

# ALASKA AELS BOARD

November 2004

## Quarterly Board Meeting

# November Meeting Summary

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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 18-19, 2004 at the Atwood Building, 550 W. 7<sup>th</sup> Ave., Anchorage, AK 99501.

Board members in attendance were: Donald J. Iverson, Chair; Linda Cyra-Korsgaard, Vice-Chair; Robert Gilfilian, Secretary; Clifford Baker, Boyd Brownfield, Craig Fredeen, Richard Hughes, Scott McLane, Kenneth Maynard, Kimberly Mills, and Patricia Peirsol.

AELS Staff in attendance were:

Nancy Hemenway, Executive Administrator; and Eleanor Vinson, Licensing Examiner.

Some highlights of the meeting:

#### Proposed Regulation Changes Adopted

The Board held an "oral hearing" on three proposed regulation changes that were public noticed to interested parties. Written comments can be submitted until December 17, 2004 at 5 p.m. to:

Jun Maiquis, Regulations Specialist,  
Division of Occupational Licensing, Dept.  
of Commerce, P.O. Box 110806,  
Juneau, AK 99811-0806

#### **1. 12 AAC 36.185 Sealing**

**Specifications:** The Board reconsidered regulations for sealing specifications. [Note: Current language is listed, any new language is underlined, and language bracketed is being removed] and asks for public comments:

The draft proposed regulation read:

(a) A registrant may

(1) not sign or seal a [PLAN] drawing or document dealing with professional services in which the registrant is not qualified to sign or seal by virtue of education, experience, and registration;

(2) approve and seal only design documents and surveys that are safe for public health, property, and welfare in conformity with accepted architecture, engineering, land surveying, and landscape architecture standards in Alaska;

(3) seal only final [PLANS] drawings, surveys, reports, and required construction documents for which the registrant is qualified to seal and for which the registrant claims responsibility;

(4) not knowingly allow the use of his or her seal by another person on a document that the registrant has neither prepared nor reviewed personally;

(5) not use the seal or a reproduction of the seal of another registrant on a document, regardless of the intended use of the document;

(6) not sign a name other than his or her own name over a seal, and may not forge the signature of the individual to whom the seal was issued by the board; and

(7) not sign or seal [PLANS] drawings, documents, or other professional work for which he or she does not have direct professional knowledge and direct supervisory control.

(b) If portions of [PLANS] drawings, documents, or other professional work are prepared by other registered professionals, a registrant may seal only

that portion of the work for which he or she has direct professional knowledge and direct supervisory control.

(c) Each office maintained for the preparation of drawings, specifications, reports, or other professional work that will require a professional seal must have a registrant assigned to and regularly employed in that office who has direct knowledge and supervisory control of that work.

(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 a close proximity to the seal.

(e) The registrant, by sealing final drawings, takes responsibility for related discipline specifications included in the final drawings, unless pursuant to AS 08.48.221, the registrant certifies on the face of the document the extent of the registrant's responsibility.

## **2. Engineer by Comity**

The Board is considering the following changes to its Engineer by Comity regulations to allow Canadian applicants for engineering, with five or more years of registration in Canada, to become licensed by taking the PE exam (in one of the six disciplines licensed), and by providing two letters of reference.

### 12 AAC 36.105 (c)(2)

if the applicant has been practicing engineering as a registered engineer in the U.S. for five years or more, provide two current letters of reference from registered engineers practicing in the specific branch of engineering for which the applicant has applied [.] or

(3) if the applicant has been practicing for five years or more as a professional engineer in Canada, with a license issued by a provincial or territorial engineering association recognized by the Canadian Council of Professional Engineering (CCPE), the applicant must

(A) provide two current letters of reference from U.S. or Canadian registered engineers, and

(B) successfully pass the examination listed in 12 AAC 36.100 (c) in the branch of engineering for which the applicant has applied.

### **3. 12 AAC 36.061 Architect Education Standard 2004-2005.**

Technical changes were made to the current NCARB education standards – this adoption is done annually.

Department of Law finished its review:

Provisions to remove portions of the tables for examinations for engineers and land surveyors that no longer apply since the date for application has passed; and for landscape architects to count certain experience towards registration (12 AAC 36.062, .063, .064, .065, and .068).

One additional proposed regulation change would allow credit for advanced degrees for landscape architect applicants in 12 AAC 36.068. This allowance is consistent with the credit for advanced engineering or land surveying degrees.

Proposed drafts for public notice are:

The Board adopted conceptual drafts at its November 18-19, 2004 meeting to allow its staff to solely review certain applications:

12 AAC 36. 103, 105, 107:  
Architects, Engineers, and Land Surveyors by Comity. The Board recommends expedited processing for Engineers holding an NCEES Council Record stamped “Model Law Engineer”, Land Surveyors holding an NCEES Council Record stamped “Model Law Land Surveyor”, and for Architects holding a “Blue Book” NCARB Council Record Certificate. The draft regulations will allow staff to issue licenses to the applications certified by NCARB and NCEES who submit the council certification and have met any additional state requirements such as arctic

engineering; or state examination for surveyors.

## **Oral Hearing/Public Comment**

Two architects licensed in another U.S. jurisdiction, Monica and Mike Prozeralik commented on the Engineer by Comity proposed regulation changes, and asked for support for changes to Architect by Comity requirements at the oral hearing.

Max Schillinger, a Land Surveyor licensed in another U.S. jurisdiction, asked the Board to change its requirements for surveyors to give more flexibility for combinations of education and work experience.

## **Legislative Requests/Sunset Audit**

Sunset Audit The AELS Board “sunsets” every four years and the end date is June 30, 2005. As part of the process, the Legislative Budget and Audit (LBA) reviews the AELS Board activities and prepares an audit report with its recommendations.

The Legislature will introduce a “sunset bill”. In its Annual Report the Board asked the Legislature to consider making the landscape architect member permanent, and recently discussed expanding the mining engineer board position to include petroleum and geological engineers, which could be addressed in the sunset bill, that would extend the Board until June 30, 2009.

Other Legislative Requests:

Temporary Stop Work Orders The Board finds when unlicensed practice happens on a large residential, commercial or public project, some owners will pay a fine for unlicensed practice but the work continues. The Board seeks statutory authority for its investigator to temporarily halt a project to ensure health and safety is met by having the oversight of architect and engineers.

Specialty Contractors The Board continues to have concerns about the current exemption under AS 08.48.331 (7) for specialty contractors. The Board's Investigator reports that some specialty contractors perform unlawful design work under the auspices of the specialty contractor exemption. A

provision in the bill would have made clear that design work must be done under a registered professional (AELS).

## Subgroups

The AELS Board met in three informal subgroups **Engineering Disciplines, Incidental Practices, and Host Committee- Western Zone**. The subgroups reported back to the Board progress and direction taken.

Engineering Disciplines subgroup is led by Gilfilian (Chair), and members are Iverson, Hughes, Fredeen, and McLane. Besides the proposed regulation changes to address Canadian Engineers by Comity, the subgroup is looking at control systems, environmental, geological, and fire protection engineering disciplines.

The Incidental Practices subgroup is gathering information from other jurisdictions and will work on identifying incidental practice of minor importance (architects/engineers); landscape architectural work and any overlaps between landscape architecture and other design professions; and land surveyor and engineering functions within subdivisions.

The Incidental Practices subgroup is led by Maynard, Chair, and members are Brownfield, Baker, and Cyra-Korsgaard.

The Western Zone Host Subgroup met and discussed the 2005 Western Zone meeting. The subgroup is led by Mills, Chair, and members are Peirsol, Iverson, Brownfield, and Fredeen, with assistance from former Board members Miller and Kalen. The subgroup Chair did a site visit at the hotel, prepared a draft budget, and is working on an Icebreaker site & additional funding.

The Continuing Education subgroup is considering if it should have a mandatory requirement for continuing education for license renewal, and will report to the full Board at its February 17-18, 2005 meeting. Currently, each profession is working on a matrix to provide the group information on

Nancy Hemenway  
Draft AELS meeting summary

which to make a decision The subgroup is led by Brownfield, and members are Fredeen, Maynard, and McLane.

## What's New

### Dating Plans when Signing:

The Board held a lengthy discussion about the regulatory requirement for dating when signing plans under 12 AAC 36.185 (d). Several years ago the Board adopted a regulation requiring the date to be applied when sealing plans.

The Board requires a "wet signature" and either a "wet date" or an AutoCAD applied date on the date the professional architect, engineer, land surveyor, or landscape architect takes responsibility for the drawings. A date within the title block will not suffice. The date must be "within or contiguous to the seal".

The Board did not adopt a new seal configuration, as it did not wish to require licensees to purchase a replacement embossing sealer or stamp. Samples of the seal will be posted to the Board's website at <http://www.commerce.state.ak.us/occ/pael.htm>.

Engineering Disciplines: The Board is considering if it should license additional disciplines such as control systems engineers, environmental engineers, geological engineers, and fire protection engineers.

Architect by Comity licensure: The Board continues to look at the specific requirements to hold an NCARB "blue book" certificate. Current requirements to obtain the certificate are a NAAB accredited architectural degree, for education requirements listed in 12 AAC 36.061 (a) (1), and candidates initially licensed after January 1, 1990, must have completed IDP to satisfy the experience requirement. NCARB offers a process called the Broadly Experienced Architect to allow architects who cannot meet the education requirements to use a

combination of education and work experience to qualify.

## Other Updates

The Board met by phone with the Division Director, Rick Urion. The Board discussed and reiterated its strong support for:

- site investigations by the agency investigators (to ensure compliance to protect the public health and safety);
- travel costs to host the Western Zone meeting in May 2005.

## Applicant Files Reviewed

The Board reviewed 51 files: the Board approved 50 applicant files for examination or comity licensure for architects, engineers, land surveyors, and landscape architects. They found one application incomplete; and denied one applicant for Comity but approved the applicant to sit for the PE- Civil Exam.

## AELS Deadlines

All applications for comity and any supporting documents are due in the *Juneau office* no later than **February 7, 2005** to be considered at the next AELS meeting scheduled for February 17-18, 2005. The meeting will be held at the State Office Building, 9<sup>th</sup> floor, 333 Willoughby St., Juneau, AK

### April NCEES exams:

All applications for PE, PLS, FE, FLS, and AKLS examinations and any supporting documents are due in the *Juneau office* no later than January 18th, 2005 (must be received by the Juneau office) in order to sit for the April 15-16 NCEES and AKLS exams. The deadline for NCEES examination retakes is March 1, 2005 (Apr exams).

### October NCEES exams:

The October NCEES exams will be held on October 28-29 in Anchorage, Fairbanks, and Juneau. The application deadline for the October exams is August 1, 2005. The deadline for NCEES examination retakes are March 1 (Apr exams) and September 5, 2005 (Oct. exams)

12/17/04

## **Regional and National Participation**

The Board Chair and administrator have been invited to participate at the NCEES Presidents Assembly meeting to be held in Kansas City, Missouri on February 9-10, 2005.

Bob Gilfilian volunteers on a national NCEES Committee on Examinations for Professional Engineers.

Linda Cyra-Korsgaard serves as a “grader” to score the LARE exams for the Council of Landscape Architectural Registration Boards (CLARB).

Patricia Peirsol serves on the NCARB Professional Development Committee.

Kenneth Maynard, FAIA, serves on the ARE Construction Document Subcommittee.

Former AELS Board members serve as **emeritus members** on the following committees:

Lance Mearig, PE, serves on the NCEES Examination Policy and Procedures (EPP) Committee.

Robert Miller, Ph.D., PE, serves on the NCEES Task Force: Engineering Licensure Qualifications Task Force (ELCOG); and

Pat Kalen, PLS, serves on the NCEES Committee for Uniform Procedures and Legislative Guidelines (UP & LG) and on the Western Zone as Chair of the Nominating Committee

## **Staff Reports**

### **Investigator’s Report**

John Clark, Occupational Licensing Investigator for the AELS Board, reported the status on the investigative cases and actions. The report is located on our website at:  
<http://www.commerce.state.ak.us/occ/pael21.htm>

### **Board Administrator’s Report**

The AELS Executive Administrator reported on statistics of registrants and

exams. Staff reports are posted to the AELS website at:

<http://www.commerce.state.ak.us/occ/pael21.htm>

## **Building Officials Manual**

The Building Official’s Manual is posted to the AELS Website at <http://www.commerce.state.ak.us/occ/pael.htm>. The Board considers it to be a working document, anticipates ongoing changes to the Building Officials Manual, and welcomes your comments.