicants.

4. Require Dates when Sealing Plans 12 AAC 36.185 (d):

The registrant shall include the date each time the registrant signs and seals a document by inserting the date within the seal or in close proximity to the seal.

Proposed Regulation Changes Adopted

The Board adopted proposed regulation changes whose comment period had ended, and asked that the changes be forwarded to the Department of Law for final review prior to promulgation:

1. Site Adaptation 12 AAC 36.195(3):

The proposed regulation change reads: (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."

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 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.

Purpose of the Change:

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.

Regulation Changes Considered but not Adopted:

The Board previously public noticed proposals for non-discipline specific licensure.

1. Non Discipline Specific Engineering Licensure

(12 AAC 36.100):

The Board voted **not** to adopt a proposed regulation under which instead of the six discipline-specific license it currently issues (civil, chemical, electrical, mechanical, mining, and petroleum), the Board would have issued a general “professional engineering license” (and track specific disciplines in its database).

1. Expand to add some or all disciplines:

Still under consideration is a proposal to expand the disciplines licensed in Alaska. At its February 2003 meeting the Board will examine the Nevada licensure system and any draft definitions the Executive Administrator develops.

The Board has previously discussed if it should add a few engineering disciplines to the six currently offered. The Board has considered including those disciplines most frequently asked about (environmental, fire protection, and control systems). Now the Board will discuss adding a broader range of disciplines.

Why Change Engineering Disciplines Offered in Alaska?

Background on Licensure 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.

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, 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).

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.

Other jurisdictions offer all engineering disciplines and list the disciplines in the regulations or rules.

Participant's Comments

There were no public comments made during the Public Comment period.

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, to be forwarded to the Legislature by Board Member Patrick Kalen:

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 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 the partial term, plus a full 8 years (two 4-year terms).

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 did not meet in subgroups at this meeting.

Building Officials Handbook:

The Building Official's handbook subgroup circulated a draft version to Building officials and groups for comments in late October. Suggested changes will be incorporated into the working draft and work will continue during the interim between meetings.

Canadian Reciprocity and Work Experience Verifications:

The subgroup will continue its focus on Comity issues and compare the Canadian experience, education and examinations to the U.S. system. One member attended a meeting of the British Columbia engineers (APEG-BC) in September. Under consideration is:

1) To consider work experience under a registered Canadian engineer to meet engineering education requirements;

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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.

What's New

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 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 approved a graduate level arctic course, CE A680 (1 credit), as meeting the requirements of 12 AAC 36.110, arctic engineering. The UAA will initially offer this web-based course March 3-14, 2003. The UAA plans to offer the course again in May and October 2003. Contact Orson Smith @afops@uaa.alaska.edu; (907) 786-1910 for information.

AKLS Exam

The Board will offer the Alaska Land Surveyor Examination (AKLS) in April, on April 11 2003, and may offer it on October 24, 2003 in conjunction with the NCEES PLS exams. 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 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.

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 authorized 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. The Board will continue to advertise to help curb unlicensed activity.

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 WCARB 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: Presidents' Assembly, and the WCARB Region 6 meeting in February 2003.

Applicant Files Reviewed

The board reviewed 33 applicants' files for examination or comity licensure for architects, engineers, land surveyors, and landscape architects. The Board approved applicants for comity and examination, found 1 applications incomplete, and denied 2 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 February 14, 2002 to be considered at the next AELS meeting scheduled for February 25-26, 2003 meeting in Anchorage at the Atwood Building, 550 W. 7th, Suite 602.

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

All applications for engineer and land surveyor exams for the April 11-12, 2003 exams must be received in the Division of Occupational Licensing *Juneau office* by January 10, 2003

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 hired a second licensing examiner in November.

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