



ALASKA STATE BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS
TENTATIVE AGENDA

Meeting Date: February 12-13, 2025

Meeting Time/ University of Alaska Anchorage

Location: EIB Room 413 – 9am – 4:30pm

Zoom Link:

<https://us02web.zoom.us/join/joinmeeting/register/hbLgFfq3RdmK7diRE90x4Q>

Teleconference: 253-215-8782 **Meeting ID:** 856 0454 6183 **Passcode:** 163407

Board Members

Jeffrey Garness

Engineer other than those listed (Chair)

Edward Leonetti

Landscape Architect (Vice Chair)

Sterling Strait

Civil Engineer (Secretary)

Paul Baril

Architect

John Barry

Mining Engineer

Vacant

Public Member

Elizabeth Beckett

Johnston

Electrical/Mechanical

Jake Maxwell

Land Surveyor

Colin Maynard

Civil Engineer

Brad Rinckey

Land Surveyor

Randall Rozier

Architect

Board Staff

Joseph Bonnell

Executive Administrator

Kelly Johnson

Licensing Examiner

DAY 1 – February 12th

Agenda

1. 9:00 am - Call to Order/Roll Call/Virtual Notice
2. 9:05 am - Review/Amend/Approve Agenda
3. 9:10 am – Consent Agenda
 - A. November 13-14th, 2024, meeting minutes
 - B. Monthly applicants reviewed by board or staff (October 2024 – December 2024)
 - C. Outgoing Correspondence
 1. UAA CTC – “C-” or better
 2. UAA
 3. UAF
 4. UW
 5. Invite – Aaron Blaisdell NCEES WZ VP – “Responsible Charge”
 6. Patrick Burden – Education and Experience
 7. Zachary Bush – Application Decision
4. 9:15 am – Ethics Reporting
5. 9:20 am – General Information
 - A. Mission Statement
 - B. Virtual Meeting Code of Conduct
 - C. Strategic Plan 3/1/2024-2/28/2025
 - D. National Organization Updates
 1. NCEES – see updates on www.ncees.org

- a. Aaron Blaisdell WZ VP – NCEES definition of “responsible charge/progressive experience.”
2. NCARB – see updates on www.ncarb.org
3. CLARB – see updates on www.clarb.org
6. 10:00 am – Old Business
 - A. Sunset Audit Report
 - B. Regulation Projects Update – Neal
 - C. CE Audit Update – Neal
 1. Voluntary Surrender
 2. Consent Agreement
7. 10:30 am - Break
8. 10:45 am – Election for AELS Board Officers (8/2025-5/2026)
9. 11:00 am - Division Report
 - A. FY25 Quarter 2 Financial Report
 - B. Update on EA Salary
 - C. Update on ADEC
 - D. Update on Military & Spouse Special Licensure
10. 11:30 am – Public Comment
11. 12:00 pm – Lunch
12. 1:00 pm – New Business
 - A. CIDQ Presentation – Matt Barusch
 - B. Environmental vs Civil Education – Garness, Maynard
 - C. Accepting projects before being licensed in Alaska – Maynard
 - D. Incoming Correspondence
 1. Matt Christian – Requesting letter from board – Maynard, Strait
 2. Nehemiah Williams – Land Surveyor Education – Maxwell, Rinckey
 - E. Decoupling
13. 2:15 pm - Licensing Examiner’s Report – Johnson
14. 2:30 pm - Break
15. 2:45 pm - Application Review Questions –
 - A. Sean O’Neill – Maxwell, Rinckey
 - B. Philip Beatty – Maynard
 - C. Francisco Juan Olguin-Juarez - Maynard

16. 4:00 pm – Recess for day

DAY 2 – February 13th

17. 9:00 am - Special Groups Updates

A. Land Surveyor Working Group – Maxwell, Rinckey, Barry

1. Regulation 12 AAC 36.065

B. ADEC Regulations Working Group – Garness, Barry

18. 9:30 am – Investigative Report – Patrick Kase

19. 9:45 am - Committee Reports

A. Investigative Advisory Committee - Leonetti

1. Barrier Crimes – Regulation 12AAC36.210

20. 10:30 am - Break

21. 10:45 am – Committee Reports cont.

B. Outreach Committee – Maxwell

1. 2025 Newsletter

2. May 2025 outreach event

C. Education Committee - Strait

1. CRC Core Competencies

22. 12:00 pm – Lunch

23. 1:00 pm – Committee Reports cont.

D. Legislative Liaison Committee - Maynard

1. SB54

2. AELS Sunset Bill

3. Lapsed/Expired license

24. 2:15 pm – Break

25. 2:30 pm – Review Action Item List - Strait

26. 2:45 pm – Set Committee Meeting Dates

27. 3:00 pm – Read Applicants into the Record – Strait

28. 3:15 pm – Upcoming Calendar:

A. February 28 – March 1, 2025 – NCARB Regions’ Summit – Philadelphia, PA -

B. May 15-17, 2025 – NCEES Western Zone – Albuquerque, NM

C. May 21-22, 2025 – AELS Board meeting – Anchorage, AK

- D. June 25-28, 2025 – NCARB Annual Business Meeting – Scottsdale, AZ
 - E. August 2025 – Set dates for AELS Board meeting – Anchorage, AK
 - F. August 19-22, 2025 – NCEES Annual Business Meeting – New Orleans, LA
 - G. September 18-20, 2025 – CLARB Annual Business Meeting – Lexington, KY
29. 3:30 pm – Board Member Comments
30. 4:00 pm – Adjourn

Consent Agenda

February 12-13th, 2025

ITEM 1: November 13-14th, 2024, meeting minutes

ITEM 2: Monthly applicants reviewed by board or staff (October 2024 – December 2024)

ITEM 3: Outgoing Correspondence

1. UAA CTC – “C-” or better
2. UAA
3. UAF
4. UW
5. Invite – Aaron Blaisdell NCEES WZ VP – “Responsible Charge”
6. Patrick Burden – Education and Experience
7. Zachary Bush – Application Decision

ITEM 4: Outreach Reports

Item 1: November 13-14th, 2024, Meeting Minutes

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS

CONDENSED MINUTES OF THE MEETING HELD NOVEMBER 13-14TH, 2024
These are DRAFT minutes prepared by staff of the Division of Corporations, Business and Professional Licensing. They have not been reviewed or approved by the Board.

Date:	November 13 – 14, 2024
Time:	9am – 4pm
Location:	University of Alaska Anchorage, Engineering & Industry Building Room 413
Attending:	Jeff Garness, Ed Leonetti, Sterling Strait, Paul Baril, John Barry, Elizabeth Beckett Johnston, Jake Maxwell, Colin Maynard, Brad Rinckey, Randall Rozier Board staff: Sara Neal and Kelly Johnson Division staff: Sylvan Robb (Item 10), Alison Osborne (Item 6 (C)), Billy Homestead (Item 19 (A)), Patrick Kase (Item 18 and 19(A)) Invited testimony: Aaron Blaisdell (Item 5 D 1) and Patty Mamola (Item 6A) Public: Patrick Burden (Item 18), Craig Fredeen (Item 8), Erin Clay (Item 8), Leslie Daugherty, Jesse Escamilla
Absent:	Brent Cole

1. Call to Order / Roll Call / Virtual Notice	
2. Review / Amend / Approve Agenda	
Motion: Agenda	In a Motion made by Elizabeth Beckett Johnston, seconded by Colin Maynard and approved unanimously, it was: <i>RESOLVED to approve the amended agenda by moving agenda item 3B to 12B3 and adding 12B2 and 14B&C for the November 13-14th, 2024, meeting</i>
3. Consent Agenda	
A. Approve August 22 nd , 2024 meeting minutes B. Incoming correspondence – Mining seat on board – moved to item 12B3 C. Outgoing correspondence 1. UAA CTC – “C” or better 2. UAA 3. UAF 4. UW 5. Invite – Aaron Blaisdell NCEES WZ VP D. Outreach Reports – NCARB 2024 ABM Report	
Motion: Agenda	In a Motion made by Colin Maynard, seconded by Elizabeth Beckett Johnston and approved unanimously, it was: <i>RESOLVED to approve the amended consent agenda by moving consent agenda item 3B to agenda item 12B3 for the November 13-14th, 2024, meeting</i>

4. Ethics Reporting

Maynard has been appointed to NSPE's Committee on Policy and Advocacy. As president-elect for NCEES Beckett Johnston has been appointed to the following NCEES committees: Exam for Professional Engineers, Member Board Administrators, Finance, Board of Directors and Participating Organizations Liaison Committee.

Beckett Johnston attended the NCEES Board of Directors meetings at the cost of NCEES and not the State.

5. General Information

A. Mission Statement

B. Virtual Meeting Code of Conduct

C. Strategic Plan 3/1/2024-2/28/2025

D. National Organizations

1. NCEES

a. Update from Aaron Blaisdell – Western Zone VP

Blaisdell shared with the Board what NCEES does and the following services it offers to member boards: advocacy, corporate communications, CPC tracking, E3 – board web interface, marketing and outreach, meetings and MyNCEES. Blaisdell encouraged the Board as subject matter experts to volunteer on committees. Maynard requested that the motions that will be voted on during the annual business meeting get distributed to the board sooner so that AELS has the time to discuss the motions during a board meeting. Maynard pointed out that NCEES is also collaborating with other national organizations on the issue of practice overlap and hopefully member boards will be able to review the results of that collaboration before the 2025 annual business meeting.

2. NCARB

a. New competency standards for architects

Baril summarized NCARB's work on establishing competency standards. The new NCARB Competency Standard for Architects establishes 16 knowledge areas, skills, abilities, and behaviors—called competencies—that describe the capabilities necessary at the point of initial licensure for an individual to protect the public's health, safety, and welfare as a practicing architect.

b. Chair/MBE Summit

3. CLARB

Leonetti was unable to attend the annual business meeting in September.

6. Old Business

A. NCEES – UK MRA – NCEES's International Mobility Register – Patty Mamola

Patty Mamola, past NCEES president, past MBA for the Nevada board, and past Nevada board member, shared with the board how Nevada implemented accepting applicants through International Engineering Alliance (I.E.A) Mobility agreements. Nevada had a statute similar to Alaska that allows for comity applicants licensed in another jurisdiction, state, territory, and country that have substantially equivalent requirements to be licensed in Nevada. Nevada had to add into regulation the recognition of IEA mobility agreements by saying "An applicant who applies for licensure in this State on the basis of previous licensure in another state, territory, possession of the United States or country that is a signatory to the mobility agreements of the International Engineering Alliance..." and then it goes on to say that "mobility agreements" include the APEC Agreement and the International Professional Engineers Agreement.

Mamola shared that NCEES is aiming to have a designation for NCEES records for international applicants so that the jurisdictions will know that the applicant is listed on an international mobility registry. If an applicant is listed on his or her country's registry, that country has verified the applicant's education and experience. NCEES is going to require international applicants to set up a record and enter his or her international mobility registry number. The record will have the applicant's transcripts, experience (minimum of 7 years), and references. Exams will be waived since countries have other ways to determine competency for licensure. NCEES will evaluate the experience submitted for those states that are discipline specific. The international mobility agreements determine the substantial equivalency to U.S. licensure before allowing international

<p>applicants to be on the registry. This should be set up by the end of December 2024.</p> <p>The countries that are part of international engineering mobility registries are audited every six years to ensure their licensure meets the required rigor to be substantially equivalent to the U.S. requirements.</p> <p>The Board discussed the process and it was decided that the following process would be acceptable:</p> <ol style="list-style-type: none"> 1. Be listed on international mobility register) 2. Create NCEES record and transmit to Alaska Board with international designation 3. Complete the Alaska Board application form 4. Board reviews application for relevant discipline and experience 5. Pass the Alaska jurisprudence and Northern Design courses 6. If SE license is applied for, then pass NCEES PE Structural Exam or submit evidence of equivalent evaluation in your jurisdiction. 	
<p>Motion: Agenda</p>	<p>In a Motion made by Elizabeth Beckett Johnston, seconded by Colin Maynard and approved unanimously, it was: <i>RESOLVED to approve international comity application process for engineers as written out above.</i></p>
<p>B. CE Audit Update – all open audits are with the paralegal.</p> <p>C. 1. Regulation Project – the board reviewed Legislative Review and Legal Research’s (LRLR) comments as submitted in the board packet and decided on the following:</p> <ul style="list-style-type: none"> - 36.063(c)(1) – accept LRLR’s suggestions - 36.063(j)(1)(B) – accept LRLR’s suggestions - 36.065(b)(1) – accept LRLR’s suggestion - 36.100(c) and (h) – remove from project 	
<p>Motion: Title of Architectural Engineer</p>	<p>In a Motion made by Sterling Strait, seconded by Ed Leonetti and approved via roll call vote, it was: <i>RESOLVED to approve changing the title of Building Systems Engineer to Architectural Engineer and all associated architectural engineer regulations in this project.</i> Yes: Leonetti, Strait, Baril, Barry, Beckett Johnston, Maxwell, Maynard, Rinckey, Rozier / No: Garness</p>
<p>Regulation Project (Continued from above)</p> <ul style="list-style-type: none"> - 36.145 – no changes - 36.180(b) – accept LRLR’s suggestions - 36.180(b) -Change from “AE-Building Systems Engineer” to “AE-Architectural Engineer” - 36.185(a)(1)(7) – no changes - 36.185(b) – accept LRLR’s suggestions - 36.520(a)(7) - accept LRLR’s suggestions - 36.530(b) - accept LRLR’s suggestions - 36.990(17) – change from “(P) building systems engineer” to “(P) architectural engineer” - 36.990(30) – not in original project – Repeal – term “responsible control” no longer used in regulation - 36.068(a)(1)(C) and ((b)(1) – add to project- change “the responsible control” to “responsible charge” 	
<p>7. Break</p>	
<p>8. Public Comment</p>	
<p>Erin Clay – She asked that the board consider adding environmental engineering degrees as alternate degrees to civil engineering. Craig Fredeen – As a mechanical engineer in the State of Alaska who sat on the board from 2004 – 2012, he called in to support the board’s statute project to add a mechanical engineer seat to the board.</p>	
<p>Regulation Project (Continued from above)</p> <ul style="list-style-type: none"> - 36.170 – Remove from project – timing of lates fees set in Centralized Statute - 36.185(j) – changed to “(j) The registrant or the owner of <u>a</u> sealed document [documents] shall retain the document [them] and keep it [them] accessible for later reference in accordance with time period in which a person must bring an action or claim against a registrant beginning with the appropriate commencement date as set out under AS 09.10.055(a).” 	

<p>-36.990(20) – accepts accept LRLR’s suggestions</p> <p>-36.990(30) – changed to “architectural engineering” and then remove the three usages of “engineering”</p> <p>-36.990(d) – remove from this location and add as 36.185(k)) A registrant may not seal a document related to work for which the registrant has responsible charge , as defined under AS 08.48.341, unless the registrant has directly participated, reviewed, observed, inspected, or managed the work to a sufficient degree that the registrant can attest to the document’s accuracy, suitability, integrity, and conformance with the professional standards of the state.”</p>	
<p>Motion: 36.068 change “responsible control” to “responsible charge”</p>	<p>In a Motion made by Colin Maynard, seconded by Sterling Strait and approved unanimously via roll call vote, it was:</p> <p><i>RESOLVED to approve changing “responsible control” to “responsible charge” in 12AAC36.068</i></p>
<p>2. Bylaws regulation change – 36.920 (continued from agenda item 6 C)</p> <p>D. Post outgoing letters / incoming questions to Onboard – Neal asked the board to review the communication she posted to Onboard to see if the categorization is correct</p>	
<p>Motion: Bylaw Regulation 36.920</p>	<p>In a Motion made by Sterling Strait, seconded by Colin Maynard and approved unanimously via roll call vote, it was:</p> <p><i>RESOLVED to approve changing the date of the bylaws from May 2014 to November 2024 in 12AAC36.920.</i></p>
<p>9. Working Lunch – Education Committee – Cold Regions Design Course – core competencies</p>	
<p>The Board discussed the possibility of changing the course length, the availability of the course as well as topics covered in the course. Neal asked the board to clarify the result of this discussion at the end of Day 1 of the board meeting.</p>	
<p>10. Division Update</p>	
<p>A. FY2024 Fourth Quarter Report – Director Robb talked the board through the report.</p> <p>B. Update on EA Salary – Classification study is underway with steps 1-2 out of a 4 step process are complete. Also the job posting closed and all eligible applicants will be interviewed next week.</p> <p>C. Update on ADEC – Robb was unable to talk with ADEC regarding them posting to their website an explanation of their regulations and also has not noticed a regulation change out for public comment yet.</p> <p>D. Update on Military – No changes since the last board meeting. The Federal law still stands and Alaska still needs to comply. We will have to issue licenses to those military who have military orders (if spouse name is not on orders a wedding certificate will have to be submitted), actively used their license in the previous two years, and be in good standing.</p> <p>The legislative audit report has not yet been released to the public yet, but the board can find a sponsor and move forward with the sunset bill.</p>	
<p>11. Break</p>	
<p>12. New Business</p>	
<p>A. 12AAC36.063 – Mentorship / Responsible Charge – Maynard requested that this item be removed from the agenda since it will be discussed under item 14 A.</p> <p>B. Incoming Correspondence</p> <ol style="list-style-type: none"> 1. Dean William Schnabel, UAF College of Engineering & Mines He requested that the Board change its policy for successful completion of the cold regions design course from “C” to “70%” since 70% is a C- at UAF. Staff will send out letters to the universities and update the Board Policies and Historical Information. (See motion below) 2. Patrick Burden – LS Education He is pursuing the 30 hours of required land surveying courses and was asking if the board would allow him to earn 	

experience concurrently with education. Regulation 36.065 is clear that applicants cannot earn education and experience concurrently. Maxwell will write a letter to Burden to let him know what requirements he will need to meet before he will be approved to sit for the exams.

3. Richard Hughes – Mining Seat – Maynard requested that this be pulled from the consent agenda so as to respond to the errors within it. The board is not removing the mining seat from the board, but instead allowing for a petroleum or chemical engineer to also be able to hold that seat on the board. Barry stated that there is not an error in this correspondence as it was submitted to the board before the August meeting when the proposed statute change on the agenda was to remove the mining seat so there would be seats available for both an electrical and mechanical engineer. Barry has since emailed Mr. Hughes to inform him of the board’s proposed changes to the board’s composition that will be discussed tomorrow under agenda item 21 C.

Motion: Board Policies & Historical Information	In a Motion made by Sterling Strait, seconded by Colin Maynard and approved unanimously, it was: <i>RESOLVED to approve changing successful completion of the cold regions design course from “C” or better to “70% or better” and update the Board Policies and Historical Information document accordingly.</i>
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13. Licensing Examiner’s Report

Update on staff approval process – The board agreed to review comity applicants who have cleared “yes” answers during the monthly board reviews instead of during the board meeting reviews. If either reviewing board members have concerns, they can bring it for full board review during the board meeting.

14. Application Review Questions

- A. Zachary Bush
Applicant worked for a mechanical contractor, but had his experience verified by a mechanical engineer who worked for a different company. While the work he did met the definition of responsible charge, the person verifying the experience, cannot be in responsible control of the applicant because he worked at a different company. Maynard will respond to the applicant to let him know his options for gaining experience.
- B. Daniel Vigeant – reviewing board members approved his application so there is no need for discussion.
- C. Ahmad Towfik
Applicant has a foreign degree and cannot get the university to submit official transcripts to NCEES for a credentials evaluation. He is asking that the Board request for NCEES to perform a Credentials Evaluation with unofficial transcripts. The board agreed to contact NCEES. (See motion below) Beckett Johnston also suggested that the board revisit 36.090 – FE Waiver since this applicant has experience but not the 20 years required by regulation.

Motion: Ahmad Towfik	In a Motion made by Elizabeth Beckett Johnston, seconded by Colin Maynard and approved via roll call vote, it was: <i>RESOLVED to sponsor a request that NCEES perform a credentials evaluation on Ahmad Towfik’s foreign degree with unofficial transcripts. .</i> Yes: Baril, Barry, Garness, Beckett Johnston, Maxwell, Maynard, Rinckey, Rozier, Strait / No: Leonetti
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Motion: Move Agenda Item 25 to Day 1	In a Motion made by Colin Maynard, seconded by Sterling Strait and approved unanimously, it was: <i>RESOLVED to move agenda item 25 – Read Applicants into the record from Day 2 to Day 1. .</i>
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25. Read Applications into the Record

Motion:
Monthly Approval
Applicants

In a motion made by Sterling Strait, seconded by Paul Baril and approved unanimously, it was
RESOLVED to APPROVE the following list of applicants for registration by comity that were reviewed by staff and board since the last board meeting.

License #	First Name	Last Name	Type of License
227856	Jorge	Avalos	Civil
228019	Patrick	Blees*	Architect
227722	Brian	Bruggeman	Electrical
226463	Celyn	Dezmain	Civil
226627	Cole	Gibson	Civil
License #	First Name	Last Name	Type of License
183959	William	Gilbreath*	Electrical
227708	Eric	Grigel	Architect
227876	Tiffany	Knauer	Architect
219392	Eric	Kunz	Civil
225341	Kenneth	Larsen	Control Systems
223744	Molly	Logelin	Architect
226729	William	McConnell	Civil
188352	Keith	Miller	Mechanical
228003	William	Nipp	Civil
226117	Brian	Porter	Civil
227045	Kyle	Preston	Control Systems
228674	Ismaias	Recinos	Civil
226222	Alberto	Roman	Mechanical
226491	Nicholas	Schmitt	Structural
229560	Robert	Shaffer	Civil
227864	David	Ways	Architect
223823	Matthew	Weidner	Structural
229694	Clayton	Wilks	Architect
226486	James	Wininger	Electrical
*correction –“Conditionally Approved” – will be corrected on the record during the February 2025 board meeting			

Motion:
Monthly Conditionally
Approved Applicants

In a motion made by Sterling Strait, seconded by Paul Baril and approved unanimously, it was
RESOLVED to CONDITIONALLY APPROVE the following list of applicants for registration by comity that were reviewed by staff and board since the last board meeting.

License #	First Name	Last Name	Type of License
229570	Ryan	Bullock	Architect
229700	Pamela	Mather	Mechanical
229185	Aaron	Riner	Mechanical
229641	Daniel	Rundle	Architect
226617	Craig	Shumock	Electrical
228719	Cameron	Weatherholtz	Structural

Motion: Approved Applicants	In a motion made by Sterling Strait, seconded by Paul Baril, and approved unanimously, it was <i>RESOLVED to APPROVE the following list of applicants for registration by comity with the stipulation that the information in the applicants' files will take precedence over the information in the minutes.</i>
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License #	First Name	Last Name	Type of License
226642	Dean	Burgess	Architect
224532	Dustin	Kimbrough	Fire Protection
230101	Elena	Navas	Civil
230295	Nathen	Strife	Civil

Motion: Conditionally Approved Applicants	In a motion made by Sterling Strait, seconded by Paul Baril, and approved unanimously, it was <i>RESOLVED to CONDITIONALLY APPROVE the following list of applicants for registration by comity with the stipulation that the information in the applicants' files will take precedence over the information in the minutes.</i>
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License #	First Name	Last Name	Type of License
177903	Brandon	Adkins	Mechanical
230389	William	Allred	Mechanical
171346	Nicole	Brisson	Civil
229698	Oliver	Brown	Civil
230774	Grey	Chalder	Civil
230098	Thomas	Conrad	Mechanical
230961	Obadiah	Dawson	Civil
107720	Shawn	Eby	Civil
230836	John	Farr	Civil
229945	Devan	Fitzpatrick	Civil
230772	Noah	Fowler	Mechanical
225242	Nathan	Hakala	Civil
231579	Daryl	Hathcoat	Architect
225761	Jesse	Hunter	Civil
229497	Abdul	Khan	Mechanical
230833	Jacob	Kinder	Civil
231097	Ryan	Kramer	Civil
230815	Owen	Rohler	Civil
230291	Kristina	Smith	Environmental
230965	Alexandra	Sonnabend	Civil
231085	Forest	Sparks	Mechanical
226718	Philip	Stewart	Architect
229575	Taylor	Tharp	Civil
230998	Taylor	Tompkins	Electrical
230492	Roy	Valdez	Civil
230466	Mark	Vallarino	Civil
230752	Daniel	Vigeant	Electrical

16. Special Groups Update

A. Land Surveyor Working Group

The group met on October 17th to begin working on solutions to getting more licensed land surveyors in the state. The group is considering adding a pathway to licensure for those surveyors with no degree that would require more experience. Oregon has been able to increase the number of license surveyor by adding more pathways to licensure. A working group member attending an NSPS conference in Oregon and provided a report. The group will review the board minutes looking for why the board changed the education requirement to only allow for a 4-year degree. They are planning to meet before the February 2025 board meeting in hopes of having some proposed regulation changes for the board to review during that meeting.

B. SE/DOT Working Group

After two meetings with DOT staff concerning 12AAC36.990 (44)(F), it was decided the current regulation that requires an SE for "(F) bridges having a total span of more than 200 feet and piers having a surface area greater than 10,000 square feet" be changed to allow for more bridges to be constructed by civil engineers. The total span of 200 feet is unnecessarily restrictive so Strait proposed language largely based on the Federal Highway Administration's (FHWA) concept of an "unusual bridge." The FHWA has a limitation of an individual bridge span of 500 feet; however, the board believed that to not be restrictive enough, so it agreed on an individual span of 240ft.

Motion:
36.990(44)(F)
regulation
change

A motion was made by Sterling Strait, seconded by Colin Maynard, and approved unanimously via roll call vote, to open a regulation project and approve the regulation language in 36.990(44)(F) as follows:

12 AAC 36.990(a)(44)(F) is amended to read:

(F) [BRIDGES HAVING A TOTAL SPAN OF MORE THAN 200 FEET AND PIERS HAVING A SURFACE AREA GREATER THAN 10,000 SQUARE FEET;] **bridges that meet one of the following:**

(i) Bridges characterized by advanced or unique features which include

a) Cable-stayed, suspension, extradosed, and concrete segmental structure types; or

b) An individual span length greater than 240 feet with span length being defined as the clear distance between immediately adjacent supporting substructure units of the bridge; or

c) Components or systems that are unique with no proven national design precedence; or

d) Use of novel or unique materials for primarily load carrying members; or

e) Seismic design that requires use of a nonlinear time history analysis

(ii) Vehicular and pedestrian bridges or bridge components that fall outside the scope of the AASHTO LRFD Bridge Design Specifications and bridge publications required by the March 1, 2023, Alaska Department of Transportation & Public Facilities (DOT&PF) Alaska Bridges and Structures Manual.

(iii) Railway bridges that incorporate design techniques or materials not considered recommended practice by the April 2024 American Railway Engineering and Maintenance-of-Way Association (AREMA).

Therefore, it was

RESOLVED to approve regulation changes as amended in 12AAC 36.990(a)(44)(F) for bridges as significant structures for public notice pending approval by the Department of Law

Yes: Baril, Barry, Garness, Beckett Johnston, Leonetti, Maxwell, Maynard, Rinckey, Rozier, Strait

<p>C. ADEC Working Group – Garness talked with Gene McCabe. Director of the Division of Water for ADEC, and he informed Garness that ADEC has regulations in with the Department of Law for review that propose changes to the supervisory role that ADEC’s previous regulations assigned to engineers for the inspection of onsite septic systems installations. Garness is also concerned about the waiver ADEC is allowing for in their regulations that do not require engineers to write waiver reports.</p>	
17. Break	
18. Investigative Report	
<p>Patrick Kase shared the investigative report for August 9th – October 28th, 2024. There were 14 open cases at the time of this report with 2 more mining engineering cases being opened since October 28th. Five cases were closed during this reporting period.</p>	
19. Committee Reports	
<p>A. Investigative Report</p> <ol style="list-style-type: none"> Code of Ethics – The board decided to not pursue adopting national organizations’ codes of ethics and instead develop a list of barrier crimes to be added to 12AAC36.210. Beckett Johnston suggested using the Aggravated Sanction column in the AELS Discipline Matrix for those violations that the board believes should be a barrier crime. (See motion below for regulation project) Lapsed COA’s – the committee will continue working on this. Inspection List for Investigators – the committee will continue working on this. 	
<p>Motion: Regulation Project 12AAC36.210</p>	<p>In a motion made by Colin Maynard, seconded by Ed Leonetti, and approved unanimously, it was <i>RESOLVED to open a regulation project on 12AAC36.210.</i></p>
<p>B. Outreach Report</p> <ol style="list-style-type: none"> 2025 Newsletter Articles - Need to be submitted by Jan 10, 2025 Message from the Chair – Jeff Garness Regulation Projects Architectural Engineering – Elizabeth Johnston Work on Cold Regions Design Course – Sterling Strait Sunset Bill – Colin Maynard Statistics – Sterling Strait National Organization updates February 2025 – Outreach Event – the committee will decide whether to have one during the next board meeting <p>C. Legislative Liaison Committee</p> <ol style="list-style-type: none"> Renewal Form / CE Regulations The board discussed changing its current timeline for lapsed licenses from five years to two years. Between two years and five years, the registrant would have to reinstate. After five years, the registrant would have to reapply to the board. The board is considering whether to require mandatory audits for late renewals as well as adding the question “Have you been practicing?” on late renewal applications. 	
<p>Motion: Regulation Project 12AAC36.165 and 36.510</p>	<p>In a motion made by Colin Maynard, seconded by Paul Baril, and approved unanimously, it was <i>RESOLVED to open regulation projects on 12AAC36.165 and 36.510.</i></p>
20. Lunch	

21. Committee Reports

Legislative Liaison Committee

2. Sunset Bill

An Act extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors; modifying the composition of the State Board of Registration for Architects, Engineers, and Land Surveyors; relating to indemnity against suits against design professionals; relating to liens for labor or materials furnished; relating to procurement of professional landscape architectural design services; and providing for an effective date.

* **Section 01** 1. AS 08.03.010(c)(3) is amended to read:

(3) State Board of Registration for Architects, Engineers, and Land Surveyors (AS 08.48.011) - June 30, **2033** [2025];

Sec. 02. AS 08.48.011 is amended to read:

Sec. 08.48.011. Board created. (a) There is created the State Board of Registration for Architects, Engineers, and Land Surveyors. The board shall administer the provisions of this chapter and comply with AS 44.62 (Administrative Procedure Act).

(b) The board consists of **12** [11] members appointed by the governor having the qualifications as set out in AS 08.48.031. The board consists of two civil engineers, two land surveyors, one mining or petroleum or chemical engineer, one electrical engineer, [OR] one mechanical engineer, one engineer from another branch of the profession of engineering, two architects, one landscape architect, and one public member.

(C) [NOTWITHSTANDING (B) OF THIS SECTION,

(1) IF A MINING ENGINEER WHO QUALIFIES FOR APPOINTMENT TO THE BOARD AND IS INTERESTED IN SERVING ON THE BOARD IS NOT AVAILABLE, THE GOVERNOR MAY APPOINT A PETROLEUM OR CHEMICAL ENGINEER TO THE SEAT DESIGNATED FOR A MINING ENGINEER.

(2) IF AN ELECTRICAL ENGINEER OCCUPIES THE DESIGNATED FOR AN ELECTRICAL OR MECHANICAL ENGINEER, THE GOVERNOR MAY APPOINT A MECHANICAL ENGINEER TO THE SEAT DESIGNATED FOR AN ENGINEER FROM ANOTHER BRANCH OF THE PROFESSION OF ENGINEERING; OR

(3) IF A MECHANICAL ENGINEER OCCUPIES THE DESIGNATED FOR AN ELECTRICAL OR MECHANICAL ENGINEER, THE GOVERNOR MAY APPOINT AN ELECTRICAL ENGINEER TO THE SEAT DESIGNATED FOR AN ENGINEER FROM ANOTHER BRANCH OF THE PROFESSION OF ENGINEERING.]

Sec. 03 AS 08.48.055 is amended to read:

Sec. 08.48.055. Executive administrator [SECRETARY] of the Board; Investigator. (a) The department, in consultation with the board, shall employ two persons who are not members of the board. One shall serve as the executive administrator of the board. The other shall serve as investigator for the board. The executive administrator is the principal executive officer of the board and is in the partially exempt service and entitled to receive a monthly salary equal to a step in Range 23 on the salary schedule under **AS 39.27.011** [AS 39.25.120].

(b) The executive administrator of the board shall perform duties as prescribed by the board.

(c) The investigator employed under (a) of this section

(1) shall conduct investigations into alleged violations of this chapter and into alleged violations of regulations and orders of the board;

(2) shall, at the request of the board, conduct investigations based on complaints filed with the department or with the board; and

(3) is directly responsible and accountable to the board, except that only the department has authority to terminate the investigator's employment, and the department shall provide day-to-day and administrative supervision of the investigator.

Sec 04. AS 08.48.111 is amended to read

Sec. 08.48.111. Power to revoke, suspend, or reissue certificate. The board may suspend, refuse to renew, or revoke the certificate of or reprimand a registrant, corporation, limited liability company, limited liability partnership, or limited partnership who is found guilty of (1) fraud or deceit in obtaining a certificate; (2) gross negligence, incompetence, or

misconduct in the practice of architecture, engineering, land surveying, or landscape architecture; or (3) a violation of this chapter, a regulation adopted under this chapter, or the code of ethics or professional conduct as adopted by the board. The code of ethics or professional conduct shall be distributed **(possibly change distributed to notified)** *[IN WRITING] to every registrant and applicant for registration under this chapter. This publication and distribution of the code of ethics or professional conduct constitutes due notice to all registrants. The board may revise and amend its code and, upon doing so, shall immediately notify each registrant [IN WRITING] of the revisions or amendments. The board may, upon petition of the registrant, corporation, limited liability company, limited liability partnership, or limited partnership reissue a certificate if a majority of the members of the board vote in favor of the reissuance.

Sec 05. AS 08.48.331 is amended to read:

Sec. 08.48.331. Exemptions. (a) This chapter does not apply to

- (1) a contractor performing work designed by a professional architect, engineer, or landscape architect or the supervision of the construction of the work as a supervisor or superintendent for a contractor;
- (2) workers in building trades crafts, earthwork, grounds keeping, or nursery operations, and superintendents, supervisors, or inspectors in the performance of their customary duties;
- (3) an officer or employee of the United States government practicing architecture, engineering, land surveying, or landscape architecture as required by the person's official capacity;
- (4) an employee or a subordinate of a registrant if the work or service is done under the direct supervision of a registrant;
- (5) associates, consultants, or specialists retained by a registrant, a partnership of registered individuals, a corporation, a limited liability company, a limited liability partnership or a limited partnership authorized to practice architecture, engineering, land surveying, or landscape architecture under this chapter, in the performance of professional services if responsible charge of the work remains with the registrant, the partnership, or a designated representative of the corporation, limited liability company, limited liability partnership, or limited partnership;
- (6) a person preparing drawings or specifications for
 - (A) a building for the person's own use and occupancy as a single family residence and related site work for that building;
 - (B) farm or ranch buildings and their grounds unless the public health, safety, or welfare is involved;
 - (C) a building that is intended to be used only as a residence by not more than
 - (i) four families and that is not more than two stories high and the grounds of the building; or
 - (ii) two families and that is not more than three stories high and the grounds of the building, if the building is located in a municipality that has adopted a building or residential code that applies to the building and if the building complies with the building or residential code;
 - (D) a garage, workshop, or similar building that contains less than 2,000 square feet of floor space to be used for a private noncommercial purpose and the grounds of the building;
- (7) a specialty contractor licensed under AS 08.18 while engaged in the business of construction contracting for work designed by an architect, engineer, or landscape architect that is within the specialty to be performed or supervised by the specialty contractor, or a contractor preparing shop or field drawings for work that the specialty contractor has contracted to perform;
- (8) a person furnishing drawings, specifications, instruments of service, or other data for alterations or repairs to a building or its grounds that do not change or affect the structural system or the safety of the building, or that do not affect the public health, safety, or welfare;
- (9) a person who is employed by a postsecondary educational institution to teach engineering, architectural, or landscape architectural courses; in this paragraph, "postsecondary educational institution" has the meaning given in AS 14.48.210;
- (10) an officer or employee of an individual, firm, partnership, association, utility, corporation, limited liability company, limited liability partnership or limited partnership, who practices engineering, architecture, land surveying, or landscape architecture involved in the operation of the employer's business only, and further if neither the employee nor the employer offers engineering, architecture, land surveying, or landscape architecture services to the public; exclusions under this paragraph do not apply to buildings or structures whose primary use is public occupancy; **or the design of natural gas pipelines.**

- (11) a person while involved in revegetation, restoration, reclamation, rehabilitation, or erosion control for disturbed land that the board determines does not affect the public health, safety, or welfare;
- (12) a person while maintaining or directing the placement of plant material that the board determines does not affect the public health, safety, or welfare;
- (13) an employee, officer, or agent of a regulatory agency of the state or a municipality when reviewing drawings and specifications for compliance with the building codes of the state or a municipality if the drawings and specifications have been sealed and signed by an architect, engineer, land surveyor, or landscape architect or the preparation of the drawings and specifications is exempt under this section from the requirements of this chapter; in this paragraph, "building codes" includes codes relating to building, mechanical, plumbing, electrical, fire safety standards, and zoning;
- (14) a person who is designing fire protection systems and is authorized by the Department of Public Safety to design fire protection systems.

(15) A person certified by the Department of Environmental Conservation to design and install small commercial on-site wastewater systems (with a capacity of 500 gallons per day or less of domestic wastewater) in jurisdictions specified by the agency.

(b) The requirement to be registered as a landscape architect under this chapter only applies to a person who practices an aspect of landscape architecture that the board has determined affects the public health, safety, or welfare.

* **Sec 06.** AS 23.30.017(c)(1) is amended to read:

(1) "design professional" means a person registered under AS08.48 as an architect, engineer, [OR] land surveyor, **or landscape architect.**

Sec 07. AS 34.35.050 (5) is amended to read:

(5) performs services under a contract with the owner or the agent of the owner in connection with the preparation of plans, surveys, or architectural, [OR] engineering, **or landscape architectural** plans or drawings for the construction, alteration, or repair of a building or improvement, whether or not actually implemented on that property; or

Sec. 08. AS 36.30.270(a) is amended to read:

(a) Notwithstanding conflicting provisions of AS 36.30.100 – 36.30.260, a procurement officer shall negotiate a contract for an agency with the most qualified and suitable firm or person of demonstrated competence for architectural, engineering, [OR] land surveying, **or landscape architectural** services. The procurement officer shall award a contract for those services at fair and reasonable compensation as determined by the procurement officer, after consideration of the estimated value of the services to be rendered, and the scope, complexity, and professional nature of the services. When determining the most qualified and suitable firm or person, the procurement officer shall consider the

(1) Proximity of the project site of the office of the firm or person unless federal law prohibits this factor from being considered in the awarding of a contract; and

(2) Employment practices of the firm or person with regard to women and minorities.

Sec. 09. AS 36.30.270(d) is amended to read:

(d) Notwithstanding the other provisions of this section, a procurement officer may include price as an added factor in selecting architectural, engineering, [AND] land surveying, **and landscape architectural** services when, in the judgment of the procurement officer, the services required are repetitious in nature, and the scope, nature, and amount of services required are thoroughly defined by measurable and objective standards to reasonably enable firms or persons making proposals to compete with a clear understanding and interpretation of the services required. In order to include price as a factor in selection, a majority of the persons involved in by the procurement officer in evaluation of the proposals must be registered in the state to perform architectural, engineering, [OR] land surveying, **or landscape architectural** services.

Sec. 10. This act takes effect on July 1, 2025.

*Neal to check with DOL regarding what constitutes distributing "electronically" and whether we can send have more access to sending emails to AELS registrants.

Motion: Proposed Sunset Bill	In a motion made by Ed Leonetti, seconded by Paul Baril, and approved unanimously via roll call vote, it was <i>RESOLVED to approve the proposed sunset bill as presented and amended in this meeting.</i>
22. Set Committee Meeting Dates	
Outreach Committee – December 10 th Noon-1pm Investigative Advisory Committee – December 20 th – Noon-1pm Legislative Liaison Committee – December 3 rd – Noon-1pm (later rescheduled to January 9 th) ADEC Working Group – Jeff G will schedule LS Working Group – January 7th	
Motion: Extend ADEC Working Group	In a motion made by Elizabeth Beckett Johnston seconded by Colin Maynard, and approved unanimously, it was <i>RESOLVED to extend the ADEC Working Group through 12/31/2025.</i>
23. Break	
24. Review Action Item List	
25. Read Applications into Record (Moved to Day 1)	
26. Upcoming Calendar	
A. February 12-13 th , 2025 – AELS Board Meeting B. February 28-March 1, 2025 – NCARB Regions’ Summit – Philadelphia, PA C. May 15-17 th , 2025 – NCEES Western Zone – Albuquerque D. May 2025 – dates set for May 21-22, 2025	
Motion: Fire Marshal Forum	In a motion made by Elizabeth Beckett Johnston seconded by Colin Maynard, and approved unanimously, it was <i>RESOLVED to designate Colin Maynard or board member as appointed by the chair attend the Fire Marshal Forum in 2025.</i>
Motion: AELS Funded/voting delegate for the NCARB Regions’ Summit	In a motion made by Colin Maynard, seconded by Ed Leonetti, and approved unanimously, it was <i>RESOLVED to designate Paul Baril or board member as appointed by the chair to attend the NCARB Regions Summit on February 28-March 1, 2025..</i>
27. Board Member Comments	
28. Adjourn	
Next Meeting:	February 12-13 th , 2025

Item 2: Monthly Applicants reviewed by board or staff (October 2024 – December 2024)

October 2024 - Staff				
License #	First Name	Last Name	Type of License	Decision
230137	Aaron	Fox	Architect	Conditional
230473	Anthony	Ricciuti	Architect	Conditional
230786	Aris	Garrison	Architect	Conditional
216767	Gar	Hansen	Architect	Approved
230483	Kyle	Kapaun	Architect	Conditional
230780	Russell	Wisniewski	Architect	Conditional
230831	Tiffany	Beffel	Architect	Approved
230461	Evan	Sheesley	Civil	Approved
229580	Everett	Skinner	Civil	Conditional
230047	Luke	Raymond	Civil	Conditional
229642	Brian	Breland	Electrical	Conditional
230818	Christopher	Knox	Electrical	Conditional

October 2024 - Board				
License #	First Name	Last Name	Type of License	Decision
229558	Atilla	Bayram	Civil	Conditional
230488	Patrick	Martin	Civil	Conditional
230649	Stephen	Dick	Civil	Conditional
230758	Richard	Guggiana	Electrical	Conditional
230823	Ian	McEwing	Structural	Conditional

June 2024 - Board Mail Ballot				
License #	First Name	Last Name	Type of License	Decision
223316	Nathaniel	Barnett	Civil	Conditional

November 2024 Staff				
License #	First Name	Last Name	Type of License	Decision
231722	Andrew	Kern	Architect	Approved
231674	Mark	Nielsen	Architect	Approved
231752	Marla	Carson	Architect	Approved
230966	Nicholas	Stock	Architect	Approved
231754	Phillip	Waters	Architect	Approved
231729	Todd	Kuenning	Architect	Approved
231717	Amber	Corsen	Civil	Approved
231493	Collin	Bundy	Civil	Conditional
231329	Joshua	Gera	Civil	Approved
230469	Kevin	Valent	Electrical	Approved
231521	Jason	Fierko	Mechanical	Conditional
230479	Coleman	Larsen	Structural	Approved

November 2024 Board				
License #	First Name	Last Name	Type of License	Decision
231450	Dallas	Dissmore	Civil	Approved
230969	Qiang	Li	Civil	Approved
231331	Michelle	Mathis	Landscape Architect	Approved
230390	Christopher	Sibrel	Mechanical	Approved
231426	John	Buck	Mechanical	Approved
230771	Jeffrey	Diephuis	Structural	Approved

December 2024 Staff				
License #	First Name	Last Name	Type of License	Decision
232199	Anita	Simon	Architect	Conditional
232056	Alan	Brown	Civil	Approved
232163	Constance	Kuney-Pitts	Civil	Approved
232789	Isabelle	Vickers	Civil	Conditional
232651	Jacob	Grasmick	Civil	Approved
232685	Matthew	Christian	Civil	Approved
232238	Michael	Stanek	Civil	Approved
231418	Rex	Klentzman	Civil	Approved
232067	Ricardo	Romero	Civil	Approved
232070	Roman	Stead	Civil	Approved
232093	Brandon	McEwen	Electrical	Approved
230300	Wai-Hung	Ng	Electrical	Conditional

December 2024 Board				
License #	First Name	Last Name	Type of License	Decision
233117	Alireza	Ramezani	Civil	Conditional
230890	Dalong	Huang	Civil	Approved
232300	Kyle	Pettibone	Civil	Approved
232066	Michael	Helkenn	Civil	Approved
232645	Qiaqia	Zhu	Civil	Approved
231530	Schylar	King	Civil	Approved
233113	Tyler	Francis	Civil	Incomplete
232045	Wheeler	Nevels	Civil	Approved
232683	Jess	Moran	Electrical	Approved
232172	Michael	Ogroske	Electrical	Approved
232656	Philip	Beatty	Electrical	Incomplete
231071	Becky	Strickler	Landscape Architect	Approved
231750	Joseph	Rice	Structural	Approved

Item 3: Outgoing Correspondence

1. UAA CTC – “C-” or better
2. UAA
3. UAF
4. UW
5. Invite – Aaron Blaisdell NCEES WZ VP –
“Responsible Charge”
6. Patrick Burden – Education and Experience
7. Zachary Bush – Application Decision



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

BOARD OF REGISTRATION FOR ARCHITECTS,
ENGINEERS, AND LAND SURVEYORS

P.O. Box 110806
Juneau, Alaska 99811-0806
Main: 907.465.1676
Fax: 907.465.2974

January 8, 2025

University of Alaska Anchorage
Community Technical College
Attn: Ray Weber and Joel Condon
3211 Providence Drive
Engineering and Industry Building, Suite 409
Anchorage, AK 99508

RE: Clarification of "Successful completion" for the Cold Regions Design courses

Dear Mr. Weber and Mr. Condon:

On August 22, 2024, The Alaska Board of Registration for Architects, Engineers, and Land Surveyors (AELS) sent you a letter to clarify the requirements for successfully completing a cold regions design course as mandated under 12 AAC 36.110(a).

"Successful completion" was defined as achieving a minimum final grade of C in the course. After being contacted by one of the universities offering the course, the AELS board has changed its stance on "successful completion" from "C or better" to "C- or better," to include all the universities' grading standards. Please adhere to this guideline when submitting the list of students who have completed your course.

Thank you for your continued support in educating Alaska's design professionals.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Garness".

Jeff Garness, PE
Chair – Alaska Board of Registration for
Architects, Engineers



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P.O. Box 110806
Juneau, Alaska 99811-0806
Main: 907.465.1676
Fax: 907.465.2974

January 8, 2025

University of Alaska Anchorage
College of Engineering
Attn: Dr. Kendrick Mock
3211 Providence Drive
Anchorage, AK 99508

RE: Clarification of "Successful completion" for the Cold Regions Design courses

Dear Dr. Mock:

On August 22, 2024, The Alaska Board of Registration for Architects, Engineers, and Land Surveyors (AELS) sent you a letter to clarify the requirements for successfully completing a cold regions design course as mandated under 12 AAC 36.110(a).

"Successful completion" was defined as achieving a minimum final grade of C in the course. After being contacted by one of the universities offering the course, the AELS board has changed its stance on "successful completion" from "C or better" to "C- or better," to include all the universities' grading standards. Please adhere to this guideline when submitting the list of students who have completed your course.

Thank you for your continued support in educating Alaska's design professionals.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Garness".

Jeff Garness, PE
Chair – Alaska Board of Registration for
Architects, Engineers



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Juneau, Alaska 99811-0806
Main: 907.465.1676
Fax: 907.465.2974

January 8, 2025

University of Alaska Fairbanks
College of Engineering and Mines
Attn: William Schnabel
P.O. Box 755960
Fairbanks, AK 99775-5960

RE: Clarification of "Successful completion" for the Cold Regions Design courses

Dear Mr. Schnabel:

On August 22, 2024, The Alaska Board of Registration for Architects, Engineers, and Land Surveyors (AELS) sent you a letter to clarify the requirements for successfully completing a cold regions design course as mandated under 12 AAC 36.110(a).

"Successful completion" was defined as achieving a minimum final grade of C in the course. After being contacted by one of the universities offering the course, the AELS board has changed its stance on "successful completion" from "C or better" to "C- or better," to include all the universities' grading standards. Please adhere to this guideline when submitting the list of students who have completed your course.

Thank you for your continued support in educating Alaska's design professionals.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff Garness".

Jeff Garness, PE
Chair – Alaska Board of Registration for
Architects, Engineers



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P.O. Box 110806
Juneau, Alaska 99811-0806
Main: 907.465.1676
Fax: 907.465.2974

January 8, 2025

University of Washington
Continuum College
Attn: Rovy Branon and Jane Woo
UW Tower
Box 359491
Seattle, WA 98195

RE: Clarification of "Successful completion" for the Cold Regions Design courses

Dear Mr. Branon and Ms. Woo:

On August 22, 2024, The Alaska Board of Registration for Architects, Engineers, and Land Surveyors (AELS) sent you a letter to clarify the requirements for successfully completing a cold regions design course as mandated under 12 AAC 36.110(a).

"Successful completion" was defined as achieving a minimum final grade of C in the course. After being contacted by one of the universities offering the course, the AELS board has changed its stance on "successful completion" from "C or better" to "C- or better," to include all the universities' grading standards. Please adhere to this guideline when submitting the list of students who have completed your course.

Thank you for your continued support in educating Alaska's design professionals.

Sincerely,

Jeff Garness, PE
Chair – Alaska Board of Registration for
Architects, Engineers



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P.O. Box 110806
Juneau, Alaska 99811-0806
Main: 907.465.1676
Fax: 907.465.2974

December 18, 2024

NCEES

Attn: Patricia Sheppard
200 Verdae Boulevard
Greenville, SC 29607
psheppard@ncees.org

RE: Invitation for Mr. Blaisdell, WZ VP

Dear Ms. Sheppard:

The Alaska Board of Registration for Architects, Engineers, and Land Surveyors (AELS) would like to cordially invite Aaron Blaisdell, NCEES Western Zone Vice President, to attend the February 12-13th, 2025, AELS board meeting to speak on how NCEES defines responsible charge and/or progressive experience. The AELS board currently has a regulation project to clarify the term "responsible charge experience" and would appreciate any guidance NCEES would have to offer in this endeavor.

If you have any questions or concerns regarding this invitation, please email Sara Neal, AELS's Executive Administrator, at sara.neal@alaska.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Garness".

Jeff Garness, PE Civil and Environmental
Chair of the Board of Registration for
Architects, Engineers and Land Surveyors



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P.O. Box 110806
Juneau, Alaska 99811-0806
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Fax: 907.465.2974

November 21, 2024

Patrick Burden
3700 Centerpoint Drive, Suite 800
Anchorage, AK 99503
Patrick.burden@briceeng.com

RE: Education and experience

Dear Mr. Burden:

-

The Board of Architects, Engineers, and Land Surveyors met on November 13, 2024, and discussed your letter.

Without an application for licensure in front of the Board to review, we are unable to address the details of your current situation. The Board highly recommends that you apply, although knowingly incomplete, for Board to perform a review.

Where you are correct that *12 AAC 36.065(f)*, does not allow for congruent accumulation of education and work experience, the Board understands that “*full-time*” and “*part-time*” employee and student scenarios exist. This will be shown per the work experience verification and education transcripts review during the application process.

We would suggest when submitting your application, to have your work verifier include a detailed description of projects worked on during the time in question. Possible information to include may be hours worked in the year, how you had responsible charge on projects, and how the projects related to professional land surveying.

Under 12 AAC 36.065(d) The board will accept up to a maximum of two years of subprofessional work experience for up to one half of the work experience required for registration based on its applicability to professional land surveying.

Where the above regulation does not apply to your current situation, once the application has been submitted, the Board will be able to make a more accurate determination of your current situation.

If you have additional questions please forward them to our Executive Administrator, Sara Neal (907.465.2540 / aelsboard@alaska.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Garness', with a long horizontal flourish extending to the right.

Jeff Garness / PE
Chair / Board of Registration for Architects, Engineers, and Land Surveyors



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P.O. Box 110806
Juneau, Alaska 99811-0806
Main: 907.465.1676
Fax: 907.465.2974

November 15, 2024

Zachary Bush
1215 Dolly Varden Lane
Fairbanks, AK 99709

RE: Application for a Mechanical Engineering License by Examination

Mr. Bush:

At the November 13, 2024, meeting of the Alaska State Board of Architects, Engineers, and Land Surveyors, the Board discussed your application. You had submitted an application that included a work verification by a licensed PE for whom you did not, and do not, work. The Board had previously requested additional information from you and your verifier on how that relationship satisfied the requirement listed in 12 AAC 36.063(c), which reads:

- (c) The minimum work experience required for registration must include
 - (1) two years of responsible charge experience or successful completion of a four-year responsible charge mentoring system, as defined in 12 AAC 36.990 and this section. To receive full credit for responsible charge experience, an applicant must gain responsible charge experience while under the responsible control of a professional engineer registered in the United States in the branch of engineering for which the applicant has applied. The board will determine the amount of credit given for responsible charge experience gained under the responsible control of a professional engineer registered in the United States in another branch of engineering based on the comparability with the branch of engineering to which the applicant has applied;
 - (2) responsible charge experience or successful completion of four years of responsible charge obtained within a mentoring system will be considered for credit only if it is gained after the applicant has completed education or work experience or both that are equivalent to the requirements to be eligible for the fundamentals of engineering examination.

The Board received the letter from your verifier explaining the relationship and why he thought he was in responsible control of your work. The Board was not convinced that someone could be in responsible control of someone who works for a different company. While you two were working on the same project, he was not directing your work. The relationship between you is more like a mentoring relationship, which is an option for you. However, the mentoring meetings and reporting required cannot be done after the fact. They must be done as the mentoring is being completed. The requirements for a mentoring program are delineated in 12 AAC 36.063 (j). Getting the 24 months of responsible charge experience requires 48 months of a mentoring program. Alternatively, you could go to work for a firm with a licensed mechanical engineer for 24 months.

In short, you have two options:

1. You may stay at your current company and have a licensed mechanical engineer serve as your mentor, meeting quarterly, reviewing your work, and submitting mentoring reports on those meetings. This will take a minimum of 48 months to complete. or
2. Go to work for a firm or contractor that has a licensed mechanical engineer who can provide supervisory control of your responsible charge work. This will take a minimum of 24 months.

If you have any questions, please contact the Board Executive Administrator, Sara Neal at (907) 465-2540 or sara.neal@alaska.gov

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Garness', with a long horizontal flourish extending to the right.

Jeff Garness / PE

Chair / Board of Registration for Architects, Engineers, and Land Surveyors

State of Alaska
*Board of Registration for Architects,
Engineers, and Land Surveyors*

MISSION STATEMENT

The board's mission is to protect the public health, safety, and welfare through the regulation of the practice of architecture, engineering, land surveying, and landscape architecture by:

- ensuring that those entering these professions in this state meet minimum standards of competency, and maintain such standards during their practice; and**
- enforcing the licensure and competency requirements in a fair and uniform manner.**



Alaska Division of Corporations, Business and Professional Licensing

Virtual Meeting Code of Conduct

I understand that by participating in any virtual board meeting or event hosted by the Division of Corporations, Business and professional Licensing, **I am agreeing to the following code of conduct:**

Expected Behavior

- Because CBPL and its boards value a diversity of views and opinions, all board members, invited guests, members of the public, and division staff will be treated with respect.
- Be considerate, respectful, and collaborative with fellow participants.
- Demonstrate understanding that the board is following a business agenda and may reasonably change it to ensure meeting efficiency. Unless invited ahead of time to address the board, the chair may recognize members of the public to speak for a limited time during the public comment period.
- Recognize the chair has the authority to manage the meeting, and staff may intercede to assist, if needed.
- All participants are also subject to the laws applicable in the United States and Alaska.

Unacceptable Behavior

- Harassment, intimidation, stalking or discrimination in any form is considered unacceptable behavior and is prohibited.
- Physical, verbal or non-verbal abuse or threat of violence toward of any board member, invited guest, member of the public, division staff, or any other meeting guest/participant is prohibited.
- Disruption of any CBPL board meeting or hosted online session is prohibited.
- Examples of unacceptable behavior include:
 - Comments related to gender, gender identity or expression, age, sexual orientation, disability, physical appearance, body size, race, religion, national origin, political affiliation;
 - Inappropriate use of nudity and/or sexual images in presentations;
 - Use of music, noise, or background conversations as a disruption. While this may happen briefly or incidentally, prolonged or repeated incidents are prohibited.
 - Shouting, badgering, or continued talking over the speaker who has been recognized by the chair.

Reporting Unacceptable Behavior

If you or anyone else in the meeting is in immediate danger or threat of danger at any time, please contact local law enforcement by calling 911. All other reports should be made to a member of the senior management team.

Consequences

If the director of the division determines that a person has violated any part of this code of conduct, CBPL management in its sole discretion may take any of the following actions:

- Issue a verbal or written warning;
- Expel a participant from the meeting;
- Suspend attendance at a future meeting – both virtual and in-person;
- Prohibit attendance at any future CBPL event – both virtual and in-person;
- Report conduct to an appropriate state entity/organization;
- Report conduct to local law enforcement.

AELS Board's Mission is to protect the public health, safety, and welfare through regulation of the practice of architecture, engineering, land surveying, and landscape architecture by...

OBJECTIVE 1.

...ensuring that those entering these professions in this state meet minimum standards of competency, and maintain such standards during their practice; and

STRATEGIES

a. Support license mobility by aligning with model law, including updates to statutes, regulations, policies.



b. Prepare university students for licensure

- Encourage licensing preparedness at UA (and other) engineering and land surveying/geomatics programs.
- Encourage Alaska resident architecture and landscape architecture students to become licensed in Alaska.



c. Maintain an effective outreach program

- Clarify the path to licensure for each discipline.
- Share outreach program with license holders, licensure candidates, legislators, allied professions.



d. Provide Administrative Support

- Assist AELS staff with correspondence, reports, travel requests, FAQs for regulation projects, etc.
- Collaborate with staff to identify board training needs and opportunities.



PLANNED ACTIONS 3.1.2024 – 2.28.2025

1. Review experience requirements to sitting for the PE, PS, and AKLS exams (decoupling)
2. Review proposed regulation changes for consistency with relevant NCARB, NCEES, and CLARB standards.
3. Support Board members' participation in national organization committees and leadership.
4. Develop core competencies for Cold Regions Design Course

1. Send congratulatory letter to UA engineering and land surveying graduates.
2. Identify Alaska resident architecture and landscape architecture graduates and send congratulatory letters.

1. Develop an annual Outreach Plan in conjunction with the Board's annual report.

1. Promptly respond to administrative requests for assistance from candidates and registrants.
2. Develop a template for annual Committee reports.
3. Assist in writing the Annual Report/Travel Plan.

AELS Board's Mission is to protect the public health, safety, and welfare through regulation of the practice of architecture, engineering, land surveying, and landscape architecture by...

STRATEGIES

PLANNED ACTIONS 3.1.2024 – 2.29.2025

- a. Protect public HSW through effective statutes & regulations**
- Analyze/update regulations to simplify and maintain Education, Experience, Examination standards.
 - Enforce regulations with prompt, thorough investigations.



1. Improve investigation review, processes and procedures.
2. Review and update bylaws.
3. Work with ADEC to improve regulations and policies that overlap with AELS.
4. Work with DOT to address 36.990 (44)(F)

- b. Collaborate with design professionals & allied professions**
- Listen to concerns; address through regulations, policies.
 - Interact with professional organizations on HSW matters.
 - Use committee and work groups to engage licensees.
 - Provide ongoing review/update to Guidance Manual.



1. Explore adding the discipline of architectural engineering.
2. Incorporate license holder concerns, ideas and issues into Outreach Plan.
3. Work with ID working Group and others regarding Interior Design Registration.
4. Work with professional societies to make registrants aware of new CE requirements.

- c. Maintaining Competency through Continuing Education**
- Monitor new CE regulations and reporting system to identify needed improvements.



1. Adjust new CE forms as needed.
2. Conduct CE audit training for Board members.
3. Complete the 2024 CE audits.

OBJECTIVE 2.
...enforcing the licensure and competency requirements in a fair and uniform manner.

Summary of Actions

3.1.2024 – 2.28.2025

- Maintain effective Board committees & working groups (including annual review of Strategic Plan Actions)
- Review and update By-Laws
- Board training – department/infrastructure
- Continually check in with the Strategic Plan - Don't add items to the workload if they are not consistent with adopted plan (unless issue is essential!).
- Continue reviewing priorities at the end of each meeting –
 - Priority 1: Task needs to be completed w/in 30 days
 - Priority 2: Task needs to be completed before next board meeting (3 months)
 - Priority 3: Task needs to be completed within 6-12 months.



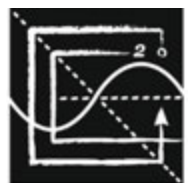
National Organizations' Updates

For current information on the national organizations please click on the following links:

- A NCEES: www.ncees.org
- B NCARB: www.ncarb.org
- C CLARB: www.clarb.org

MODEL RULES

August 2024



NCEES

MODEL RULES

Revised August 2024

Vision

The vision of NCEES is to provide leadership in professional licensure of engineers and surveyors through excellence in uniform laws, licensing standards, and professional ethics in order to safeguard the health, safety, and welfare of the public and to shape the future of professional licensure.

Mission

The mission of NCEES is to advance licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public.

This mission is supported through its member boards, board of directors, staff, board administrators, and volunteers by:

- Providing outstanding nationally normed examinations for engineers and surveyors
- Providing uniform model laws and model rules for adoption by the member boards
- Promoting professional ethics among all engineers and surveyors
- Coordinating with domestic and international organizations to advance licensure of all engineers and surveyors



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PREFACE

Purpose of the NCEES *Model Law* and *Model Rules*

The vision of the National Council of Examiners for Engineering and Surveying (NCEES) is to provide leadership in professional licensure of engineers and surveyors through excellence in uniform laws, licensing standards, and professional ethics in order to safeguard the health, safety, and welfare of the public and to shape the future of professional licensure. The mission of NCEES is to advance licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public.

NCEES serves as an organization through which its members—the engineering and surveying licensure boards in all U.S. states and territories—can counsel and act together to better discharge their duties as individual, autonomous regulatory agencies. One of the primary ways NCEES fulfills its vision and supports its mission is by providing the *Model Laws* and *Model Rules* for adoption by its member boards.

The NCEES *Model Law* sets forth broad ideas about the regulation of engineering and surveying licensure. It is an enabling document that defines the board's powers and duties. It is designed to assist legislative counsels, legislators, and NCEES members in preparing new or amendatory legislation. Each line in the sections is numbered to facilitate use of this document as a working model.

The *Model Rules* complements the *Model Law* by providing model rules and regulations for the ways member boards can carry out the general concepts introduced and set forth in the law. While it is designed to explain broad provisions stated in the *Model Law* by offering the details from an administrative perspective, the *Model Rules*, just like a board's regulations or rulemaking process, functions only within the authority granted by the *Model Law*. The *Model Rules* is designed to assist NCEES member board members, board counsel, and board administrators in preparing and updating board rules.

The bracketed and italicized language throughout the *Model Law* and *Model Rules* indicates areas where language may need to be customized for a jurisdiction.

By vote, the majority of NCEES member boards have agreed that the language in the *Model Law* and *Model Rules* represents the gold standard for engineering and surveying licensure requirements in the United States. Revisions to the *Model Law* and *Model Rules* are decided at the NCEES annual business meeting, and any motion to amend the *Model Law* or the *Model Rules* presented at an annual business meeting by an entity other than the Committee on Uniform Procedures and Legislative Guidelines (UPLG) shall be referred to the UPLG Committee for review and revision of the language for inclusion before it is presented for Council vote at the next scheduled annual meeting.

The intent of NCEES in preparing these uniform model documents is to present its member boards with a high-level benchmark—and yet a sound and realistic guide—that will provide greater uniformity of qualifications for licensure, raise these qualifications to a higher level of accomplishment, and simplify the interstate licensure of engineers and surveyors.

210 INTRODUCTION

210.10 Introduction

The purpose of adopting rules is to safeguard the health, safety, and welfare of the public by ensuring the proper performance of the duties of the board and the regulation of its procedures, meetings, records, examinations, and the conduct thereof.

210.20 Definitions

The NCEES *Model Law*, Section 110.20, Definitions, provides definitions that also apply to these *Model Rules*.

210.25 Inclusions and Exclusions to the Practice of Surveying

A. Activities Included within the Practice of Surveying

Activities that must be accomplished by or under the responsible charge of a professional surveyor (unless specifically exempted in subsection B of this section) include, but are not limited to, the following:

1. The creation of maps or georeferenced databases representing authoritative locations for boundaries, the location of fixed works, or topography. This includes maps and georeferenced databases prepared by any person or government agency where that data is provided to the public as a surveying deliverable.
2. Original data acquisition, or the resolution of conflicts between multiple data sources, when used for the authoritative location of features within the following data themes: geodetic control, orthoimagery, elevation and hydrographic, fixed works, private and public boundaries, and cadastral information
3. Certification of positional accuracy of maps or measured survey data
4. Adjustment or authoritative interpretation of raw survey data
5. Geographic Information System (GIS)-based parcel or cadastral mapping used for authoritative boundary definition purposes wherein land title or development rights for individual parcels are, or may be, affected
6. Authoritative interpretation of maps, deeds, and other land title documents to resolve conflicting data elements
7. Acquisition of field data required to authoritatively position fixed works or cadastral data relative to geodetic control
8. Analysis, adjustment or transformation of cadastral data of the parcel layers with respect to the geodetic control layer within a GIS resulting in the affirmation of positional accuracy

B. Activities Excluded from the Practice of Surveying

A distinction must be made in the use of electronic systems between making or documenting original measurements in the creation of surveying deliverables, versus the copying, interpretation, or representation of those measurements in such systems. Further, a distinction must be made according to the intent, use, or purpose of measurements derived from electronic systems to determine an authoritative location versus the use of those measurements as a reference for planning, infrastructure management, and general information. The following items are not to be included as activities within the definition of the practice of surveying:

1. The creation of general maps
 - a. Prepared by private firms or government agencies for use as guides to motorists, boaters, aviators, or pedestrians
 - b. Prepared for publication in a gazetteer or atlas as an educational tool or reference publication

- c. Prepared for or by education institutions for use in the curriculum of any course of study
 - d. Produced by any electronic or print media firm as an illustrative guide to the geographic location of any event
 - e. Prepared by laypersons for conversational or illustrative purposes. This includes advertising material and users guides.
2. The transcription of previously georeferenced data into a GIS or LIS by manual or electronic means, and the maintenance thereof, provided the data are clearly not intended to indicate the authoritative location of property boundaries, the shape or contour of the earth, or fixed works
 3. The transcription of public record data, without modification except for graphical purposes, into a GIS- or LIS-based cadastre (tax maps and associated records) by manual or electronic means, and the maintenance of that cadastre, provided the data are clearly not intended to authoritatively represent property boundaries. This includes tax maps and zoning maps.
 4. The preparation of any document by any federal government agency that does not define real property boundaries. This includes civilian and military versions of quadrangle topographic maps, military maps, satellite imagery, and other such documents.
 5. The incorporation or use of documents or databases prepared by any federal agency into a GIS/LIS, including but not limited to federal census and demographic data, quadrangle topographic maps, and military maps
 6. Inventory maps or databases created by any organization, in either hard-copy or electronic form, of physical features, facilities, or infrastructure that are wholly contained within properties to which the organization has rights or for which the organization has management responsibility. The distribution of these maps or databases outside the organization must contain appropriate metadata describing, at a minimum, the accuracy, method of compilation, data sources and dates, and disclaimers of use clearly indicating that the data are not intended to be used as a surveying deliverable.
 7. Maps and databases depicting the distribution of natural resources or phenomena prepared by foresters, geologists, soil scientists, geophysicists, biologists, archeologists, historians, or other persons qualified to document such data
 8. Maps and georeferenced databases depicting physical features and events prepared by any government agency where the access to that data is restricted by statute. This includes georeferenced data generated by law enforcement agencies involving crime statistics and criminal activities.

210.30 Offering to Practice Engineering and Surveying

If the engineer or surveyor is licensed in another jurisdiction, the following items are not considered an offer to practice engineering or surveying:

- A. Advertisements published in print or electronic media, if professional services are not offered in jurisdictions where the individual or firm is not licensed
- B. Responses to inquiries regarding requests for proposals, if there is written disclosure that the individual or firm is not currently licensed in the jurisdiction and the response is limited to inquiries regarding scope of project and to demonstrate interest
- C. Responses to inquiries from prospective clients, if there is written disclosure that the individual or firm is not currently licensed in the jurisdiction and the response is limited to inquiries regarding scope of project and to demonstrate interest

- D. Using the title/designation professional engineer, licensed engineer, P.E., professional surveyor, licensed surveyor, P.S., or other indicia of licensure in correspondence or on business cards from an office in the jurisdiction where licensure is held

Proposals may not be submitted, contracts signed, or work commenced until the individual or firm becomes licensed or authorized in the jurisdiction where the work is to be performed.

220 THE LICENSING BOARD

220.10 Board Operations

A. Meetings

1. Notices of meeting dates and times are normally given *[insert amount of time required]* in advance for all the regular meetings of the year. For special meetings, *[insert number of days]* notice must be given.
2. Place of meetings is determined in advance by members of the board.
3. All meetings are open to the public unless the meeting is closed for reasons defined by the laws of this jurisdiction.

B. Voting

All members of the board, including the chairperson, are entitled to vote and to make or to second motions. A majority vote of those present is required to pass a motion. The chairperson shall vote as a member of the board.

C. Rules of Order

The latest edition of *Roberts Rules of Order, Newly Revised* shall govern the normal proceedings of the board. Exceptions include hearings that may be disciplinary in nature.

D. Use of Forms

All applications and requests for which the board has prescribed a form must be presented on these forms.

E. Roster

A roster of all licensees and firms holding a certificate of authorization will be updated annually and shall be accessible to the public.

220.20 Adoption and Amendment of Rules and Regulations

All rules or regulations adopted, amended, or repealed by this board shall comply with the provision of the administrative procedures act of this jurisdiction *[insert chapter, title, code, jurisdiction, date]*.

220.30 Fees

A. Application Fees

1. *[\$insert amount]*—For professional engineer and professional surveyor licensure, as provided in the NCEES *Model Law*, Section 130.20 B
2. *[\$insert amount]*—For engineer intern and surveyor intern certification, as provided in the NCEES *Model Law*, Section 130.20 B
3. *[\$insert amount]*—For firm certificate of authorization, as provided in the NCEES *Model Law*, Section 160.40 B
4. When the issuance of a certificate to an applicant is denied, the fee paid shall be retained as an application fee, as provided in the NCEES *Model Law*, Sections 130.20 C and 160.40 C. Applications received without the proper fee will be returned to the applicant.

B. Examination Fees

1. Examination fees are determined from time to time by the board in accordance with the provisions of *[insert applicable jurisdiction law]*.

2. The current fees in effect may be obtained from the board.
3. Fees for manual verification of exam results are the same as those charged by NCEES.
4. The examination fees will not be returned to an applicant.

C. Roster

The fee for a copy of the *[insert annual, biennial, or other]* roster shall be determined by the board based on costs for its publication.

D. Renewal Fees

1. Renewal fees are payable before the last day of the month of *[insert month]* each year *[or other intervals]*.
2. Each licensee and firm holding a certificate of authorization will be notified by the board of the expiration date of their license or authorization and the amount of the renewal fee at least one month before the expiration date.
3. Amount of Renewal Fee—The renewal fee is set by regulation of the board in accordance with the provisions of *[insert applicable jurisdiction law]*.
4. Penalties for Late Renewal—Renewal fees in arrears are subject to a penalty for late renewal in accordance with jurisdiction law.

E. Duplicate Certificate Fees

The fee for the issuance of a duplicate certificate or enrollment document to a licensee, firm, or intern is determined by regulation of the board in accordance with the provision of *[insert applicable jurisdiction law]*.

230 CANDIDATES FOR LICENSURE

230.10 Education Requirements Approved by the Board

- A. Engineering Program defined in Section 130.10 B.1 of the *NCEES Model Law*
- B. Surveying Program defined in Section 130.10 C.1 of the *NCEES Model Law*

230.20 Experience

A. As a Professional Engineer¹

In evaluating experience that indicates to the board that the applicant may be competent to practice engineering, the following will be considered:

1. Experience must be progressive on engineering projects and must demonstrate an increasing quality and responsibility. Experience must be obtained in accordance with *Model Law 130.10*.
2. Only work of an engineering nature that follows graduation from a program that meets the criteria set forth in *Model Law 130.10 B.2.a(1)* is acceptable.
3. A graduate degree that is used to satisfy education requirements cannot be applied for experience credit toward licensure. To be eligible for experience credit, graduate degrees shall be relevant to the applicant's area of professional practice. Experience credit for a graduate degree cannot be earned concurrently with work experience credit.
4. Experience must be obtained in compliance with the licensure act.
5. Experience gained in the armed services must be of a character equivalent to that which would have been gained in the civilian sector doing similar work.
6. Experience should be gained under the supervision of a licensed professional engineer; if it is not, an explanation must be made showing why the experience should be considered acceptable.

¹ Experience may be summarized as shown in Appendix A, Suggested Guidelines for Evaluating Progressive Engineering Experience. Appendix A is for reference only, and the language should not be adopted into the board rules.

Experience gained under the technical supervision of an unlicensed individual may be considered if the appropriate credentials of the unlicensed supervisor are submitted to the board.

7. Sales experience must demonstrate that engineering principles were required and used in gaining the experience.
8. Teaching experience must be in engineering or engineering-related courses at a junior-, senior-, or graduate-level in a college or university offering an engineering program of four years or more that is approved by the board.
9. Experience may be gained in engineering research and design projects by members of an engineering faculty where the program is approved by the board.
10. Experience may be gained in engineering research by industry or government employees.
11. Experience must have been gained by the time of the application.
12. Experience in construction must demonstrate the application of engineering principles.
13. Experience must include demonstration of a knowledge of engineering mathematics, physical and applied science, properties of materials, and the fundamental principles of engineering design.
14. Experience must include demonstration of the application of engineering principles in the practical solution of engineering problems.
15. The board may deem professional experience acquired by applicants outside the United States to be equivalent to the minimum board requirements established by regulations for professional experience in that jurisdiction.

B. As a Professional Surveyor²

In evaluating experience that indicates to the board that the applicant may be competent to practice surveying, the following will be considered:

1. Experience must be progressive on surveying projects and must demonstrate an increasing quality and responsibility. Experience must be obtained in accordance with *Model Law* 130.10.
2. Experience must be obtained in compliance with the licensure act.
3. Experience gained in the armed services must be of a character equivalent to that which would have been gained in the civilian sector doing similar work.
4. Experience should be gained under the supervision of a licensed professional surveyor or, if not, an explanation must be made showing why the experience should be considered acceptable. Experience gained under the technical supervision of an unlicensed individual may be considered if the appropriate credentials of the unlicensed supervisor are submitted to the board.
5. Teaching experience must be in surveying or surveying-related courses at a junior-, senior-, or graduate-level in surveying or surveying-related courses approved by the board.
6. Experience related to property conveyance and/or boundary line determination must be demonstrated.
7. Experience in the technical field aspects of the profession must be demonstrated.
8. Experience must have been gained by the time of the application.
9. Experience must include demonstration of the application of surveying principles in the practical execution of surveying tasks.
10. Experience may be gained in surveying research projects by members of a surveying faculty where the program is approved by the board.
11. Experience may be gained in surveying research by industry or government employees.

² Experience may be summarized as shown in Appendix B, Suggested Guidelines for Evaluating Progressive Surveying Experience. Appendix B is for reference only, and the language should not be adopted into the board rules.

12. The board may deem professional experience acquired by applicants outside the United States to be equivalent to the minimum board requirements established by regulations for professional experience in that jurisdiction.

230.30 References

References are individuals who have personal knowledge of an applicant and are able to assess an applicant's experience, ability, character, or reputation.

- A. For licensure as a professional engineer or professional surveyor, an applicant must submit five references, three of whom shall be professional engineers, professional surveyors, or other individuals deemed acceptable to the board, who have personal knowledge of the applicant's engineering or surveying experience. In addition, for each employment period, individuals familiar with the applicant's experience for that period must be identified. Engineering applicants must have professional engineer references, and surveying applicants must have professional surveyor references.
- B. Relatives may not be used as references.
- C. No current board member shall be used as a reference.
- D. Each applicant should inform the individuals being used as references that a reference form will be sent for them to complete and return to the board.
- E. It is the responsibility of the applicant to ensure that the individuals giving the reference return a completed reference form to the board within a reasonable time. All reference materials must be complete before any board action may be taken on an application.
- F. References are considered to be confidential, nonpublic records that will not be divulged except as required by law.

230.40 Examinations

A. Classification of Engineering Examinations

This jurisdiction or its designee will provide the following examinations:

1. NCEES Fundamentals of Engineering (FE) examination—The examination consists of subject matters in the fundamentals of engineering.
2. NCEES Principles and Practice of Engineering (PE) examination—The examination consists of subject matters in applied engineering.

This jurisdiction may provide the following examinations:

1. Jurisdictional examinations—The examinations may include jurisdiction laws, procedures, and standards for the practice of engineering.

B. Approval of Applicant for Engineering Examinations

1. NCEES Fundamentals of Engineering (FE) Examination

- a. An individual applying to take the FE examination may register with NCEES directly to take the FE examination or, if required, apply to the board for admission to the FE examination.

2. NCEES Principles and Practice of Engineering (PE) Examination

- a. An individual will be permitted to sit for the PE examination upon satisfactorily fulfilling all requirements of the jurisdiction.
- b. Engineering doctorate degree applicants with an undergraduate degree from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) and with a doctorate degree in engineering from an institution that offers EAC/ABET-accredited undergraduate programs in the doctorate degree field of engineering and with experience that

meets the qualifications defined by the board may sit for the PE examination without having taken or passed the FE examination.

C. Classification of Surveying Examinations

1. This jurisdiction shall require the following:
 - a. NCEES Fundamentals of Surveying (FS) examination—The examination consists of subject matters in the fundamentals of surveying.
 - b. NCEES Principles and Practice of Surveying (PS) examination—The examination consists of subject matters in applied surveying, which may be divided in separate parts as determined by the board.
2. This jurisdiction may require the following:
 - a. Jurisdictional examination(s)—The examination(s) may include jurisdiction laws, procedures, and standards for the practice of surveying.
 - b. NCEES Public Land Survey System (PLSS) examination—The examination consists of subject matters related to the Public Land Survey System.

D. Approval of Applicant for Surveying Examinations

1. NCEES Fundamentals of Surveying (FS) Examination
 - a. An individual applying to take the FS examination may register with NCEES directly to take the FS examination or, if required, apply to the board for admission to the FS examination.
2. NCEES Principles and Practice of Surveying (PS) Examination
 - a. An individual will be permitted to take the PS examination upon satisfactorily fulfilling all requirements of the jurisdiction.
 - b. Surveying doctorate degree applicants with an undergraduate degree from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET), the Engineering Technology Accreditation Commission of ABET (ETAC/ABET), or the Applied and Natural Science Accreditation Commission of ABET (ANSAC/ABET) and with a doctorate degree in surveying and with experience that meets the qualifications defined by the board may sit for the PS examination without having taken or passed the FS examination.

E. Examination Dates and Locations

1. NCEES examinations are offered on dates set by NCEES.
2. Locations at which the examinations are given are designated by the board or by NCEES.

F. Language of the Examination

The language of the examination shall be English.

G. Exam Preparation Materials

The board may publish and make available exam preparation materials for all examinations that are specific to the jurisdiction. Exam preparation materials for NCEES examinations are available through NCEES.

H. Instructions for Examinees

1. Instructions provided prior to each examination will declare an examination to be open- or closed-book. Instructions will communicate what materials are allowed in the examination room in accordance with established NCEES policy.
2. Failure to Attend an Examination
 - a. An applicant who fails to attend an examination for which the applicant has been scheduled will forfeit the fee paid for the exam, except in the case of illness, death in the family, or military deployment. Refunds, if any, will be determined by NCEES or jurisdictional policies.
 - b. Failure of an applicant to attend an examination for which the applicant has been scheduled to attend does not count as a failure of the examination.

I. Examination Offerings

1. An applicant must register with NCEES to take an NCEES examination.
2. An applicant failing an NCEES examination may be allowed to retake the examination in accordance with NCEES policy and *[insert rules/regulations of licensing board]*.

J. Examination Results

1. NCEES examination results will be released in accordance with established NCEES policy.
2. Jurisdictional examination results will be released in accordance with established board policy.

K. Review of Examinations

There shall be no post-administration access to, or review of, NCEES examination questions.

L. Examination for Record Purposes

1. Any individual licensed by this board may take for Record purposes the FE/FS examination and/or a PE/PS examination in a chosen discipline offered by NCEES upon payment of *[insert fee set by board regulation and/or NCEES]*.
2. Failure to pass either or both examinations will in no way affect current licensure.

230.50 Classifications and Disciplines of Engineers and Surveyors

A. Classification of Engineers

Engineering applicants shall be licensed or certified under one of the classifications as prescribed by the laws of this jurisdiction:

1. Engineer intern—by education and examination
2. Professional engineer—by education, examination, and experience, or by comity
3. Discipline professional engineer—by verification of discipline competence

B. Classification of Surveyors

Surveying applicants shall be licensed or certified under one of the classifications as prescribed by the laws of this jurisdiction.

1. Surveyor intern—by education and/or experience, and examination
2. Professional surveyor—by education, examination, and experience, or by comity (and appropriate jurisdiction-specific examination)

230.60 Applications

A. Applications Process

1. All applications made to this board must be completed on the forms prescribed and furnished by the board. Applications for licensure properly executed and issued with verification by NCEES may be accepted in lieu of the same information that is required on the form prescribed and furnished by this board.
2. To allow sufficient time for processing and for securing pencil-and-paper examinations, all applications that may require pencil-and-paper examinations must be filed with this board at least *[insert number]* days before the date set for the appropriate pencil-and-paper examinations.
3. Withholding information or providing statements that are untrue or misrepresent the facts may be cause for denial of an application or revocation of license or certification.
4. It is the responsibility of the applicant to supply correct contact information for all references and to be sure that the references are supplied as requested. If a reference fails to respond, this could delay the processing of an application either until a reply is obtained or another reference is given.
5. In relating experience, the applicant must account for all employment or work experience that has elapsed since the beginning of the employment record. If not employed or employed in other kinds of work, this should be indicated in the experience record.

B. Applicants with Degrees from Foreign Schools

1. All foreign language documentation submitted with the completed application must be accompanied by certified translations. The translation report shall be sent directly from the translation service to the board for review.
2. All applicants must be able to communicate in the language of commerce.
3. Applicants who, for political or other valid reasons, are unable to obtain their college transcript shall be processed on a case-by-case basis by the board.
4. The board may require an independent evaluation of the foreign undergraduate education of an applicant who was educated outside the United States.

C. Reconsideration of Applications

Reconsideration may be requested of an application that has been denied when the request is based on additional information and/or evidence that could affect the original decision. A reconsideration request or request for a hearing must be made within *[insert number]* days after the applicant has been notified that the decision was made to reject the original application.

D. Disposition of Applications

Applications may be approved, deferred for further information (more experience, questionable references, or other reasons), or denied.

1. Approved applications—When an application is approved by the board showing that the applicant has met all the requirements for licensure or certification required by the licensure act, the applicant shall be granted licensure or certification with notification by the board.
2. Deferred applications—Applications deferred for any reason are retained until such date as a proper remedy is presented or until *[insert deadline for responding to board's inquiry]*.
3. Denied applications—When an application is denied by the board, it is kept on file for at least one year before being destroyed.

E. Licensure by Comity

1. The board is authorized to review and evaluate the application of a comity applicant to determine if the applicant meets or exceeds the criteria to be licensed as a professional engineer or professional surveyor as defined in Section 130.10 of the *Model Law*.
2. The board administrator is authorized to review and evaluate the application of a comity applicant to determine if the applicant meets or exceeds the criteria of a Model Law Engineer or Model Law Surveyor designated by NCEES. If the applicant meets or exceeds these requirements, the board administrator may issue a contingent license authorizing that individual to offer or provide engineering or surveying services in this jurisdiction. A list of all engineers issued contingent licenses will be placed on the agenda of the next meeting of the board for formal approval by the board. A list of all surveyors who have been issued contingent licenses and who have passed the appropriate jurisdiction-specific examination will be placed on the agenda of the next meeting for formal approval by the board.

240 LICENSEES

240.10 Licensure

A. License Number as a Professional Engineer or Professional Surveyor

Each licensee is assigned a license number at the time licensure is granted by the board. Numbers are issued consecutively in the order in which applicants are granted licensure. The licensee will be advised of the number by the board.

B. Certificates of Licensure

The board shall issue a certificate of licensure to an applicant who has met the requirements of this jurisdiction and who has paid the application fee. The information shown on the certificate shall be in accordance with *Model Law 140.10 Certificates of Licensure, Seals*.

C. Retirement of Licensure Option

When a licensee in good standing desires to retire their license, they may do so by applying to the board. After meeting the requirements established by the board, a permanent identification card may be issued and the retired licensee shall receive all rights and benefits as established by the board. After retirement of said license, the retiree shall not practice the profession.

D. Reissuance of Certificate

When a certificate of licensure, certificate of authorization, or enrollment card is lost, destroyed, or mutilated, it will be replaced upon request by a licensee, firm, or intern in good standing who has paid a fee established by the jurisdiction.

240.15 Rules of Professional Conduct

To safeguard the health, safety, and welfare of the public and to maintain integrity and high standards of skill and practice in the engineering and surveying professions, the rules of professional conduct provided in this section shall be binding upon every licensee and on all firms authorized to offer or perform engineering or surveying services in this jurisdiction.

A. Obligations of Licensees to the Public

1. Licensees shall be cognizant that their first and foremost responsibility is to safeguard the health, safety, and welfare of the public when performing services for clients and employers.
2. Licensees shall sign and seal only those plans, surveys, and other documents that conform to accepted engineering and surveying standards and that safeguard the health, safety, and welfare of the public.
3. Licensees shall notify their employer or client and such other authority as may be appropriate when their professional judgment is overruled when the health, safety, or welfare of the public is endangered.
4. Licensees shall, to the best of their knowledge, include all relevant and pertinent information in an objective and truthful manner within all professional documents, statements, and testimony.
5. Licensees shall express a professional opinion publicly only when it is founded upon an adequate knowledge of the facts and a competent evaluation of the subject matter.
6. Licensees shall issue no statements, criticisms, or arguments on engineering and surveying matters that are inspired or paid for by interested parties, unless the licensee explicitly identifies the interested parties on whose behalf they are speaking and reveal any interest they have in the matters.
7. Licensees shall not partner, practice, or offer to practice with any person or firm that they know is engaged in fraudulent or dishonest business or professional practices.
8. Licensees who have knowledge or reason to believe that any person or firm has violated any rules or laws applying to the practice of engineering or surveying shall report it to the board, may report it to appropriate legal authorities, and shall cooperate with the board and those authorities as requested.
9. Licensees shall not knowingly provide false or incomplete information regarding an applicant in obtaining licensure.
10. Licensees shall comply with the licensing laws and rules governing their professional practice in each of the jurisdictions in which they practice.

B. Obligations of Licensees to Employers and Clients

1. Licensees shall undertake assignments only when qualified by education or experience in the specific technical fields of engineering or surveying involved.
2. Licensees shall not affix their signatures or seals to any plans or documents dealing with subject matter in which they lack competence, nor to any such plan or document not prepared under their responsible charge.
3. Licensees may accept assignments and assume responsibility for coordination of an entire project if each technical segment is signed and sealed by the licensee responsible for preparation of that technical segment.
4. Licensees shall not reveal facts, data, or information obtained in a professional capacity without the prior consent of the client, employer, or public body on which the licensee serves except as authorized or required by law or rules.
5. Licensees shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties in connection with work for employers or clients.
6. Licensees shall disclose to their employers or clients all known or potential conflicts of interest or other circumstances that could influence or appear to influence their judgment or the quality of their professional service or engagement.
7. Licensees shall not accept compensation, financial or otherwise, from more than one party for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to in writing by all interested parties.
8. Licensees shall not solicit or accept a professional contract from a governmental body on which a principal or officer of their organization serves as a member. Conversely, licensees serving as members, advisors, or employees of a government body or department, who are the principals or employees of a private concern, shall not participate in decisions with respect to professional services offered or provided by said concern to the governmental body that they serve.
9. Licensees shall not use confidential information received in the course of their assignments as a means of making personal profit without the consent of the party from whom the information was obtained.

C. Obligations of Licensees to Other Licensees

1. Licensees shall not falsify or permit misrepresentation of their, or their associates', academic or professional qualifications. Licensees shall not misrepresent or exaggerate their degree of responsibility in prior assignments nor the complexity of said assignments. Presentations incidental to the solicitation of employment or business shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or past accomplishments.
2. Licensees shall not offer, give, solicit, or receive, either directly or indirectly, any commission, or gift, or other valuable consideration in order to secure work, and shall not make any political contribution with the intent to influence the award of a contract by public authority.
3. Licensees shall not injure or attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of other licensees, nor indiscriminately criticize other licensees' work.
4. Licensees shall make a reasonable effort to inform another licensee whose work is believed to contain a material discrepancy, error, or omission that may impact the health, safety, or welfare of the public, unless such reporting is legally prohibited.

240.20 Seal on Documents

- A. The seal and signature of the licensee and the date of signing shall be placed on all final engineering specifications, reports, drawings, plans, design information, and calculations or final surveys, reports, plats, drawings, plans, and calculations whenever presented to a client or any public agency to certify that the work thereon was done by the licensee or under the responsible charge of the licensee. Working drawings or preliminary documents are not required to have a seal and signature if the working drawing or preliminary document contains a statement in large bold letters to the effect “PRELIMINARY, NOT FOR CONSTRUCTION, RECORDING PURPOSES, OR IMPLEMENTATION.”
- B. The seal and signature shall be placed on all copies, tracings, or other reproducible documents listed in 240.20 A so that the seal and signature will be reproduced when copies are made.
- C. When the document contains more than one sheet, the first or title page shall be sealed and signed by the licensee who was in responsible charge. Two or more licensees may affix their signatures and seals provided that a note under the seal designates the specific subject matter for which each is responsible. In addition, each sheet shall be sealed and signed by the licensee or licensees responsible for that sheet. When a firm performs the work, each sheet shall be sealed and signed by the licensee or licensees who were in responsible charge of that sheet.
- D. The seal and signature shall be placed on work only when it was under the licensee’s responsible charge. The licensee shall sign and seal only work within the licensee’s areas of competence.
- E. In order to exercise full professional knowledge of and control over work, a licensee in responsible charge of engineering or surveying work must:
1. Have and exercise the authority to review and to change, reject, or approve both the work in progress and the final work product, through examination, evaluation, communication, and direction throughout the development of the work;
 2. Be personally aware of the project’s scope, needs, parameters, limitations, and special requirements;
 3. Be capable of answering questions relevant to the engineering or surveying decisions made as part of the services provided, in sufficient detail to demonstrate reasonable knowledge of and proficiency in the work; and
 4. Accept full responsibility for the work.
- The board has final authority regarding the determination of whether work was actually prepared under the responsible charge of a licensee. The licensee is responsible for meeting all of the preceding requirements whether the work is being performed remotely or locally.
- F. Any revision to a document containing the seal and signature of a licensee shall be described and dated. If the revisions are not done by the original licensee, the revisions must also be signed and sealed by the licensee in responsible charge of those revisions.
- G. In circumstances where a licensee in responsible charge of the work is unavailable to complete the work, or the work is a site adaptation of a standard design plan, or the work is a design plan signed and sealed by an out-of-jurisdiction licensee, a successor licensee may take responsible charge by performing all professional services to include developing a complete design file with work or design criteria, calculations, code research, and any necessary and appropriate changes to the work. The non-professional services, such as drafting, need not be redone by the successor licensee but must clearly and accurately reflect the successor licensee’s work. The burden is on the successor licensee to show such compliance. The successor licensee shall have control of and responsibility for the work product and the signed and sealed originals of all documents.

- H. When a licensee is required to seal and sign engineering/surveying documents, one of the following methods must be used:
1. Physical placement of a seal and a handwritten signature in permanent ink containing the name of the licensee
 2. Digital placement of a seal and a handwritten signature in permanent ink containing the name of the licensee
 3. Digital placement of a seal and a digital signature containing the name of the licensee
- I. Drawings, reports, and documents that are signed using a digital signature must have an electronic authentication process attached to or logically associated with the electronic document. The digital signature must be
1. Unique to the individual using it
 2. Capable of verification
 3. Under the sole control of the individual using it
 4. Linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.
- J. A digital signature that uses a process approved by the board will be presumed to meet the criteria set forth in Sections H and I above. Any hard copy printed from the transmitted electronic file shall bear the facsimile of the signature and seal and be a confirmation that the electronic file was not altered after the initial digital signing of the file. Any alterations to the file shall cause the facsimile of the signature to be voided.

240.30 Continuing Professional Competency (CPC)

The purpose of the continuing professional competency requirement is to demonstrate a continuing level of competency of licensees.

A. Introduction

Every licensee shall meet the continuing professional competency requirements of these regulations for professional development as a condition for licensure renewal.

B. Definitions

Terms used in this section are defined as follows:

1. NCEES CPC Standard—The NCEES CPC Standard requires a licensee to obtain the equivalent of 15 PDHs per calendar year (January 1–December 31) with no carryover allowed. A minimum of 1 PDH of the 15 PDHs shall be earned by successfully completing a course or activity that has a content area focusing on engineering or surveying ethics.
2. Professional Development Hour (PDH)—One contact hour (nominal) of instruction or presentation. The PDH is the common denominator for other units of credit.
 - a. The term “contact hour” is defined as a minimum of 50 minutes of course/activity.
 - b. The total number of hours allowed for a course/activity cannot exceed the actual number of clock hours.
3. Ethics Course or Activity—A qualifying course or activity with content areas related to (1) the awareness of ethical concerns and conflicts; (2) an enhanced familiarity with the codes of conduct; or (3) an understanding of standards of practice or care
4. Business-Related Course or Activity—A qualifying course or activity with content areas related to principles of business, management, and economics or other similar topics aimed at maintaining, improving, or expanding the skills set and knowledge relevant to the licensee’s field and methods of practice

5. Continuing Education Unit (CEU)—Unit of credit customarily used for continuing education courses. One continuing education unit equals 10 contact hours in an approved continuing education course.
6. College Semester/Quarter Hour—Credit for course in ABET-accredited programs or other related college course approved in accordance with subsection E of this section
7. Qualifying Course/Activity—Any course or activity with a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the licensee’s field of practice. Regular duties are not considered qualified activities.
8. Dual Licensee—An individual who is licensed as both a professional engineer and a professional surveyor

C. Qualifying Activities

PDHs may be earned as follows:

1. Successful completion of college courses
2. Successful completion of short courses, tutorials, webinars, and distance-education courses offered for documented individual or group study. The method of delivery can be through the following:
 - a. Face-to-face programs or live internet-based programs
 - b. Archived prerecorded programs or archived correspondence programs
3. Presenting or attending qualifying seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions, conferences, or educational institutions
4. Teaching or instructing in 1 through 3 above
5. Authoring published papers, articles, books, or accepted licensing examination items
6. Active participation in professional or technical societies or in accrediting organizations
7. Obtaining a patent
8. Active participation in educational outreach activities pertaining to professional licensure or the surveying/engineering professions that involve K–12 or higher education students

D. Units

The conversion of other units of credit to PDHs is as follows:

1. 1 semester hour45 PDHs
2. 1 quarter hour30 PDHs
3. 1 continuing education unit10 PDHs
4. 1 hour of professional development in coursework, seminars, or professional or technical presentations made at meetings, conventions, or conferences1 PDH
5. For teaching in 1 through 4 above, apply multiple of 2*
6. Publications
 - a. Each published peer-reviewed paper or book in the licensee’s area of professional practice10 PDHs
 - b. Each published paper or article (other than 6.a above) in the licensee’s area of professional practice5 PDHs
7. Active participation in professional and technical society (each organization).....2 PDHs
8. Each patent10 PDHs
9. Active volunteer participation in standards or code development commissions or technical committees up to 4 PDHs
10. 1 hour of outreach activities.....1 PDH (not to exceed 3 PDHs)

* Teaching credit is valid only for the first offering or presentation. Full-time faculty may not claim teaching credit associated with their regular duties.

E. Determination of Credit

The board has final authority with respect to approval of courses, credit, PDH value for courses, and other methods of earning credit.

1. Credit for college or community college approved courses will be based upon course credit established by the college.
 - a. A semester credit hour represents 15 classes with 1 hour of instructional time plus 2 additional hours of student engagement with the subject material through homework, laboratory work, internships, practicums, studio work, or other academic work, resulting in 45 PDHs.
 - b. A quarter credit hour represents 10 classes with 1 hour of instructional time plus 2 additional hours of student engagement with the subject material through homework, laboratory work, internships, practicums, studio work, or other academic work, resulting in 30 PDHs.
2. Credit for qualifying seminars and workshops will be based on 1 PDH for each hour of attendance. Attendance at qualifying programs presented at professional and/or technical society meetings will earn PDHs for the actual time of each program.
3. Credit determination for activities in subsections D.6 and D.8 is the responsibility of the licensee (subject to review as required by the board).
4. Credit for activity in subsection D.7, active participation in professional and technical societies (limited to 2 PDHs per organization), requires that a licensee serve as an officer and/or actively participate in a committee of the organization. PDHs are not earned until the end of each year of service is completed.

F. Recordkeeping

The licensee is responsible for maintaining records to be used to support credits claimed. Records required include, but are not limited to (1) a log showing the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name, and PDHs earned; and (2) attendance verification records in the form of completion certificates or other documents supporting evidence of attendance.

G. Exemptions

A licensee may be exempt from the continuing professional competency requirements for one of the following reasons:

1. New licensees by way of examination or comity shall be exempt for their first renewal period.
2. A licensee serving on temporary active duty in the armed forces of the United States for a period of time exceeding 120 consecutive days in a year shall be exempt from obtaining the PDHs required during that renewal period.
3. Licensees experiencing physical disability, illness, or other extenuating circumstances may apply for an exemption or an extension of time to obtain the credits, subject to the review and approval of the board. Supporting documentation must be furnished to the board.
4. Licensees who list their occupation as "Retired" or "Inactive" on the board-approved renewal form and who further certify that they are no longer receiving any remuneration from providing professional engineering or surveying services shall be exempt from the PDHs required.

H. Reinstatement

A licensee applying to reinstate a retired or inactive license should obtain all delinquent PDHs. However, if the total number required to become current exceeds 30, then 30 shall be the maximum number required. If the applicant is required to retake and pass an NCEES Principles and Practice examination by the board, PDHs may not be required.

I. Requirements for Renewal

To renew a license, an applicant must meet either of the following:

1. The requirements of the NCEES *CPC Standard*
2. The requirements of *[insert jurisdiction name]*

J. Dual Licensees

The number of PDHs required per year shall be as stated in the NCEES *CPC Standard*. At least one-third of the PDHs shall be obtained in each profession.

K. Certification

All renewal applications will require the certification of CPC credits as specified by the board. The licensee must supply sufficient detail and backup documentation with the renewal application, if required, or upon notification of audit.

240.40 Expirations, Renewals, and Reinstatement to Active Practice

- A. A renewal notice will be sent annually or as required by this jurisdiction by the board *[insert number of days]* prior to the license expiration date to every individual licensed under the licensure act and to every firm holding a certificate of authorization showing the expiration date of their license or certificate and the amount of the fee for renewal.
- B. The annual *[or insert other amount of time]* renewal fee is established by the board.
- C. Renewal fees must be received by the board prior to the expiration date. Fees received within one month or more after the renewal date will be assessed an additional fee established by the board.
- D. Renewal fees not paid within a period established by the board after the expiration date voids the license or certificate and will require a new application for licensure or certification in order to continue to practice engineering or surveying.
- E. A licensee or firm who supplies the board before the expiration date of their license/certificate with an affidavit that they are no longer practicing and will not practice engineering or surveying in this jurisdiction may retain their license/certificate for later use after paying delinquent fees.
- F. The responsibility for the timely renewal of a licensee's license rests solely with the individual licensee. The responsibility for the timely renewal of a firm's certificate rests solely with the firm's managing agent.
- G. The applicant for renewal or reinstatement may be required to demonstrate to the board that they have maintained the required minimum level of professional competence in a manner acceptable to the board.
- H. If the applicant for reinstatement has not been engaged in the legal practice of engineering or surveying for more than five years prior to seeking reinstatement, the licensing board may require the applicant to take and pass the NCEES Principles and Practice of Engineering (PE) examination or the NCEES Principles and Practice of Surveying (PS) examination and jurisdiction-specific examinations prior to reinstatement.

250 DISCIPLINARY ACTIONS

250.10 Knowledge of Rules

All licensees and interns and all firms authorized under the provisions of the licensure act, as well as applicants, are charged with having knowledge of these Rules as well as amendments that are made known in writing to every licensee, intern, firm, and applicant.

250.20 Compliance

Professional surveyors and surveying firms shall comply with the minimum standards codified for surveys in this jurisdiction.

250.30 Disciplinary Action Procedures

A. Summons and Notice of Charges

1. In the event the investigative committee determines that a probable cause exists, the legal counsel of the board is requested to prepare a summons and notice of charges.
2. The summons and notice of charges shall be personally served or mailed to the last known address of the respondent at least 30 days before the date fixed for hearing.
3. The summons and notice of charges shall show the time, place, and nature of the hearing, a statement of legal authority and jurisdiction under which the hearing is to be held, a reference to the particular section of the licensure act and rules involved, and a short and plain statement of the matters asserted. The notice of the summons and notice of charges shall indicate that at any hearing the respondent shall have the right to appear in person or by counsel or both to cross-examine witnesses in their defense and to produce evidence and witnesses in their defense. If the respondent fails or refuses to appear, the board may proceed to hear and determine the validity of the charges. The notice shall be in substantial compliance with the requirements of the laws of this jurisdiction.

B. Evidentiary Matters

In contested cases, irrelevant, immaterial, or unduly repetitious evidence shall be excluded. The rules of evidence as applied in civil cases in the court of common pleas shall be followed. The board shall give effect to the rules of privilege recognized by law. Objection to evidentiary offers may be made and shall be noted in the record. Subject to these requirements, any part of the evidence may be received in written form when a hearing will be expedited and the interest of the parties involved will not be prejudiced substantially. Documentary evidence may be received in the form of copies or excerpts if the original is not readily available. Any party may conduct cross-examination. Notice may be taken of judicially cognizable facts. In addition, notice may be taken of generally recognized technical or scientific facts within the board's specialized knowledge. Parties shall be notified either before or during the hearing or by reference in preliminary reports or otherwise of the material noticed, including any staff memoranda or data, and they shall be afforded an opportunity to contest the material so noticed. The board's experience, technical competence, and specialized knowledge may be utilized in the evaluation of evidence.

C. Conduct of Hearing

The conduct of the hearing and evidence submitted shall be as required by the laws of this jurisdiction.

1. At its discretion, the board may appoint an individual [*preferably an attorney or someone familiar with the laws and procedures*] to act as a hearing examiner. The hearing examiner shall preside at the hearing and shall rule on all questions of evidence and procedure.
2. In the event a hearing examiner is not appointed, the chair of the board shall preside over the hearing and shall rule on all questions of evidence and procedure with the advice of the attorney for the board.
3. The proceeding shall follow those used by a civil court in which an opening statement is made by the prosecutor and the respondent. Then evidence is presented by both sides with rebuttals. Witnesses may be examined by the prosecutor and respondent or their attorneys and by members

of the board. Redirect, recross, and reexaminations are permitted. Closing statements by both the prosecutor and respondent or their attorneys are permitted.

D. Record of Hearing

The record of the hearing of the case shall include

1. All motions, intermediate ruling, and depositions
2. Evidence received or considered
3. Statement of matters officially noted
4. Questions and offers of proof, objections, and rulings thereon
5. Proposed findings and exceptions
6. Any decision, opinion, or report by the officer presiding at the hearing

Oral proceedings or any part thereof shall be transcribed on request of any party.

250.40 Bias

No board member shall be entitled to participate in discussion or to vote in any disciplinary action if the board member is personally biased in favor of or against the respondent.

260 MISCELLANEOUS

260.10 Severability

If any of the rules and regulations, or any part thereof, of this board promulgated under the provisions of the rule-making authority for jurisdiction agencies, are found by the courts to be invalid for any reason, it is the intention of the board that the remainder shall continue in full force and effect or it is the intention of the board that each rule and/or any portions thereof are severable.

APPENDIX A

Suggested Guidelines for Evaluating Progressive Engineering Experience

The following is a partial list of work experiences that may be useful in guiding, mentoring, and verifying acceptable experience of engineer interns and/or intern applicants. There are no correct answers to the following questions. The profile of each applicant will provide the board a basis for more specific questions.

Practical Application of Theory

1. **Analysis:** Of operating conditions; performance assessment; feasibility studies; constructability; value engineering; safety; environmental issues; economic issues; risk assessment; reliability; other *[list]*:

2. **Design:** Construction plan or specification preparation; product specifications; component selection; maintenance and social implications of final product; other *[list]*:

3. **Testing:** Developing or specifying testing procedures; verifying functional specifications; implementing quality control and assurance; maintenance and replacement evaluation; other *[list]*:

4. **Implementation:** Of engineering principles in design, construction, or research; performance of engineering cost studies; process flow and time studies; implementation of quality control and assurance; safety issues; and environmental issues; other *[list]*:

5. **Systems Application:** Evaluation of components of a larger system; evaluation of the reliability of system parts; design and evaluation of equipment control systems while considering ergonomics, utility, manufacturing tolerances, and operating and maintenance concerns; the engineering required to establish programs and procedures for the maintenance and management of buildings, bridges, and other types of structures where failure or improper operation would endanger the health, safety, or welfare of the public; other *[list]*:

6. **Time in the Engineering Process:** Difficulties of workflow; scheduling; equipment life; corrosion rates and replacement scheduling; other *[list]*:

7. **Knowledge and Understanding:** Codes, standards, regulations and laws that govern applicable activities; other *[list]*:

Management

Management in engineering works includes supervising staff, managing engineering projects, and managing and administering technology as it is applied in the field or in construction. It may involve:

- 1. **Planning:** Developing concepts, evaluating alternative methods _____
- 2. **Scheduling:** Preparing task breakdowns and schedules _____
- 3. **Budgeting and Contracting:** Cost estimating and control, contract development _____
- 4. **Supervising:** Organizing human resources, motivating teams, directing and coordinating project resources _____
- 5. **Project Control:** Complete or partial project control _____
- 6. **Risk Assessment:** Assessment of risk associated with the progression of the project _____

Communication Skills

- 1. **Accumulates project knowledge** through interpersonal communication with supervisors, clients, subordinates, or team interaction _____
- 2. **Transmits project knowledge** in verbal or written methods to clients, supervisors, subordinates, general public, or team members. Examples would be via meetings, written reports, public hearings and reporting of findings and suggestions, other written correspondence and/or verbal briefings. _____

Social Implications

- 1. **Promotes and safeguards** the health, safety, and welfare of the public as demonstrated in daily work activities _____
- 2. **Demonstrates an awareness** of the consequences the work performed may incur and a desire to mitigate or eliminate any potential negative impact _____
- 3. **Follows a code of ethics** that promotes a high degree of integrity in the practice of professional engineering _____

APPENDIX B
Suggested Guidelines for Evaluating Progressive Surveying Experience

The following is a partial list of work experiences that may be useful in guiding, mentoring, and verifying acceptable experience of surveyor interns and intern applicants. There are no correct answers to the following questions. The profile of each applicant will provide the board a basis for more specific questions.

Practical Application of Theory

1. **Research:** Easements; rights-of-way; plats; instruments of conveyance; corner information; government survey information; other pertinent surveys; other *[list]*:

2. **Measurement/Location:** Field measurements of topography and features; measurements to locate particular boundaries, parcels or points; level loops; GPS measurements; construction staking; other *[list]*:

3. **Computation/Analysis:** Traverse closure and adjustment; boundary interpretations; section computations; coordinate translations; coordinate calculations; survey accuracy; vertical curves; horizontal curves; other *[list]*:

4. **Legal Principles:** Legal description preparation and interpretation; corner filings; boundary determination; section corner opinions; adverse possession; easement and right-of-way preparation; other *[list]*:

5. **Land Planning:** Platting; zoning issues; subdivision regulations and layout; utility coordination; on-site wastewater systems and regulations; permits; other *[list]*:

6. **Time in the Surveying Process:** Difficulties of workflow; scheduling; equipment adjustments; construction staking coordination; other *[list]*:

7. **Knowledge and Understanding:** Codes, standards, regulations, and laws that govern applicable activities; other *[list]*:

Management

Management in surveying includes supervising staff, managing surveying projects, and managing and administering technology as it is applied in surveying. It may involve:

- 1. **Planning:** Developing concepts, planning surveying projects, evaluating alternative methods _____
- 2. **Scheduling:** Preparing task breakdowns and schedules _____
- 3. **Budgeting and Contracting:** Cost estimating and control, contract development _____
- 4. **Supervising:** Organizing human resources, motivating teams, directing and coordinating equipment _____
- 5. **Project Control:** Complete or partial project control by using and developing control tools such as network plans and Gantt charts _____
- 6. **Risk Assessment:** Assessment of risk associated with the progression of the project using surveying analysis and quantification methods to determine degree of risk of known hazards in proposed designs _____

Communication Skills

- 1. **Accumulates project knowledge** through interpersonal communication with supervisors, subordinates, clients, regulators, other surveyors or team interaction _____
- 2. **Transmits project knowledge** in verbal or written methods to clients, regulators, supervisors, subordinates, general public, or team members. Examples would be via meetings, written reports, other written correspondence and/or verbal briefings. _____

Social Implications

- 1. **Promotes and safeguards** the health, safety, and welfare of the public as demonstrated in daily work activities _____
- 2. **Demonstrates an awareness** of the consequences the work performed may incur and a desire to mitigate or eliminate any potential negative impact _____
- 3. **Follows a code of ethics** that promotes a high degree of integrity in the practice of professional surveying _____

APPENDIX C

Index for *Model Rules* with General Cross-Reference to *Model Law*

The following table is for reference only and is not intended to be all-inclusive or adopted into board law/rules. Italic font indicates summary paraphrase of paragraph contents.

<i>Model Rules</i> Section	Descriptor	Corresponding <i>Model Law</i> Section
SECTION 210	INTRODUCTION	
Section 210.10	Introduction	
Section 210.20	Definitions	110.20
Section 210.25	Inclusions and Exclusions to the Practice of Surveying	110.20 B.3
210.25 A	Activities Included within the Practice of Surveying	110.20 B.3
210.25 B	Activities Excluded from the Practice of Surveying	110.20 B.3
Section 210.30	Offering to Practice Engineering and Surveying	
SECTION 220	THE LICENSING BOARD	
Section 220.10	Board Operations	
220.10 A	Meetings	120.50
220.10 B	Voting	
220.10 C	Rules of Order	
220.10 D	Use of Forms	130.20 A
220.10 E	Roster	120.90
Section 220.20	Adoption and Amendment of Rules and Regulations	120.60 A
Section 220.30	Fees	
220.30 A	Application Fees	130.20 B, C; 160.40 B, C
220.30 B	Examination Fees	
220.30 C	Roster	
220.30 D	Renewal Fees	140.20, 160.50
220.30 E	Duplicate Certificate Fees	140.30, 160.60
SECTION 230	CANDIDATES FOR LICENSURE	
Section 230.10	Education Requirements Approved by the Board	
230.10 A	Engineering Program	130.10
230.10 B	Surveying Program	130.10
Section 230.20	Experience	
230.20 A	As a Professional Engineer	130.10 B
230.20 B	As a Professional Surveyor	130.10 C
Section 230.30	References	
230.30 A	<i>Applicant submits five references (three P.E./P.S.); references should have personal knowledge of applicant's experience</i>	130.10 A
230.30 B	<i>No relatives as references</i>	
230.30 C	<i>No current board member as a reference</i>	
230.30 D	<i>Applicant should inform individuals used as references that the references will be asked to complete and return a form</i>	
230.30 E	<i>Applicant has responsibility to ensure board receives reference forms; board may take action only when all references materials are complete</i>	
230.30 F	<i>Confidentiality of reference replies</i>	
Section 230.40	Examinations	
230.40 A	Classification of Engineering Examinations	130.30
230.40 B	Approval of Applicant for Engineering Examinations	130.10 B

Model Rules Section	Descriptor	Corresponding Model Law Section
230.40 C	Classification of Surveying Examinations	130.30
230.40 D	Approval of Applicant for Surveying Examinations	130.10 C
230.40 E	Examination Dates and Locations	130.30 A
230.40 F	Language of the Examination	
230.40 G	Exam Preparation Materials	130.30 D
230.40 H	Instructions for Examinees	
230.40 I	Examination Offerings	
230.40 J	Examination Results	
230.40 K	Review of Examinations	
230.40 L	Examination for Record Purposes	
Section 230.50	Classifications and Disciplines of Engineers and Surveyors	
230.50 A	Classification of Engineers (<i>E.I., P.E., discipline professional engineer</i>)	130.10 B
230.50 B	Classification of Surveyors (<i>S.I., P.S.</i>)	130.10 C
Section 230.60	Applications	
230.60 A	Application Process	130.20 A
230.60 B	Applicants with Degrees from Foreign Schools	
230.60 C	Reconsideration of Applications	
230.60 D	Disposition of Applications	
230.60 E	Licensure by Comity	130.10 B, C
SECTION 240	LICENSEES	
Section 240.10	Licensure	
240.10 A	License Number as a Professional Engineer or Professional Surveyor	140.10 B
240.10 B	Certificates of Licensure	140.10 B, C
240.10 C	Retirement of Licensure Option	110.20 A.1, B.1
240.10 D	Reissuance of Certificate	140.30, 160.60
Section 240.15	Rules of Professional Conduct	
240.15 A	Obligations of Licensees to the Public	150
240.15 B	Obligations of Licensees to Employer and Clients	150
240.15 C	Obligations of Licensees to Other Licensees	150
Section 240.20	Seal on Documents	
Section 240.30	Continuing Professional Competency	120.60 E, 140.20 B
240.30 A	Introduction	
240.30 B	Definitions	
240.30 C	Qualifying Activities	
240.30 D	Units	
240.30 E	Determination of Credit	
240.30 F	Recordkeeping	
240.30 G	Exemptions	
240.30 H	Reinstatement	
240.30 I	Requirements for Renewal	
240.30 J	Dual Licensees	
240.30 K	Certification	

Model Rules Section	Descriptor	Corresponding Model Law Section
Section 240.40	Expirations, Renewals, and Reinstatement to Active Practice	
240.40 A	<i>Renewal notice sent annually or as required by the board</i>	140.20, 160.50
240.40 B	<i>Renewal fee established by the board</i>	140.20, 160.50
240.40 C	<i>Board must receive renewal fees before expiration date; late fees assessed an additional fee</i>	
240.40 D	<i>Unpaid renewal fees void license or certificate and require new application for licensure or certification to continue practicing</i>	
240.40 E	<i>Licensee or firm who notifies board before expiration that they are no longer practicing may retain license/certificate for later use upon payment of fees</i>	
240.40 F	<i>Licensees solely responsible for timely renewal of their license and firm's managing agent solely responsible for timely renewal of firm's certificate</i>	
240.40 G	<i>Applicants for renewal or reinstatement may be asked to demonstrate they have maintained the required minimum level of professional competence</i>	
240.40 H	<i>Applicants for reinstatement not engaged in professional practice for more than five years may be required to take and pass PS and jurisdiction-specific exams</i>	
SECTION 250	DISCIPLINARY ACTIONS	
Section 250.10	Knowledge of Rules	
Section 250.20	Compliance	
Section 250.30	Disciplinary Action Procedures	
250.30 A	Summons and Notice of Charges	120.60 B, 150.20 D, 160.80 D
250.30 B	Evidentiary Matters	
250.30 C	Conduct of Hearing	
250.30 D	Record of Hearing	
Section 250.40	Bias	
SECTION 260	MISCELLANEOUS	
Section 260.10	Severability	

APPENDIX D
References to Internal Sections in *Model Law*

The following table is to be used for general representative, informational purposes only.

<i>Model Rule Citation</i>	<i>Model Law Citation Referenced within Citations in Column 1</i>
210.20	110.20
220.30 A.1	130.20 B
220.30 A.2	130.20 B
220.30 A.3	160.40 B
220.30 A.4	130.20 C, 160.40 C
230.10 A	130.10 B.1
230.10 B	130.10 C.1
230.20 A.2	130.10 B.2.a(1)
230.60 E	130.10
240.10 B	140.10

APPENDIX E NCEES Publications

Publications available on ncees.org in the About section

- The NCEES **annual report** highlights the Council’s leadership, mission, initiatives, and financial activities. An interactive version of the annual report is available at ncees.org/annualreport.
- The NCEES **Bylaws** outlines the structure of the Council.
- The **Continuing Professional Competency Guidelines** provides best practices for state licensing boards that have CPC requirements for licensees.
- The **History of the National Council of Examiners for Engineering and Surveying, 1920–2020** provides an in-depth history of U.S. licensure and NCEES.
- **Licensure Exchange** is the NCEES bimonthly newsletter for the exchange of information, opinions, and ideas regarding the licensure of engineers and surveyors.
- The **Manual of Policy and Position Statements** describes Council administrative, examination, financial, and professional policies as well as the official NCEES position on licensure issues.
- The **Model Law** reflects best practices as determined by the NCEES member boards. It is a model for state practice legislation.
- The **Model Rules** provides licensure boards with guidelines for engineering and surveying licensing laws and ethics.
- When it conducts a credentials evaluation, NCEES compares the candidate’s college-level education against the NCEES **Engineering Education Standard** or the NCEES **Surveying Education Standard**. These standards reflect generally agreed-upon educational qualifications for entering the profession.
- NCEES **Squared** is the official NCEES source for engineering and surveying licensure statistics.
- The NCEES white paper “**Using the FE Exam as an Outcomes Assessment Tool**” describes in detail how engineering departments can use the FE exam to assess program outcomes.

Additional publications available on MyNCEES (Board Resources portion of the NCEES website)

- Annual meeting *Action Items and Conference Reports*
- NCEES board of directors minutes
- *Investigation and Enforcement Guidelines*
- *Investigative Training Manual*
- Zone meeting minutes
- *Zone Meeting and Continuity Guidelines*

APPENDIX F

Model Language for Member Boards that License Structural Engineers

Model Rules 230.40 provides model language for classification of engineering exams and approval of applicants for engineering exams, and *Model Rules* 230.60 provides language for applications. The language highlighted in gray below is being provided in this appendix to the *Model Rules* so that boards that also license structural engineers will have model language for structural engineering. Adopting similar language can help with licensure mobility among the boards that license structural engineers. The language highlighted in gray below is provided for those boards. The language that is not highlighted in gray is currently in *Model Rules* 230.40 and 230.60 for professional engineers and is provided as a reference for where to insert the structural engineering-related language in the *Model Rules*.

Model Language to Use for Structural Engineering Licensure

230.40 Examinations

A. Classification of Engineering Examinations

This jurisdiction or its designee will provide the following examinations:

1. NCEES Fundamentals of Engineering (FE) examination—The examination consists of subject matters in the fundamentals of engineering.
2. NCEES Principles and Practice of Engineering (PE) examination—The examination consists of subject matters in applied engineering.
3. NCEES PE Structural examination—The examination consists of subject matters in applied structural engineering.

This jurisdiction may provide the following examinations:

1. Jurisdictional examinations—The examinations may include jurisdiction laws, procedures, and standards for the practice of engineering.

B. Approval of Applicant for Engineering Examinations

1. NCEES Fundamentals of Engineering (FE) Examination

- a. An individual applying to take the FE examination may register with NCEES directly to take the FE examination or, if required, apply to the board for admission to the FE examination.

2. NCEES Principles and Practice of Engineering (PE) Examination

- a. An individual will be permitted to sit for the PE examination upon satisfactorily fulfilling all requirements of the jurisdiction.
- b. Engineering doctorate degree applicants with an undergraduate degree from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) and with a doctorate degree in engineering from an institution that offers EAC/ABET-accredited undergraduate programs in the doctorate degree field of engineering and with experience that meets the qualifications defined by the board may sit for the PE examination without having taken or passed the FE examination.

3. NCEES PE Structural examination

- a. An individual will be permitted to sit for the PE Structural examination upon satisfactorily fulfilling all requirements of the jurisdiction.
- b. Engineering doctorate degree applicants with an undergraduate degree from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) and with a doctorate degree in engineering from an institution that offers EAC/ABET-accredited undergraduate programs in the doctorate degree field of engineering and with experience that meets the qualifications defined by the board may sit for the PE Structural examination without having taken or passed the FE examination.

230.60 Applications

E. Licensure by Comity

1. The board is authorized to review and evaluate the application of a comity applicant to determine if the applicant meets or exceeds the criteria to be licensed as a professional engineer, professional structural engineer, or professional surveyor as defined in Section 130.10 of the *Model Law*.
2. The board administrator is authorized to review and evaluate the application of a comity applicant to determine if the applicant meets or exceeds the criteria of a Model Law Engineer,

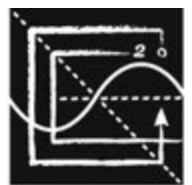
Model Law Structural Engineer, or Model Law Surveyor designated by NCEES. If the applicant meets or exceeds these requirements, the board administrator may issue a contingent license authorizing that individual to offer or provide engineering or surveying services in this jurisdiction. A list of all engineers issued contingent licenses will be placed on the agenda of the next meeting of the board for formal approval by the board. A list of all surveyors who have been issued contingent licenses and who have passed the appropriate jurisdiction-specific examination will be placed on the agenda of the next meeting for formal approval by the board.



200 Verdae Boulevard, Greenville, SC 29607
ncees.org

MODEL LAW

August 2024



NCEES

MODEL LAW

Revised August 2024

Vision

The vision of NCEES is to provide leadership in professional licensure of engineers and surveyors through excellence in uniform laws, licensing standards, and professional ethics in order to safeguard the health, safety, and welfare of the public and to shape the future of professional licensure.

Mission

The mission of NCEES is to advance licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public.

This mission is supported through its member boards, board of directors, staff, board administrators, and volunteers by:

- Providing outstanding nationally normed examinations for engineers and surveyors
- Providing uniform model laws and model rules for adoption by the member boards
- Promoting professional ethics among all engineers and surveyors
- Coordinating with domestic and international organizations to advance licensure of all engineers and surveyors



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PREFACE

Purpose of the NCEES *Model Law* and *Model Rules*

The vision of the National Council of Examiners for Engineering and Surveying (NCEES) is to provide leadership in professional licensure of engineers and surveyors through excellence in uniform laws, licensing standards, and professional ethics in order to safeguard the health, safety, and welfare of the public and to shape the future of professional licensure. The mission of NCEES is to advance licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public.

NCEES serves as an organization through which its members—the engineering and surveying licensure boards in all U.S. states and territories—can counsel and act together to better discharge their duties as individual, autonomous regulatory agencies. One of the primary ways NCEES fulfills its vision and supports its mission is by providing the *Model Law* and *Model Rules* for adoption by its member boards.

The NCEES *Model Law* sets forth broad ideas about the regulation of engineering and surveying licensure. It is an enabling document that defines the board's powers and duties. It is designed to assist legislative counsels, legislators, and NCEES members in preparing new or amendatory legislation. Each line in the sections is numbered to facilitate use of this document as a working model.

The *Model Rules* complements the *Model Law* by providing model rules and regulations for the ways member boards can carry out the general concepts introduced and set forth in the law. While it is designed to explain broad provisions stated in the *Model Law* by offering the details from an administrative perspective, the *Model Rules*, just like a board's regulations or rulemaking process, functions only within the authority granted by the *Model Law*. The *Model Rules* is designed to assist NCEES member board members, board counsel, and board administrators in preparing and updating board rules.

The bracketed and italicized language throughout the *Model Law* and *Model Rules* indicates areas where language may need to be customized for a jurisdiction.

By vote, the majority of NCEES member boards have agreed that the language in the *Model Law* and *Model Rules* represents the gold standard for engineering and surveying licensure requirements in the United States. Revisions to the *Model Law* and *Model Rules* are decided at the NCEES annual business meeting, and any motion to amend the *Model Law* or the *Model Rules* presented at an annual business meeting by an entity other than the Committee on Uniform Procedures and Legislative Guidelines (UPLG) shall be referred to the UPLG Committee for review and revision of the language for inclusion before it is presented for Council vote at the next scheduled annual meeting.

The intent of NCEES in preparing these uniform model documents is to present its member boards with a high-level benchmark—and yet a sound and realistic guide—that will provide greater uniformity of qualifications for licensure, raise these qualifications to a higher level of accomplishment, and simplify the interstate licensure of engineers and surveyors.

LICENSURE OF ENGINEERS AND SURVEYORS

AN ACT

To regulate the practice of engineering and/or¹ surveying; provide for the licensure of qualified individuals as professional engineers and/or professional surveyors and for the certification of engineer interns, surveyor interns, and firms; define the terms “Professional Engineer,” “Professional Engineer, Retired,” “Engineer Intern,” and “Practice of Engineering”; define the terms “Professional Surveyor,” “Professional Surveyor, Retired,” “Surveyor Intern,” and “Practice of Surveying”; create a jurisdiction board of licensure for professional engineers and/or professional surveyors and provide for the appointment and compensation of its members; fix the term of members of the board and define its powers and duties; set forth the minimum qualifications and other requirements for licensure as a professional engineer and/or a professional surveyor and for certification as an engineer intern, surveyor intern, or firm; establish fees and expiration and renewal requirements; impose certain duties upon this jurisdiction and political subdivisions thereof in connection with public work; and provide for the enforcement of this Act and penalties for its violation.

Be it enacted by the *[insert Legislative body name]* of the Jurisdiction of *[insert state or territory name]* as follows.

110 INTRODUCTION

110.10 General Provisions

- A. Regulation of Engineers and Surveyors—In order to safeguard the health, safety, and welfare of the public, the practice of engineering and/or the practice of surveying in this jurisdiction is/are hereby declared to be subject to regulation in the public interest. It shall be unlawful for any person to practice, or to offer to practice, engineering and/or surveying in this jurisdiction, as defined in the provisions of this Act, or to use in connection with their name or otherwise assume, or advertise any title or description tending to convey the impression that they are a professional engineer and/or surveyor, unless such person has been duly licensed or authorized or is exempted under the provisions of this Act. The practice of engineering or surveying shall be deemed a privilege granted by this jurisdiction through the licensing board based on the qualifications of the individual as evidenced by that individual’s license, which shall not be transferable.
- B. Board Structure—The licensing board shall be an independent agency.² It shall receive no financial support from the jurisdiction general fund and be fully supported by the revenue collected through fees and other sources. All revenue collected by the board shall be deposited into the Professional Engineers and/or Surveyors Account *[insert name of board account]*, reserved and dedicated for the express use of administering the requirements of this Act.

110.20 Definitions

- A. Professional Engineer—The term “Professional Engineer,” as used in this Act, shall mean an individual who is qualified to practice engineering by reason of engineering education, training, experience, and examination in the application of engineering principles and the interpretation of engineering data and who has been duly licensed as a professional engineer by the board. The board

¹ The *Model Law* is designed to serve boards of engineers and surveyors, boards of engineers, and boards of surveyors. NCEES recognizes that each jurisdiction will have its own framework as a government agency, as an agency under an umbrella organization, or as an independent board.

² The independent nature of a board is the best structure for efficient operations. It minimizes adverse effects of external influences related to funding, decision-making, and disciplinary activities.

5 may designate a professional engineer, on the basis of education, experience, and examination, as
6 being licensed in a specific discipline or branch of engineering signifying the area in which the
7 engineer has demonstrated competence.

- 8 1. Professional Engineer, Retired—The term “Professional Engineer, Retired,” as used in this Act,
9 shall mean an individual who has been duly licensed as a professional engineer by the board
10 and who chooses to relinquish or not to renew a license and who applies to and is approved by
11 the board to be granted the use of the title “Professional Engineer, Retired.”
- 12 2. Engineer Intern—The term “Engineer Intern,” as used in this Act, shall mean an individual
13 who has been duly certified as an engineer intern by the board.
- 14 3. Practice of Engineering—The term “Practice of Engineering,” as used in this Act, shall mean
15 any service or creative work requiring engineering education, training, and experience in the
16 application of engineering principles and the interpretation of engineering data to engineering
17 activities, including the engineering design of buildings, structures, products, machines,
18 processes, and systems, that potentially impact the health, safety, and welfare of the public.
19 The services may include, but not be limited to, providing planning, studies, designs, design
20 coordination, drawings, specifications, and other technical submissions; teaching engineering
21 design courses; commissioning of engineered systems; performing surveying that is incidental
22 to the practice of engineering; and reviewing construction or other design products for the
23 purposes of monitoring compliance with drawings and specifications related to engineered
24 works.

25 Surveying incidental to the practice of engineering excludes the surveying of real property for
26 the establishment or determination of land boundaries, rights of way, easements, and the
27 dependent or independent surveys or resurveys of the public land survey system and is limited
28 to conducting field measurements to supplement the documentation of existing conditions.

29 An individual shall be construed to practice engineering, within the meaning and intent of this
30 Act, if the individual does any of the following:

- 31 a. Practices any discipline of the profession of engineering or holds themselves out as able
32 and entitled to practice any discipline of engineering
- 33 b. Represents themselves to be a professional engineer by verbal claim, sign, advertisement,
34 letterhead, or card or in any other way
- 35 c. Through the use of some other title, implies that they are a professional engineer under
36 this Act

37 B. Professional Surveyor (Professional Land Surveyor, Professional Surveyor and Mapper, Geomatics
38 Professional, or equivalent term)—The term “Professional Surveyor,” as used in this Act, shall
39 mean an individual who is qualified to practice surveying by reason of surveying education,
40 training, experience, and examination in the application of surveying principles and the
41 interpretation of surveying data and who has been duly licensed as a professional surveyor by the
42 board.

- 43 1. Professional Surveyor, Retired—The term “Professional Surveyor, Retired,” as used in this Act,
44 shall mean an individual who has been duly licensed as a professional surveyor by the board
45 and who chooses to relinquish or not to renew a license and who applies to and is approved by
46 the board to be granted the use of the title “Professional Surveyor, Retired.”
- 47 2. Surveyor Intern—The term “Surveyor Intern,” as used in this Act, shall mean an individual
48 who has been duly certified as a surveyor intern by the board.
- 49 3. Practice of Surveying—The term “Practice of Surveying,” as used in this Act, shall mean
50 providing, or offering to provide, professional services using such sciences as mathematics,

51 geodesy, and photogrammetry, and involving both (1) the making of geometric measurements
52 and gathering related information pertaining to the physical or legal features of the earth,
53 improvements on the earth, the space above, on, or below the earth and (2) providing,
54 utilizing, or developing the same into survey products such as graphics, data, maps, plans,
55 reports, descriptions, or projects.

- 56 a. Professional services include acts of consultation, investigation, testimony evaluation,
57 expert technical testimony, planning, mapping, assembling, and interpreting gathered
58 measurements and information related to any one or more of the following:
59 i. Determining by measurement the configuration or contour of the earth's surface or
60 the position of fixed objects thereon
61 ii. Determining by performing geodetic surveys the size and shape of the earth or the
62 position of any point on the earth
63 iii. Locating, relocating, establishing, reestablishing, or retracing property lines or
64 boundaries of any tract of land, road, right of way, or easement
65 iv. Making any survey for the division, subdivision, or consolidation of any tract(s) of
66 land
67 v. Locating or laying out alignments, positions, or elevations for the construction of fixed
68 works
69 vi. Determining, by the use of principles of surveying, the position for any survey
70 monument (boundary or nonboundary) or reference point; establishing or replacing
71 any such monument or reference point
72 vii. Creating, preparing, or modifying electronic, computerized, or other data, relative to
73 the performance of the activities in items i–vii above
74 b. An individual shall be construed to practice surveying, within the meaning and intent of
75 this Act, if the individual does any of the following:
76 i. Engages in or holds themselves out as able and entitled to practice surveying
77 ii. Represents themselves to be a professional surveyor by verbal claim, sign,
78 advertisement, letterhead, or card or in any other way
79 iii. Through the use of some other title, implies that they are a professional surveyor or
80 licensed under this act

- 81 C. Board—The term “Board,” as used in this Act, shall mean the jurisdiction board of licensure for
82 professional engineers and professional surveyors, hereinafter provided by this Act.
83 D. Jurisdiction—The term “Jurisdiction,” as used in this Act, shall mean a state, the District of
84 Columbia, or any territory, commonwealth, or possession of the United States that issues licenses
85 to practice and regulates the practice of engineering and/or surveying within its legal boundaries.
86 E. Responsible Charge—The term “Responsible Charge,” as used in this Act, shall mean direct control
87 and personal supervision of engineering or surveying work, as the case may be.
88 F. Rules of Professional Conduct—The term “Rules of Professional Conduct,” as used in this Act,
89 shall mean those rules of professional conduct, if any, promulgated by the board as authorized by
90 this Act.
91 G. Firm—The term “Firm,” as used in this Act, shall mean any form of business or entity other than
92 an individual operating as a sole proprietorship under their name.
93 H. Managing Agent—The term “Managing Agent,” as used in this Act, shall mean an individual who is
94 licensed under this Act and who has been designated pursuant to Section 160.20 of this Act by the
95 firm.
96 I. Rules—The term “Rules,” as used in this Act, shall mean those rules and regulations adopted
97 pursuant to Section 120.60 A, Board Powers, of this Act.

- 98 J. Signature—The term “Signature,” as used in this Act, shall mean a name, mark, or writing made by
99 the professional engineer or professional surveyor with the intention of verifying or authenticating
100 a document.
- 101 Electronic or Digital Signature—The term “Electronic or Digital Signature” shall mean an
102 electronic sound, symbol, process, or secure digital code that uniquely identifies and authenticates
103 the sender, attached to or logically associated with an electronically transmitted record and
104 executed or adopted by a person with the intent to sign the record.
- 105 K. Seal—The term “Seal,” as used in this Act, shall mean a symbol, image, or list of information.
- 106 L. Licensee—The term “Licensee,” as used in this Act, shall mean a professional engineer or a
107 professional surveyor.
- 108 M. Person—The term “Person,” as used in this Act, shall mean an individual or firm.
- 109 N. Authoritative—The term “Authoritative,” as used in this Act or Rules promulgated under this Act,
110 shall mean being presented as trustworthy and competent when used to describe products,
111 processes, applications, or data, derived from the practice of surveying, that results in a
112 description that meets or exceeds the positional accuracy for the location of a feature, object, or
113 boundary.
- 114 O. Disciplinary Action—The term “Disciplinary Action,” as used in this Act, shall mean any final
115 written decision or settlement taken against an individual or firm by a licensing board based upon
116 a violation of the board’s laws and rules. Disciplinary actions include reprimands; sanctions;
117 administrative fines; the board’s refusal to issue, restore, or renew a license; settlement
118 agreements or consent orders; probation; suspension; revocation; surrendering, relinquishing, or
119 agreeing not to renew the license as part of an agreement or board order; or any combination
120 thereof.
- 121 P. Positional accuracy—The extent to which horizontal and vertical information on a map or in a
122 digital database matches true or accepted values that are relative to the earth’s surface or other
123 reference datum
- 124 Q. Georeferenced—Being referenced, measured, or described in spatial terms relative to the earth’s
125 surface or other reference datum
- 126 R. Surveying deliverables—Any map, database, report, or other similar electronic or printed
127 deliverable that shows the authoritative location of features or coordinate systems. Surveying
128 deliverables provide spatial information to a level of positional accuracy, whether that accuracy is
129 stated, regulated, or implied.
- 130 S. Inactive Status—Licensees who are not engaged in engineering or surveying practice that require
131 licensure in this jurisdiction may be granted inactive status. No licensee granted inactive status
132 may practice or offer to practice engineering in this jurisdiction unless otherwise exempted in this
133 Act.

120 THE LICENSING BOARD

120.10 Board Appointments, Terms

1 A jurisdiction board of licensure for professional engineers and/or professional surveyors is hereby
2 created whose duty it shall be to administer the provisions of this Act. The board shall consist of
3 *[insert number]* professional engineers, *[insert number]* professional surveyors, and *[insert number]*
4 public members who shall be appointed by the governor. The professional engineer and professional
5 surveyor members shall preferably be appointed from a list of nominees submitted by the respective
6 engineering and/or surveying societies of this jurisdiction and shall have the qualifications required by
7 Section 120.20 of this Act. Each member of the board shall receive a certificate of their appointment
8 from the governor and shall file with this jurisdiction a written oath or affirmation for the faithful

9 discharge of their official duty. Appointments to the board shall be in such manner and for such period
10 of time that the term of each member shall expire at the end of a different year, insofar as is possible.
11 On the expiration of the term of any member, the governor shall in the manner hereinbefore provided
12 appoint for a term of *[insert number]* years a professional engineer, a professional surveyor, or a
13 public member having the qualifications required in Section 120.20 of this Act. Members may be
14 reappointed to succeed themselves. Each member shall hold office until the expiration of the term for
15 which appointed or until a successor has been duly appointed and has qualified. In the event of a
16 vacancy on the board due to resignation, death, or for any cause resulting in an unexpired term, if not
17 filled within three months by the governor, the board may appoint a provisional member to serve in
18 the interim until the governor acts.

120.20 Board Qualifications

1 Each professional engineer member of the board shall be a citizen of the United States, be a resident of
2 this jurisdiction, have been engaged in the lawful practice of engineering as a professional engineer,
3 have been in responsible charge of engineering projects for at least five years, and be a licensed
4 professional engineer in this jurisdiction.

5 Each professional surveyor member of the board shall be a citizen of the United States, be a resident of
6 this jurisdiction, have been engaged in the lawful practice of surveying as a professional surveyor, have
7 been in responsible charge of surveying projects for at least five years, and be a licensed professional
8 surveyor in this jurisdiction.

9 Each public member of the board shall be a citizen of the United States and a resident of this
10 jurisdiction and shall not be or have been a licensee.

120.30 Board Compensation, Expenses

1 Each member of the board shall be entitled to the maximum allowable per diem set by the board when
2 attending to the work of the board or any of its committees and for the time spent in necessary travel;
3 and, in addition thereto, shall be reimbursed for all actual traveling, incidental, and clerical expenses
4 necessarily incurred in carrying out the provisions of this Act.

120.40 Board Removal of Members, Vacancies

1 The governor may remove any member of the board for misconduct, incompetence, neglect of duty, or
2 for reason prescribed by law for removal of jurisdiction officials. Vacancies in the membership of the
3 board shall be filled for the unexpired term by appointment of the governor as provided in Section
4 120.10 of this Act.

120.50 Board Organization and Meetings

1 The board shall hold at least *[insert number]* regular meetings each year. Other meetings may be
2 called as prescribed by jurisdictional law. The board shall elect or appoint annually from among its
3 membership the following officers: a chairperson, a vice chairperson, and a secretary. A quorum of the
4 board shall consist of no fewer than *[insert number]* professional engineer members, *[insert number]*
5 professional surveyor members, and *[insert number]* public members.

120.60 Board Powers

- 1 A. The board shall have the power to adopt and amend all bylaws and rules of procedure not
2 inconsistent with the constitution and laws of this jurisdiction or this Act, including, but not
3 limited to, the adoption and promulgation of Rules, which may be reasonably necessary for the
4 proper performance of its duties and the regulation of its procedures, meetings, records,
5 examinations, and the conduct thereof. These actions by the board shall be binding upon
6 individuals licensed or recognized under this Act and on non-licensees found by the board to be in
7 violation of provisions of this Act and shall be applicable to firms that hold or should hold a
8 certificate of authorization as provided in Section 160 of this Act. The board shall adopt and have
9 an official seal, which shall be affixed to each certificate issued.
- 10 B. In carrying into effect the provisions of this Act, the board may subpoena witnesses and compel
11 their attendance and may require the submission of pertinent records and data, in any disciplinary
12 matter, or in any case wherever a violation of this Act is alleged. Upon failure or refusal to comply
13 with any such order of the board or upon failure to honor its subpoena, as herein provided, the
14 board may apply to a court of competent jurisdiction to enforce compliance with same.
- 15 C. The board is hereby authorized in its own name to apply for relief by injunction in the established
16 manner provided in cases of civil procedure, without bond, to enforce the provisions of this Act or
17 to restrain any violation thereof. In such proceedings, it shall not be necessary to allege or prove
18 either that an adequate remedy at law does not exist or that substantial or irreparable damage
19 would result from the continued violation thereof. The members of the board shall not be
20 personally liable under these proceedings.
- 21 D. The board may subject any applicant to such examinations as it deems necessary to determine the
22 applicant's qualifications.
- 23 E. The board shall have the power and authority to require a demonstration of continuing
24 professional competency of professional engineers and professional surveyors as a condition of
25 renewal or relicensure.
- 26 F. The board has the authority for citation and fining of persons engaged in the practice of
27 engineering or surveying in this jurisdiction as provided by law. This board authority applies to
28 licensed, unlicensed, authorized, and unauthorized persons.
- 29 G. The board shall retain and exercise all administrative and civil rights and remedies commonly
30 available to agencies in this jurisdiction. No action or other legal proceedings for damages shall be
31 instituted against the board or against any board member or employee or agent of the board for
32 any act done in good faith and in the intended performance of any power granted under this Act or
33 for any neglect or default in the performance or exercise in good faith of any such duty or power.
- 34 H. The board shall have the power and authority to waive requirements of this law pertaining to
35 surveying or engineering licensure provided consideration is given to safeguarding the health,
36 safety, and welfare of the public.
- 37 I. In carrying out the duties, functions, and obligations in this Act, the board may contract with any
38 jurisdictional agency or private vendor as the board considers appropriate. The board may also
39 enter into contracts to acquire, own, encumber, issue, replace, deal in, and dispose of real and
40 personal property.
- 41 J. The board shall have the power to employ such staff as necessary for the proper performance of its
42 work. The board may employ an individual who shall be responsible for the administration of the
43 policies of the board and for the processing of its routine operations. The board may also employ
44 those persons required and qualified, including full or part-time, to perform the administration of
45 the laws of this jurisdiction and those rules regulating the practice of engineering and surveying.
46 This includes the use of consultants when deemed necessary.

- 47 K. The board shall have the power to appoint committees to assist the board's efforts in carrying out
48 the responsibilities of this Act.
- 49 L. The board shall have the power to adopt and collect fees in amounts necessary to enable the board
50 to carry out its function under this Act.
- 51 M. The board shall be authorized to use electronic transmissions for all purposes permitted under
52 statute *[insert citation for jurisdiction law]*.
- 53 N. The attorney general of this jurisdiction or their assistants may act as legal adviser to the board
54 and render such legal assistance as may be necessary in carrying out the provisions of this Act. The
55 board may employ or retain counsel and necessary assistance to aid in the enforcement of this Act,
56 and the compensation and expenses therefore shall be paid from the funds of the board.

120.65 Bias or Conflict

1 Any board member who serves on the investigative committee cannot vote at the disciplinary hearing.
2 *[Note: Some boards use one member on a rotating basis. Some boards do not use a committee but use*
3 *an investigator who then confers with the board and the attorney for the board.]* The investigative
4 committee makes a determination if probable cause exists for taking further action or for issuing a
5 summons and notice of charges.

120.70 Receipts and Disbursements

1 The board administrator shall receive, disburse, and account for all monies derived under the
2 provisions of this Act. This fund shall be known as the "Professional Engineers' and Professional
3 Surveyors' Fund," shall be kept in a local bank or deposited with the jurisdiction treasurer, and shall be
4 paid out only upon requisitions submitted by the board administrator. All monies in this fund are
5 hereby specifically appropriated for the use of the board. The board administrator shall give a surety
6 bond to this jurisdiction in such sum as may be required by the laws of this jurisdiction. The premium
7 on said bond shall be regarded as a proper and necessary expense of the board. The board
8 administrator shall receive such salary as the board shall determine. The board shall make
9 expenditures from the abovementioned fund for any purpose which, in the opinion of the board, is
10 reasonably necessary for the proper performance of its duties under this Act, including the expenses of
11 the board's delegates to meetings of and membership fees to the National Council of Examiners for
12 Engineering and Surveying (NCEES) and any of its subdivisions. Individuals appointed by the board to
13 serve on committees, or who perform other services required by the board, are entitled to
14 reimbursement of expenses as approved by the board. Under no circumstances shall the total amount
15 of warrants issued in payment of the expenses and compensation provided for in this Act exceed the
16 amount of monies collected.

120.80 Records and Reports

- 1 A. The board shall keep a record of its proceedings. The board shall also keep a record of all
2 applications for licensure, which shall show all of the following:
- 3 1. The name, date of birth, and physical address of each applicant
 - 4 2. The date of application
 - 5 3. The place of business of the applicant
 - 6 4. Educational and other qualifications of the applicant
 - 7 5. Whether or not an examination was required
 - 8 6. Whether or not the applicant was rejected

- 9 7. Whether or not a license was granted
 - 10 8. The date of the action by the board
 - 11 9. A declaration under penalty of perjury from each applicant that they will abide by the statutes
 - 12 and rules prescribed by the board, with the declaration becoming a part of their application for
 - 13 licensure
 - 14 10. Any other information deemed necessary by the board
- 15 B. The board shall also keep a record of all applications of firms for a certificate of authorization,
- 16 which shall show all of the following:
- 17 1. The name, date of formation, and business address of each applicant
 - 18 2. The date of application
 - 19 3. The name, physical address, and license number of the managing agent
 - 20 4. Whether or not the applicant was rejected
 - 21 5. Whether or not a certificate of authorization was granted
 - 22 6. The date of the action by the board
 - 23 7. A declaration under penalty of perjury from an officer and managing agent, if the officer is not
 - 24 the managing agent, that the applicant will abide by the statutes and rules prescribed by the
 - 25 board, with the oath becoming a part of its application for a certificate of authorization
 - 26 8. Any other information deemed necessary by the board
- 27 C. The record of the board proceedings shall be prima facie evidence of the proceedings of the board,
- 28 and a transcript thereof, duly certified by the board administrator under seal, shall be admissible
- 29 as evidence with the same force and effect as if the original were produced.
- 30 D. The board shall adopt its budget in accordance with accepted accounting principles and
- 31 jurisdictional requirements. Periodic budget status reports showing classifications of expenditures
- 32 and revenues shall be made to the public and stakeholders. The board administrator shall make an
- 33 annual financial report to the governor or other appropriate fiscal oversight authorities in this
- 34 jurisdiction.
- 35 E. The Freedom of Information Act requires most records, papers, and reports of the board to be
- 36 public in nature and to be obtained from the board upon written request and payment of costs of
- 37 reproduction, handling, and mailing. Other records, papers, and reports, most of which are
- 38 confidential, are not considered to be public in nature and are not available except when required
- 39 by court action or the jurisdiction's public records laws. These include, but are not limited to,
- 40 examination material for examinations not yet given, file records of examination problems and
- 41 solutions, examinations scores, letters of inquiry and reference concerning applicants, transcripts
- 42 of college courses and grades, email addresses, board inquiry forms concerning applicants,
- 43 pending and closed complaints and investigative files until a formal hearing may commence or
- 44 until final disciplinary action is taken, cases dismissed without disciplinary action, all other
- 45 materials of like confidential nature, and information otherwise protected by law.

120.90 Roster

1 A complete roster showing the names, last known addresses, and license or certificate number of all

2 professional engineers, professional surveyors, and firms holding a certificate of authorization shall be

3 published by the board.

130 LICENSURE

130.10 General Requirements for Licensure

4 Education, experience, and examinations are required for licensure as a professional engineer or

5 professional surveyor as set forth by the jurisdiction.

6 A. Eligibility for Licensure

7 To be eligible for licensure as a professional engineer or professional surveyor, an individual must
8 meet all of the following requirements:

- 9 1. Be of good character and reputation
- 10 2. Satisfy the education criteria set forth by the board
- 11 3. Satisfy the experience criteria set forth by the board
- 12 4. Pass the applicable examinations set forth by the board
- 13 5. Submit five references acceptable to the board

14 B. Engineering

15 1. Certification or Enrollment as an Engineer Intern

16 The following shall be considered as minimum evidence that the applicant is qualified for
17 certification as an engineer intern.

18 a. Graduating from an engineering program of four years or more accredited by the
19 Engineering Accreditation Commission of ABET (EAC/ABET), graduating from an
20 engineering master's program accredited by EAC/ABET, or meeting the requirements of
21 the *NCEES Engineering Education Standard*

22 b. Passing the NCEES Fundamentals of Engineering (FE) examination

23 2. Licensure as a Professional Engineer

24 The board may designate a professional engineer as being licensed in a specific discipline or
25 branch of engineering, signifying the area in which the engineer has demonstrated
26 competence.

27 a. Initial Licensure as a Professional Engineer

28 An applicant who presents evidence of meeting the applicable education, examination,
29 and experience requirements as described below shall be eligible for licensure as a
30 professional engineer.

31 (1) Education Requirements

32 An individual seeking licensure as a professional engineer shall possess one or more of
33 the following education qualifications:

- 34 (a) A degree in engineering from an EAC/ABET-accredited bachelor's program
- 35 (b) A degree in engineering from an EAC/ABET-accredited master's program
- 36 (c) A bachelor's, master's, or doctoral degree in engineering from a non-EAC/ABET-
37 accredited program. This individual's education must be shown to meet the
38 *NCEES Engineering Education Standard*.

39 (2) Examination Requirements

40 An individual seeking licensure as a professional engineer shall take and pass the
41 NCEES Fundamentals of Engineering (FE) examination and the NCEES Principles
42 and Practice of Engineering (PE) examination, and any jurisdiction-specific
43 examination.

44 (3) Experience Requirements

45 An individual seeking licensure as a professional engineer shall present evidence of a
46 specific record of four years of progressive engineering experience after a qualifying
47 degree is conferred as described in a(1) above. This experience should be of a grade
48 and character that indicate to the board that the applicant may be competent to
49 practice engineering. The following educational criteria may apply as a substitute to
50 the length of experience set forth above:

- 51 (a) An individual with a master's degree in engineering acceptable to the board:
52 three years of experience after the qualifying bachelor's degree is conferred as
53 described in a(1)(a) or a(1)(c) above

54 (b) An individual with an earned doctoral degree in engineering acceptable to the
55 board and who has passed the FE exam: two years of experience

56 (c) An individual with an earned doctoral degree in engineering acceptable to the
57 board and who has elected not to take the FE exam: four years of experience

58 A graduate degree that is used to satisfy education requirements cannot be applied for
59 experience credit toward licensure. To be eligible for experience credit, graduate
60 degrees shall be relevant to the applicant's area of professional practice.

61 Experience credit for a graduate degree cannot be earned concurrently with work
62 experience credit.

63 b. Licensure by Comity for a Professional Engineer^{3,4}

64 The following shall be considered as minimum evidence satisfactory to the board that the
65 applicant is qualified for licensure by comity as a professional engineer:

66 (1) An individual holding a license to engage in the practice of engineering issued by a
67 proper authority of any jurisdiction or any foreign country, based on requirements
68 that do not conflict with the provisions of this Act and possessing credentials that are,
69 in the judgment of the board, of a standard that provides proof of minimal
70 competency and is comparable to the applicable licensure act in effect in this
71 jurisdiction at the time such license was issued may, upon application, be licensed
72 without further examination except as required to examine the applicant's knowledge
73 of statutes, rules, and other requirements unique to this jurisdiction; or

74 (2) An individual holding an active Council Record with NCEES, whose qualifications as
75 evidenced by the Council Record meet the requirements of this Act, may, upon
76 application, be licensed without further examination except as required to examine
77 the applicant's knowledge of statutes, rules, and other requirements unique to this
78 jurisdiction.

79 C. Surveying

80 1. Certification or Enrollment as a Surveying Intern

81 The following shall be considered as minimum evidence that the applicant is qualified for
82 certification as a surveying intern.

83 a. Graduating from a surveying program of four years or more accredited by the Engineering
84 Accreditation Commission of ABET (EAC/ABET), the Engineering Technology
85 Accreditation Commission of ABET (ETAC/ABET), or the Applied and Natural Science
86 Accreditation Commission of ABET (ANSAC/ABET); graduating from a program of four
87 or more years related to surveying with 30 or more semester course hours in core
88 surveying topics; or meeting the requirements of the NCEES *Surveying Education*
89 *Standard*

90 b. Passing the NCEES Fundamentals of Surveying (FS) examination

91 2. Licensure as a Professional Surveyor

92 a. Initial Licensure as a Professional Surveyor

93 An applicant who presents evidence of meeting the applicable education, examination,
94 and experience requirements as described below shall be eligible for licensure as a
95 professional surveyor.

³ Jurisdictions (boards) that do not license by discipline may license an individual as a professional engineer.

⁴ Jurisdictions (boards) that license by discipline may license an individual in any discipline in which the individual can verify competency.

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(1) Education Requirements

An individual seeking licensure as a professional surveyor shall possess one or more of the following education qualifications (a degree in surveying includes surveying, surveying engineering, mapping, geodesy, and geomatics):

- (a) A degree in surveying of four years or more accredited by the Engineering Accreditation Commission of ABET (EAC/ABET)
- (b) A degree in surveying of four years or more accredited by the Engineering Technology Accreditation Commission of ABET (ETAC/ABET)
- (c) A degree in surveying of four years or more accredited by the Applied and Natural Science Accreditation Commission of ABET (ANSAC/ABET)
- (d) A degree related to surveying of four years or more with 30 or more semester course hours in core surveying topics
- (e) A bachelor's, master's, or doctoral degree from a non-accredited program related to surveying. This individual's education must be shown to meet the NCEES *Surveying Education Standard*

(2) Examination Requirements

An individual seeking licensure as a professional surveyor shall take and pass the NCEES Fundamentals of Surveying (FS) examination and the NCEES Principles and Practice of Surveying (PS) examination, and any jurisdiction-specific examination.

(3) Experience Requirements

An individual seeking licensure as a professional surveyor shall present evidence of a specific record of four years of progressive surveying experience after a qualifying degree is conferred as described in 2.a.(1) above. This experience should be of a grade and character that indicate to the board that the applicant may be competent to practice surveying. The following educational criteria may apply as a substitute to the length of experience set forth above:

- (a) An individual with a master's degree in surveying acceptable to the board: three years of experience after the qualifying bachelor's degree is conferred as described in 2.a.(1) above
- (b) An individual with an earned doctoral degree in surveying acceptable to the board and who has passed the FS exam: two years of experience
- (c) An individual with an earned doctoral degree in surveying acceptable to the board and who has elected not to take the FS exam: four years of experience

A graduate degree that is used to satisfy education requirements cannot be applied for experience credit toward licensure. To be eligible for experience credit, graduate degrees shall be relevant to the applicant's area of professional practice.

Experience credit for a graduate degree cannot be earned concurrently with work experience credit.

b. Licensure by Comity for a Professional Surveyor

The following shall be considered as minimum evidence satisfactory to the board that the applicant is qualified for licensure by comity as a professional surveyor:

- (1) An individual holding a license to engage in the practice of surveying issued by a proper authority of any jurisdiction or any foreign country, based on requirements that do not conflict with the provisions of this Act and possessing credentials that are, in the judgment of the board, of a standard not lower than that specified in the applicable licensure act in effect in this jurisdiction at the time such license was issued may, upon application be licensed without further examination except as required to

143 examine the applicant's knowledge of statutes, rules, and other requirements unique
144 to this jurisdiction; or

145 (2) An individual holding an active Council Record with NCEES, whose qualifications as
146 evidenced by the Council Record meet the requirements of this Act, may, upon
147 application, be licensed without further examination except as required to examine
148 the applicant's knowledge of statutes, rules, and other requirements unique to this
149 jurisdiction.

150 3. Grandfathering of Photogrammetrists—In the event that the board chooses to license
151 photogrammetrists as professional surveyors and a photogrammetrist does not qualify under
152 the sections above, the board may license the photogrammetrist as a professional surveyor
153 using the following requirements and procedure.

- 154 a. The individual was practicing surveying using photogrammetric technologies in this
155 jurisdiction as of *[insert date]* and has at least eight years' experience in the profession,
156 two or more of which shall have been in responsible charge of photogrammetric surveying
157 and/or mapping projects meeting ASPRS Aerial Photography and Mapping Standards or
158 U.S. National Mapping Standards.
- 159 b. The applicant files an application with the board by *[insert date]*. Thereafter, no
160 photogrammetrist shall be licensed without meeting the requirements for licensure as a
161 professional surveyor set forth by the board for all other applicants.
- 162 c. The applicant submits certified proof of graduation from high school, high school
163 equivalency, or a higher degree; or certified proof of a bachelor's degree in surveying or a
164 related field of study approved by the board, which may be substituted for four of the
165 above required years of experience; or certified proof of a master's degree in surveying or a
166 related field of study approved by the board, which may be substituted for a maximum of
167 five of the above required years of experience.
- 168 d. The applicant submits proof of employment in responsible charge of photogrammetric
169 surveying and/or mapping projects, practicing within any jurisdiction, including itemized
170 reports detailing methods, procedures, amount of the applicant's personal involvement,
171 and the name, address, and telephone numbers of the client for five projects completed
172 under the supervision of the applicant within the United States. A final map for each of the
173 five projects shall also be submitted.
- 174 e. The applicant submits five references as to the applicant's character and quality of work,
175 all of which shall be from licensees currently practicing within the scope of their license in
176 an area of surveying.

130.20 Application and Fees

- 1 A. All applications, including applications for examination if required, shall be on a form prescribed
2 and furnished by the board, shall include the names and contact information of the references, and
3 shall contain a declaration made under penalty of perjury. The board may accept the verified
4 information provided by NCEES for applicants in lieu of the same information that is required on
5 the form prescribed and furnished by the board.
- 6 B. The application fee shall be established by regulation of the board for licensure as a professional
7 engineer or professional surveyor or for certification as an engineer intern or surveyor intern, and
8 shall accompany the application.
- 9 C. Should the board deny the issuance of a license or intern certification to any applicant, the fee paid
10 shall be retained as an application fee.

130.30 Examinations

- 1 A. The examinations will be held at such times and places as the board directs and/or in accordance
2 with NCEES examination policy. The board shall determine the acceptable passing grade on
3 jurisdiction-specific examinations.
- 4 B. Examinations may be taken only after the applicant has met the other minimum requirements as
5 given in Sections 130.10 and 130.20 of this Act and has been approved by the board for admission
6 to the examinations. The board may offer the following examinations:
 - 7 1. NCEES Fundamentals of Engineering (FE) examination
 - 8 2. NCEES Principles and Practice of Engineering (PE) examination
 - 9 3. NCEES Fundamentals of Surveying (FS) examination
 - 10 4. NCEES Principles and Practice of Surveying (PS) examination
- 11 C. A candidate failing an examination may apply for re-examination in accordance with NCEES
12 policy or as directed by the board.
- 13 D. The board may prepare and require additional examinations in engineering and surveying.
14 Specifications for such additional examinations may be published and be made available to any
15 individual interested in being licensed as a professional engineer or as a professional surveyor.

140 LICENSEES

140.10 Certificates of Licensure, Seals

- 1 A. The seal of this board is *[insert description of seal]* and shall be affixed to each certificate of
2 licensure, certificate of authorization, and enrollment document.
- 3 B. The board shall issue to any applicant for licensure as a professional engineer or professional
4 surveyor who, in the opinion of the board, has met the requirements of this Act, a certificate of
5 licensure giving the licensee proper authority to practice their profession in this jurisdiction. The
6 certificate of licensure for a professional engineer shall carry the designation “Professional
7 Engineer” and for a professional surveyor, “Professional Surveyor.” It shall give the full name of
8 the licensee with licensure number and shall be signed by the appropriate authority under the seal
9 of the board.
- 10 C. The certificate of licensure shall be prima facie evidence that the individual named thereon is
11 entitled to all rights and privileges and is bound by all responsibilities of a professional engineer or
12 a professional surveyor while the said certificate of licensure remains active and unrestricted.
- 13 D. Upon licensure, each licensee may obtain a seal. A licensee’s seal shall contain the following:
 - 14 1. Jurisdiction of licensure
 - 15 2. Licensee’s name
 - 16 3. License number
 - 17 4. The words “professional engineer” *[and discipline]* or “professional surveyor”
- 18 E. The board shall issue to any applicant for certification as an engineer intern or surveyor intern
19 who, in the opinion of the board, has met the requirements of this Act, an enrollment document as
20 engineer intern or surveyor intern, which indicates that their name has been recorded as such in
21 the board office. The engineer intern or surveyor intern enrollment document does not authorize
22 the holder to practice as a professional engineer or a professional surveyor.

140.20 Expirations, Renewals, and Reinstatement to Active Practice

- 1 A. Licenses shall expire on the date designated by the board and shall become invalid after that date
2 unless renewed. It shall be the duty of the board to notify every individual licensed under this Act
3 of the expiration date of the license and the amount of the fee required for its renewal.
- 4 B. Renewal may be effected during the renewal period by meeting the requirements established by
5 the board, including the requirements for continuing professional competency as a condition for

6 renewal. The annual *[or insert other amount of time]* renewal fee is established by the board.
7 Renewal fees must be received by the board prior to the expiration date.

- 8 C. Reinstatement of an expired license may be effected under rules promulgated by the board
9 regarding requirements for re-examination and penalty fees.
- 10 D. If a licensee is granted inactive status, the licensee may return to active status by notifying the
11 board in advance of this intention, by paying appropriate fees, and by meeting all requirements of
12 the board, including demonstration of continuing professional competency as a condition of
13 reinstatement. In the event that an inactive licensee
- 14 1. Does not maintain a current license in any jurisdiction; and
 - 15 2. Is not able to demonstrate proof of lawful engineering and/or surveying practice
- 16 for the five years immediately prior to requesting reinstatement, that individual may be required
17 to take and pass the NCEES Principles and Practice of Engineering (PE) examination or the
18 NCEES Principles and Practice of Surveying (PS) examination and jurisdiction-specific
19 examinations prior to reinstatement to demonstrate proof of current competency.

140.30 Issuance of Duplicate Certificates

1 A duplicate certificate of licensure or enrollment document to replace any certificate or card lost,
2 destroyed, or mutilated may be issued subject to the rules of the board. A fee established by regulation
3 shall be paid for each issuance.

150 DISCIPLINARY ACTION

150.10 Grounds for Disciplinary Action—Licensees and Interns

- 1 A. The board shall have the power to suspend, revoke, place on probation, fine, recover costs, and/or
2 reprimand, or to refuse to issue, restore, or renew a license or intern certification to any licensee or
3 intern that is found guilty of:
- 4 1. Any fraud or deceit in obtaining or attempting to obtain or renew a license
 - 5 2. Any negligence, incompetence, or misconduct in the practice of engineering or surveying
 - 6 3. Conviction of or entry of a plea of guilty or nolo contendere to any crime that is a felony,
7 whether or not related to the practice of engineering or surveying; and conviction of or entry of
8 a plea of guilty or nolo contendere to any crime, whether a felony, misdemeanor, or otherwise,
9 an essential element of which is dishonesty or which is directly related to the practice of
10 engineering or surveying
 - 11 4. Failure to comply with any of the provisions of this Act or any of the rules or regulations of the
12 board
 - 13 5. Discipline (including voluntary surrender of a professional engineer's or professional
14 surveyor's license in order to avoid disciplinary action) by another jurisdiction, foreign
15 country, or the United States government, if at least one of the grounds for discipline is the
16 same or substantially equivalent to those contained in this Act
 - 17 6. Failure to provide information requested by the board as a result of a formal or informal
18 complaint to the board that alleges a violation of this Act
 - 19 7. Knowingly making false statements or signing false statements, certifications, or affidavits in
20 connection with the practice of engineering or surveying
 - 21 8. Aiding or assisting another person in violating any provision of this Act or the rules or
22 regulations of the board
 - 23 9. Violating any terms of any Order imposed or agreed to by the board or using a seal or
24 practicing engineering or surveying while the licensee's license is inactive or restricted

- 25 10. Signing, affixing, or permitting the licensee's seal or signature to be affixed to any
26 specifications, reports, drawings, plans, plats, design information, construction documents or
27 calculations, surveys, or revisions thereof which have not been prepared by the licensee or
28 under the licensee's responsible charge
- 29 11. Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive,
30 defraud, or harm the public
- 31 12. Providing false testimony or information to the board
- 32 13. Habitual intoxication or addiction to the use of drugs or alcohol
- 33 14. Providing engineering or surveying services outside any of the licensee's areas of competence
- 34 B. In addition to or in lieu of any other sanction provided in this section, any licensee or intern that
35 violates a provision of this Act or any rule or regulation of the board may be assessed a fine in an
36 amount determined by the board of not more than *[insert amount]* dollars for each offense
- 37 1. Each day of continued violation may constitute a separate offense.
- 38 2. In determining the amount of fine to be assessed pursuant to this section, the board may
39 consider such factors as the following:
- 40 a. Whether the amount imposed will be a substantial economic deterrent to the violation
- 41 b. The circumstances leading to the violation
- 42 c. The severity of the violation and the risk of harm to the public
- 43 d. The economic benefits gained by the violator as a result of noncompliance
- 44 e. The interest of the public
- 45 f. Consistency of the fine with past fines for similar offenses, or justification for the fine
46 amount

150.20 Disciplinary Action Procedures—Licensees and Interns

- 1 A. Any person or entity, including the board or board staff, may file a complaint alleging a violation of
2 any provision of this Act or any of the rules or regulations of the board against any licensee or
3 against any intern.
- 4 B. A complaint shall be in writing and state specifically the facts on which the complaint is based.
- 5 C. All complaints shall be reviewed by the board or an investigative committee designated by the
6 board. After review, the board or the investigative committee shall determine or recommend, as
7 appropriate, if charges are warranted.
- 8 D. All charges, unless dismissed by the board as unfounded, trivial, or unless settled informally, shall
9 be heard by the board. The time and place for the hearing shall be fixed by the board, and a copy of
10 the charges, together with a notice of the time and place of hearing, shall be personally served on
11 or mailed to the last known address of such accused individual at least 30 days before the date
12 fixed for the hearing. The summons and notice of charges shall be prepared in accordance with
13 *Model Rules 250.30*. At any hearing, the accused individual shall have the right to appear in
14 person or by counsel, or both, to cross-examine witnesses in their defense and to produce evidence
15 and witnesses in their defense. If the accused individual fails or refuses to appear at the hearing,
16 the board may proceed to hear and determine the validity of the charges in the accused
17 individual's absence. The hearing shall be conducted in accordance with *Model Rules 250.30*.
- 18 E. If after such hearing a majority of the board votes in favor of sustaining the charges, the board
19 shall reprimand, fine in an amount not to exceed *[insert amount]* dollars for each count, recover
20 costs, refuse to issue, restore or renew, place on probation for a period of time, and subject to such
21 conditions as the board may specify, suspend, revoke, or any combination thereof, the accused
22 individual's license or intern certification.

- 23 F. Order of the Board
 24 The board shall issue an order within *[insert number]* days of the date of the hearing. It shall
 25 include and shall state separately:
 26 1. Findings of fact that are based exclusively on the evidence and on matters officially noticed,
 27 stated by a concise and explicit statement of the underlying facts supporting the findings.
 28 2. Conclusions of law
 29 The prosecutor and/or respondent shall be delivered a copy of the findings of fact and
 30 conclusions of law by person or by mail with return receipt requested. The attorney of record
 31 for the respondent shall also be mailed a copy.
- 32 G. Discipline
 33 Upon an order by the board in which the respondent is found guilty of the charges preferred, the
 34 board may take appropriate disciplinary action against the respondent.
- 35 H. Stay Order
 36 At its discretion, the board may stay, permanently or temporarily, the execution of its order
 37 conditioned on any provision the board believes appropriate under the circumstances for the case.
- 38 I. A licensee or intern aggrieved by any action of the board in levying a fine; recovering costs;
 39 reprimanding; placing on probation; denying; suspending; refusing to issue, restore, or renew; or
 40 revoking a license or intern certification may appeal the board’s decision to the proper court.
- 41 J. Any financial sanction assessed pursuant to Section 150.10 of this Act shall be assessed in a
 42 proceeding as provided in this section. Unless the amount of the penalty is paid within *[insert*
 43 *number]* days after the order becomes final, the order shall constitute a judgment and shall be
 44 filed and execution issued thereon in the same manner as any other judgment of a court of record.
- 45 K. An action to enforce an order under this section may be combined with an action for an injunction.
- 46 L. The board may, upon petition of a licensee or intern, reissue a license or intern certification that
 47 has been revoked by the board, provided that a majority of the board votes in favor of such
 48 reissuance.

150.30 Grounds for Disciplinary Action—Unlicensed Individuals

- 1 A. In addition to any other provisions of law, the board shall have the power to fine and recover costs
 2 from any unlicensed individual who is found guilty of:
 3 1. Engaging in the practice or offer to practice of engineering or surveying in this jurisdiction
 4 without being licensed in accordance with the provisions of this Act
 5 2. Using or employing the words “professional engineer,” “engineering,” “professional surveyor,”
 6 “surveying,” or any modification or derivative thereof in the individual’s name or form of
 7 business activity except as provided in this Act
 8 3. Using or advertising any title or description tending to convey the impression that the
 9 individual is a professional engineer or professional surveyor unless the person is duly
 10 licensed in this jurisdiction
 11 4. Presenting or attempting to use the license or seal of a licensee
 12 5. Engaging in any fraud or deceit in obtaining or attempting to obtain a license or intern
 13 certification
 14 6. Impersonating any licensee
 15 7. Using or attempting to use an expired, suspended, revoked, inactive, retired, or nonexistent
 16 license
- 17 B. A fine assessed under this section may not exceed *[insert amount]* dollars for each offense.
 18 C. Each day of continued violation may constitute a separate offense.

- 19 D. In determining the amount of fine to be assessed pursuant to this section, the board may consider
20 such factors as the following:
- 21 1. Whether the amount imposed will be a substantial economic deterrent to the violation
 - 22 2. The circumstances leading to the violation
 - 23 3. The severity of the violation and the risk of harm to the public
 - 24 4. The economic benefits gained by the violator as a result of noncompliance
 - 25 5. The interest of the public
 - 26 6. Consistency of the fine with past fines for similar offenses, or justification for the fine amount

150.40 Disciplinary Action Procedures—Unlicensed Individuals

- 1 A. Any person or entity, including the board or board staff, may file a complaint alleging a violation of
2 any provision of this Act or any of the rules or regulations of the board against any unlicensed
3 individual.
- 4 B. A complaint shall be in writing and state specifically the facts on which the complaint is based.
- 5 C. All complaints shall be reviewed by the board or an investigative committee designated by the
6 board. After review, the board or the investigative committee shall determine or recommend, as
7 appropriate, if charges are warranted.
- 8 D. All charges, unless dismissed by the board as unfounded, trivial, or unless settled informally, shall
9 be heard by the board. The time and place for the hearing shall be fixed by the board, and a copy of
10 the charges, together with a notice of the time and place of hearing, shall be personally served on
11 or mailed to the last known address of such accused individual at least 30 days before the date
12 fixed for the hearing. At any hearing, the accused individual shall have the right to appear in
13 person or by counsel, or both, to cross-examine witnesses in their defense and to produce evidence
14 and witnesses in their defense. If the accused individual fails or refuses to appear at the hearing,
15 the board may proceed to hear and determine the validity of the charges in the accused
16 individual's absence.
- 17 E. If after such hearing a majority of the board votes in favor of sustaining the charges, the board
18 shall fine in an amount not to exceed *[insert amount]* dollars for each count and recover costs
19 from the accused individual.
- 20 F. An individual aggrieved by any action of the board in levying a fine or recovering costs may appeal
21 the board's decision to the proper court under normal civil procedures.
- 22 G. Any financial sanction assessed pursuant to this section shall be assessed in a proceeding as
23 provided in this section. Unless the amount of the penalty is paid within *[insert number]* days
24 after the order becomes final, the order shall constitute a judgment and shall be filed and
25 execution issued thereon in the same manner as any other judgment of a court of record.
- 26 H. An action to enforce an order under this section may be combined with an action for an injunction.

150.50 Criminal Offenses

- 1 Any individual who shall commit a violation included in Section 150.30 of this Act shall be guilty of a
2 *[insert highest degree of]* misdemeanor for the first offense and a *[insert lowest degree of]* felony for
3 the second or any subsequent offenses.
- 4 It shall be the duty of the designated enforcement authority of this jurisdiction to enforce the
5 provisions of this section and to prosecute any individual violating same.

160 CERTIFICATES OF AUTHORIZATION FOR FIRMS

160.10 General Requirements for Certificates of Authorization

- 1 A. A firm that practices or offers to practice engineering or surveying is required to obtain a
2 certificate of authorization by the board in accordance with the Rules.
- 3 B. This section shall not require a certificate of authorization for a firm performing engineering or
4 surveying for the firm itself or for a parent or subsidiary of said firm.
- 5 C. The secretary of state of this jurisdiction shall not accept organizational papers nor issue a
6 certificate of incorporation, organization, licensure, or authorization to any firm which includes
7 among the objectives for which it is established or within its name, any of the words “engineer,”
8 “engineering,” “surveyor,” “surveying,” or any modification or derivation thereof unless the board
9 has issued for said applicant a certificate of authorization or a letter indicating the eligibility of
10 such applicant to receive such a certificate. The firm applying shall supply such certificate or letter
11 from the board with its application for incorporation, organization, licensure, or authorization.
- 12 D. The secretary of state of this jurisdiction shall decline to authorize any trade name, trademark, or
13 service mark that includes therein such words as set forth in the previous subsection, or any
14 modifications or derivatives thereof, except licensees and those firms holding certificates of
15 authorization issued under the provisions of this section.

160.20 Managing Agent

1 A firm shall designate a managing agent.

- 2 A. Managing Agent—The following criteria shall apply to the firm’s designation of a managing agent:
3 A firm shall designate a licensee to be a managing agent for the firm. The managing agent is
4 responsible for the engineering or surveying work and projects in *[this jurisdiction]* offered or
5 provided by the firm. A licensee may not be designated as a managing agent for more than one
6 firm. A licensee who renders occasional, part-time, or consulting engineering or surveying services
7 to, or for, a firm may not be designated as a managing agent, unless the licensee is an officer or
8 owner of the firm. The managing agent’s responsibilities include:
- 9 1. Renewal of the firm’s certificate of authorization and notification to the board of any change in
10 managing agent;
 - 11 2. Overall administrative supervision of the firm’s licensed and subordinate personnel providing
12 the engineering or surveying work in this jurisdiction; and
 - 13 3. Institution and adherence of policies of the firm that are in accordance with the Rules of
14 Professional Conduct.

160.30 Liability Not Affected

1 No firm shall be relieved of responsibility for the conduct or acts of its managing agents, employees,
2 officers, directors, owners, or managers by reason of its compliance with the provisions of this section.
3 No individual practicing under the provisions of this Act shall be relieved of responsibility for
4 engineering or surveying services performed by reason of employment or other relationship with a
5 firm holding a certificate of authorization.

160.40 Application and Fees

- 1 A. A firm desiring a certificate of authorization must file with the board an application using a form
2 provided by the board and provide all the information required by the board. A form as provided
3 by the board shall be filed with the board upon renewal or within 30 days of the time any
4 information contained on the application form is changed or differs for any reason. If in the
5 judgment of the board the application meets the requirements of this Act, the board shall issue a
6 certificate of authorization for said firm to practice engineering and/or surveying.

- 7 B. The application fee shall be established by regulation of the board for a certificate of authorization
8 for firms and shall accompany the application.
- 9 C. Should the board deny the issuance of a certificate of authorization to any applicant, the fee paid
10 shall be retained as an application fee.

160.50 Expirations and Renewals

- 1 A. Certificates of authorization for firms shall expire on the date designated by the board and shall
2 become invalid after that date unless renewed. It shall be the duty of the board to notify every firm
3 holding a certificate of authorization under this Act of the expiration date of the certificate of
4 authorization and the amount of the fee required for its renewal.
- 5 B. Renewal may be effected during the renewal period by meeting the requirements established by
6 the board. Renewal of an expired certificate may be effected under rules promulgated by the board
7 regarding requirements for penalty fees.

160.60 Issuance of Duplicate Certificates

- 1 A duplicate certificate of authorization to replace any certificate lost, destroyed, or mutilated may be
2 issued subject to the rules of the board. A fee established by regulation shall be paid for each issuance.

160.70 Grounds for Disciplinary Action—Firms Holding a Certificate of Authorization

- 1 A. The board shall have the power to suspend, revoke, place on probation, fine, recover costs, and/or
2 reprimand, or to refuse to issue, restore, or renew a certificate of authorization to any firm holding
3 a certificate of authorization that is found guilty of:
- 4 1. Any fraud or deceit in obtaining or attempting to obtain or renew a certificate of authorization
 - 5 2. Any negligence, incompetence, or misconduct in the practice of engineering or surveying
 - 6 3. Conviction of or entry of a plea of guilty or nolo contendere to any crime that is a felony,
7 whether or not related to the practice of engineering or surveying; and conviction of or entry of
8 a plea of guilty or nolo contendere to any crime, whether a felony, misdemeanor, or otherwise,
9 an essential element of which is dishonesty or which is directly related to the practice of
10 engineering or surveying
 - 11 4. Failure to comply with any of the provisions of this Act or any of the rules or regulations of the
12 board
 - 13 5. Discipline (including voluntary surrender of an engineering or surveying license in order to
14 avoid disciplinary action) by another jurisdiction, foreign country, or the United States
15 government, if at least one of the grounds for discipline is the same or substantially equivalent
16 to those contained in this Act
 - 17 6. Failure to provide information requested by the board as a result of a formal or informal
18 complaint to the board that alleges a violation of this Act
 - 19 7. Knowingly making false statements or signing false statements, certifications, or affidavits in
20 connection with the practice of engineering or surveying
 - 21 8. Aiding or assisting another person in violating any provision of this Act or the rules or
22 regulations of the board
 - 23 9. Violating any terms of any Order imposed or agreed to by the board or using a seal or
24 practicing engineering or surveying while the firm's certificate of authorization is inactive or
25 restricted
 - 26 10. Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive,
27 defraud, or harm the public
 - 28 11. Providing false testimony or information to the board

- 29 B. In addition to or in lieu of any other sanction provided in this section, any firm holding a
30 certificate of authorization that violates a provision of this Act or any rule or regulation of the
31 board may be assessed a fine in an amount determined by the board of not more than *[insert*
32 *amount]* dollars for each offense.
- 33 1. Each day of continued violation may constitute a separate offense.
 - 34 2. In determining the amount of fine to be assessed pursuant to this section, the board may
35 consider such factors as the following:
 - 36 a. Whether the amount imposed will be a substantial economic deterrent to the violation
 - 37 b. The circumstances leading to the violation
 - 38 c. The severity of the violation and the risk of harm to the public
 - 39 d. The economic benefits gained by the violator as a result of noncompliance
 - 40 e. The interest of the public
 - 41 f. Consistency of the fine with past fines for similar offenses, or justification for the fine
42 amount
- 43 C. In addition to any other sanction provided in this section, the board shall have the power to
44 sanction as follows any firm where one or more of its managing agents, officers, directors, owners,
45 or managers have been found guilty of any conduct which would constitute a violation under the
46 provisions of this Act or any of the rules or regulations of the board:
- 47 1. Place on probation, fine, recover costs from, and/or reprimand
 - 48 2. Revoke, suspend, or refuse to issue, restore, or renew the certificate of authorization

160.80 Disciplinary Action Procedures—Firms Holding a Certificate of Authorization

- 1 A. Any person or entity, including the board or board staff, may file a complaint alleging a violation of
2 any provision of this Act or any of the rules or regulations of the board against any firm holding a
3 certificate of authorization.
- 4 B. A complaint shall be in writing and state specifically the facts on which the complaint is based.
- 5 C. All complaints shall be reviewed by the board or an investigative committee designated by the
6 board. After review, the board or the investigative committee shall determine or recommend, as
7 appropriate, if charges are warranted.
- 8 D. All charges, unless dismissed by the board as unfounded, trivial, or unless settled informally, shall
9 be heard by the board. The time and place for the hearing shall be fixed by the board, and a copy of
10 the charges, together with a notice of the time and place of hearing, shall be personally served on
11 or mailed to the last known address of such accused firm at least 30 days before the date fixed for
12 the hearing. At any hearing, the accused firm and the accused firm's managing agent shall have the
13 right to appear in person or by counsel, or both, to cross-examine witnesses in the accused firm's
14 defense and to produce evidence and witnesses in the accused firm's defense. If the accused firm
15 fails or refuses to appear at the hearing, the board may proceed to hear and determine the validity
16 of the charges in the accused firm's absence.
- 17 E. If after such hearing a majority of the board votes in favor of sustaining the charges, the board
18 shall reprimand, fine in an amount not to exceed *[insert amount]* dollars for each count, recover
19 costs, refuse to issue, restore or renew, place on probation for a period of time, and subject to such
20 conditions as the board may specify, suspend, revoke, or any combination thereof, the accused
21 firm's certificate of authorization.
- 22 F. A firm aggrieved by any action of the board in levying a fine; recovering costs; reprimanding;
23 placing on probation; denying; suspending, refusing to issue, restore, or renew; or revoking a firm
24 certificate of authorization may appeal the board's decision to the proper court under normal civil
25 procedures.

- 26 G. Any financial sanction assessed pursuant to Section 160.70 of this Act shall be assessed in a
27 proceeding as provided in this section. Unless the amount of the penalty is paid within *[insert*
28 *number]* days after the order becomes final, the order shall constitute a judgment and shall be
29 filed and execution issued thereon in the same manner as any other judgment of a court of record.
30 H. An action to enforce an order under this section may be combined with an action for an injunction.
31 I. The board may, upon petition of a firm to reissue a firm certificate of authorization that has been
32 revoked by the board, provided that a majority of the board votes in favor of such reissuance.

160.90 Grounds for Disciplinary Action—Firms Not Holding a Certificate of Authorization

- 1 A. In addition to any other provisions of law, the board shall have the power to fine and recover costs
2 from any firm that does not hold a certificate of authorization and that is found guilty of:
- 3 1. Engaging in the practice or offer to practice of engineering or surveying in this jurisdiction
4 without being authorized in accordance with the provisions of this Act
 - 5 2. Using or employing the words “engineer,” “engineering,” “surveyor,” “surveying,” or any
6 modification or derivative thereof in its name or form of business activity except as authorized
7 in this Act
 - 8 3. Presenting or attempting to use an unauthorized certificate of authorization
 - 9 4. Engaging in any fraud or deceit in obtaining or attempting to obtain a certificate of
10 authorization
 - 11 5. Impersonating any firm holding a certificate of authorization
 - 12 6. Using or attempting to use an expired, suspended, revoked, inactive, retired, or nonexistent
13 certificate of authorization
- 14 B. A fine assessed under this section may not exceed *[insert amount]* dollars for each offense.
15 C. Each day of continued violation may constitute a separate offense.
16 D. In determining the amount of fine to be assessed pursuant to this section, the board may consider
17 such factors as the following:
- 18 1. Whether the amount imposed will be a substantial economic deterrent to the violation
 - 19 2. The circumstances leading to the violation
 - 20 3. The severity of the violation and the risk of harm to the public
 - 21 4. The economic benefits gained by the violator as a result of noncompliance
 - 22 5. The interest of the public
 - 23 6. Consistency of the fine with past fines for similar offenses, or justification for the fine amount
- 24 E. In addition to any other sanction provided in this section, the board shall have the power to fine
25 and recover costs from any firm where one or more of its managing agents, officers, directors,
26 owners, or managers have been found guilty of any conduct which would constitute a violation
27 under the provisions of this Act or any of the rules or regulations of the board.

160.100 Disciplinary Action Procedures—Firms Not Holding a Certificate of Authorization

- 1 A. Any person or entity, including the board or board staff, may file a complaint alleging a violation of
2 any provision of this Act or any of the rules or regulations of the board against any firm that does
3 not hold a certificate of authorization.
- 4 B. A complaint shall be in writing and state specifically the facts on which the complaint is based.
- 5 C. All complaints shall be reviewed by the board or an investigative committee designated by the
6 board. After review, the board or the investigative committee shall determine or recommend, as
7 appropriate, if charges are warranted.
- 8 D. All charges, unless dismissed by the board as unfounded, trivial, or unless settled informally, shall
9 be heard by the board. The time and place for the hearing shall be fixed by the board, and a copy of

10 the charges, together with a notice of the time and place of hearing, shall be personally served on
11 or mailed to the last known address of such accused firm at least 30 days before the date fixed for
12 the hearing. At any hearing, the accused firm shall have the right to appear in person or by
13 counsel, or both, to cross-examine witnesses in its defense and to produce evidence and witnesses
14 in its defense. If the accused firm fails or refuses to appear at the hearing, the board may proceed
15 to hear and determine the validity of the charges in the accused firm's absence.

- 16 E. If after such hearing a majority of the board votes in favor of sustaining the charges, the board
17 shall fine in an amount not to exceed *[insert amount]* dollars for each count and recover costs
18 from the accused firm.
- 19 F. A firm aggrieved by any action of the board in levying a fine or recovering costs may appeal the
20 board's decision to the proper court under normal civil procedures.
- 21 G. Any financial sanction assessed pursuant to this section shall be assessed in a proceeding as
22 provided in this section. Unless the amount of the penalty is paid within *[insert number]* days
23 after the order becomes final, the order shall constitute a judgment and shall be filed and
24 execution issued thereon in the same manner as any other judgment of a court of record.
- 25 H. An action to enforce an order under this section may be combined with an action for an injunction.

160.110 Criminal Offenses

1 Any firm that shall commit a violation included in Section 160.90 of this Act shall be guilty of a *[insert*
2 *highest degree of]* misdemeanor for the first offense and a *[insert lowest degree of]* felony for the
3 second or any subsequent offenses.

4 It shall be the duty of the attorney general or other appropriated enforcement authority of this
5 jurisdiction to enforce the provisions of this section and to prosecute any firm violating same.

170 MISCELLANEOUS

170.10 Public Works

1 Any jurisdiction, county, or local government agencies or authorities, or officials or employees thereof,
2 shall not engage in the practice of engineering or surveying involving either public or private property
3 without the project being under the responsible charge of a professional engineer for engineering
4 projects or a professional surveyor for surveying projects.

170.20 Exemption Clause

1 This Act shall not be construed to prevent the following:

- 2 A. Other Professions—The practice of any other legally recognized profession
- 3 B. Contingent License—A contingent license may be issued by the board or board administrator to an
4 applicant for licensure by comity if the applicant appears to meet the requirements for licensure by
5 comity. Such a contingent license will be in effect from its date of issuance until such time as the
6 board takes final action on the application for licensure by comity. If the board determines that the
7 applicant does not meet the requirements for issuance of a license, the contingent license shall be
8 immediately and automatically revoked upon notice to the applicant and no license will be issued.
- 9 C. Employees and Subordinates—The work of an employee or a subordinate of an individual holding
10 a license under this Act, or an employee of an individual practicing lawfully under Subsection B of
11 this section, provided such work does not include final engineering or surveying designs or
12 decisions and is done under the responsible charge of and verified by an individual holding a
13 license under this Act or an individual practicing lawfully under Subsection B of this section.

170.30 Duties of Recordors

1 It shall be unlawful for the recorder of deeds or the registrar of titles of any county or proper public
2 authority to file or record any map, plat, survey, or other documents within the definition of practice of
3 surveying as set forth in this Act which do not have impressed thereon and affixed thereto the personal
4 signature and seal of a professional surveyor by whom or under whose responsible charge the map,
5 plat, survey, or other documents were prepared.

170.40 Invalid Provisions

1 If any of the provisions of this Act or if any rule, regulation, or order of the board or if the application
2 of such provision to any person or circumstance shall be held invalid, the remainder of this Act and the
3 application of such provision of this Act or such rule, regulation, or order to persons or circumstances,
4 other than those as to which it is held invalid, shall not be affected thereby.

170.50 Repeal of Conflicting Legislation

1 All laws or parts of laws in conflict with the provisions of this Act shall be and the same are hereby
2 repealed.

170.60 Effective Date

1 This Act shall take effect *[insert number]* days from and after the date of passage.

APPENDIX A

Index for *Model Law* with General Cross-Reference to *Model Rules*

The following table is for reference only and is not intended to be all-inclusive or adopted into board law/rules. Italic font indicates summary paraphrase of paragraph contents.

Model Law Section	Descriptor	Corresponding Model Rules Section
An Act	An Act	
SECTION 110	INTRODUCTION	210
Section 110.10	General Provisions	210.10
110.10 A	Regulation of Engineers and Surveyors	
110.10 B	Board Structure	
Section 110.20	Definitions	210.20
110.20 A	Professional Engineer	
110.20 A.1	Professional Engineer, Retired	
110.20 A.2	Engineer Intern	
110.20 A.3	Practice of Engineering	210.30
110.20 B	Professional Surveyor	
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110.20 B.2	Surveyor Intern	
110.20 B.3	Practice of Surveying	210.25 210.30
110.20 C	Board	
110.20 D	Jurisdiction	
110.20 E	Responsible Charge	
110.20 F	Rules of Professional Conduct	
110.20 G	Firm	
110.20 H	Managing Agent	
110.20 I	Rules	
110.20 J	Signature	
110.20 K	Seal	
110.20 L	Licensee	
110.20 M	Person	
110.20 N	Authoritative	
110.20 O	Disciplinary Action	
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Model Law Section	Descriptor	Corresponding Model Rules Section
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120.60 E	<i>Authority to require continuing professional competency as condition of renewal/relicensure</i>	240.30
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120.60 G	<i>Authority to retain and exercise all administrative and civil rights and remedies available to agencies in jurisdiction. No action or other legal proceedings for damages against board, board member, or employee/agent of board.</i>	
120.60 H	<i>Authority to waive requirements</i>	
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130.20 A	<i>On form prescribed by board; under penalty of perjury</i>	230.60 A
130.20 B	<i>Application fee for individuals established by board, fee shall accompany application</i>	220.30 A
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130.30 B.2	Principles and Practice of Engineering examination	230.40 A.2
130.30 B.3	Fundamentals of Surveying examination	230.40 C.1.a
130.30 B.4	Principles and Practice of Surveying examination	230.40 C.1.b
130.30 C	<i>Failing candidate may apply for re-examination in accordance with NCEES policy or as directed by board</i>	230.40 I.2
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140.10 D	<i>Licensee must obtain seal</i>	240.20
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Section 140.20	Expirations, Renewals, and Reinstatement to Active Practice	
140.20 A	<i>Expirations</i>	240.40
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Model Law Section	Descriptor	Corresponding Model Rules Section
SECTION 150	DISCIPLINARY ACTION	250
Section 150.10	Grounds for Disciplinary Action—Licensees and Interns	240.15
150.10 A	<i>Board has power to suspend, revoke, refuse to issue/restore/renew, etc., the license or intern certification of a licensee or intern found guilty of any of 14 types of violations</i>	
150.10 B	<i>Board can assess a fine of not more than \$[insert amount] for each offense</i>	
Section 150.20	Disciplinary Action Procedures—Licensees and Interns	250.30
150.20 A	<i>Any person or entity, including the board or board staff, may file a complaint against licensee or intern</i>	
150.20 B	<i>Complaint shall be in writing and state facts on which complaint is based</i>	
150.20 C	<i>All complaints shall be reviewed by board or investigative committee designated by the board. After review, board or committee shall determine if charges are warranted.</i>	
150.20 D	<i>All charges, unless dismissed/settled informally, shall be heard by the board. Also, notification of the accused, rights of the accused, and conduct of the hearing.</i>	250.30 A, B, C, D
150.20 E	<i>If after hearing, a majority of board sustains charges, board can reprimand, fine, suspend/revoke/etc. individual's license or intern certification</i>	
150.20 F	Order of the Board	
150.20 G	Discipline	
150.20 H	Stay Order	
150.20 I	<i>Licensee or intern aggrieved by board actions may appeal to the proper court under normal civil procedures</i>	
150.20 J	<i>Financial sanction assessed pursuant to Section 150.10, unless paid within [insert number] days shall constitute a judgment and be filed/executed as any other judgment of a court of record</i>	
150.20 K	<i>Action to enforce order may be combined with action for injunction</i>	
150.20 L	<i>Board may, upon petition, reissue license or intern certification, if majority of board votes in favor</i>	240.40
Section 150.30	Grounds for Disciplinary Action—Unlicensed Individuals	250.30
150.30 A	<i>Enumeration of unlicensed practices/misrepresentations/fraud</i>	
150.30 B	<i>Board can assess fine of not more than \$[insert amount] for each offense</i>	
150.30 C	<i>Each day of continued violation may be a separate offense</i>	
150.30 D	<i>Determination of amount of fine</i>	

Model Law Section	Descriptor	Corresponding Model Rules Section
Section 150.40	Disciplinary Action Procedures—Unlicensed Individuals	250.30
150.40 A	<i>Any person or entity, including the board or board staff, may file a complaint against an unlicensed individual</i>	
150.40 B	<i>Complaint shall be in writing and state facts on which complaint is based</i>	
150.40 C	<i>All complaints shall be reviewed by board or investigative committee designated by the board. After review, board or investigative committee shall determine if charges are warranted.</i>	
150.40 D	<i>All charges, unless dismissed/settled informally, shall be heard by the board. Also, notification of the accused, rights of the accused, and conduct of the hearing.</i>	250.30 A, B, C, D
150.40 E	<i>If after hearing, a majority of board sustains charges, board can fine not more than \$[insert amount] for each count and recover costs</i>	
150.40 F	<i>Individual aggrieved by board actions may appeal to the proper court under normal civil procedures</i>	
150.40 G	<i>Financial sanction assessed pursuant to this section unless paid within [insert number] days shall constitute a judgment and be filed/executed as any other judgment of a court of record</i>	
150.40 H	<i>Action to enforce order may be combined with action for injunction</i>	
Section 150.50	Criminal Offenses	
SECTION 160	CERTIFICATES OF AUTHORIZATION FOR FIRMS	
Section 160.10	General Requirements for Certificates of Authorization	
160.10 A	<i>Requirement for firms to obtain certificate of authorization</i>	
160.10 B	<i>This section does not prevent firm from performing services for itself or for a parent or subsidiary</i>	
160.10 C	<i>Rules for secretary of jurisdiction to issue certificate of incorporation, organization, licensure, or authorization to firms</i>	
160.10 D	<i>Rules for secretary of jurisdiction to authorize trade names/trademarks/service marks</i>	
Section 160.20	Managing Agent	
160.20 A	Managing Agent	
Section 160.30	Liability Not Affected	
Section 160.40	Application and Fees	
160.40 A	<i>Application for certificate of authorization is filed with the board</i>	
160.40 B	<i>Application fee for certificate of authorization established by board</i>	220.30 A
160.40 C	<i>Should board deny issuance of certificate of authorization, fee is retained as application fee</i>	220.30 A
Section 160.50	Expirations and Renewals	220.30 D 240.40
160.50 A	<i>Expiration of certificates of authorization</i>	
160.50 B	<i>Renewal of certificates of authorization</i>	
Section 160.60	Issuance of Duplicate Certificates	220.30 E 240.10 D
Section 160.70	Grounds for Disciplinary Action—Firms Holding a Certificate of Authorization	240.15
160.70 A	<i>Board has power to suspend, revoke, refuse to issue/restore/renew, etc., the certificate of authorization of a firm found guilty of any of 11 types of violations</i>	250.30

Model Law Section	Descriptor	Corresponding Model Rules Section
160.70 B	<i>Board can assess a fine of not more than \$[insert amount] for each offense</i>	
160.70 C	<i>Board has power to revoke/suspend/etc. the certificate of authorization for a firm that has members found guilty of violation</i>	
Section 160.80	Disciplinary Action Procedures—Firms Holding a Certificate of Authorization	
160.80 A	<i>Any person or entity, including the board or board staff, may file a complaint against firm holding certificate of authorization</i>	
160.80 B	<i>Complaint shall be in writing and state facts on which complaint is based.</i>	
160.80 C	<i>All complaints shall be reviewed by board or investigative committee designated by the board. After review, board or investigative committee shall determine if charges are warranted.</i>	
160.80 D	<i>All charges, unless dismissed/settled informally, shall be heard by the board. Also, notification of the accused, rights of the accused, and conduct of the hearing.</i>	250.30 A, B, C, D
160.80 E	<i>If after hearing, a majority of board sustains charges, board can reprimand, fine, suspend/revoke/etc. firm's certificate of authorization</i>	
160.80 F	<i>Firm aggrieved by board actions may appeal to the proper court under normal civil procedures</i>	
160.80 G	<i>Financial sanction assessed pursuant to Section 160.70, unless paid within [insert number] days shall constitute a judgment and be filed/executed as any other judgment of a court of record</i>	
160.80 H	<i>Action to enforce order may be combined with action for injunction</i>	
160.80 I	<i>Board may, upon petition, reissue certificate of authorization, if majority of board votes in favor</i>	240.40
Section 160.90	Grounds for Disciplinary Action—Firms Not Holding a Certificate of Authorization	250.30
160.90 A	<i>Enumeration of unauthorized practices/misrepresentations/fraud</i>	
160.90 B	<i>Board can assess fine of not more than \$[insert amount] for each offense</i>	
160.90 C	<i>Each day of continued violation may be a separate offense</i>	
160.90 D	<i>Determination of amount of fine</i>	
160.90 E	<i>Board may fine and recover costs from firm with members guilty of violation</i>	

Model Law Section	Descriptor	Corresponding Model Rules Section
Section 160.100	Disciplinary Action Procedures—Firms Not Holding a Certificate of Authorization	250.30
160.100 A	<i>Any person or entity, including the board or board staff, may prefer charges against firm not holding certificate of authorization</i>	
160.100 B	<i>Complaint shall be in writing and state facts on which complaint is based</i>	
160.100 C	<i>All complaints shall be reviewed by board or investigative committee designated by the board. After review, board or investigative committee shall determine if charges are warranted.</i>	
160.100 D	<i>All charges, unless dismissed/settle informally, shall be heard by the board. Also, notification of the accused, rights of the accused, and conduct of the hearing.</i>	250.30 A, B, C, D
160.100 E	<i>If after hearing, a majority of board sustains charges, board can fine not more than \$[insert amount] for each count and recover costs</i>	
160.100 F	<i>Firm aggrieved by board may appeal to the proper court under normal civil procedures</i>	
160.100 G	<i>Unless penalty is paid within [insert number] days, order shall constitute a judgment</i>	
160.100 H	<i>Action to enforce order may be combined with action for injunction</i>	
Section 160.110	Criminal Offenses	
SECTION 170	MISCELLANEOUS	
Section 170.10	Public Works	
Section 170.20	Exemption Clause	
170.20 A	Other Professions	
170.20 B	Contingent License	
170.20 C	Employees and Subordinates	
Section 170.30	Duties of Recorders	
Section 170.40	Invalid Provisions	260.10
Section 170.50	Repeal of Conflicting Legislation	
Section 170.60	Effective Date	

APPENDIX B**References to Internal Citations in *Model Law***

The following table is to be used for general representative, informational purposes only.

<i>Model Law</i> Citation	<i>Model Law</i> Citation Referenced within Citations in Column 1
110.20 H	160.20
110.20 I	120.60 A
120.10	120.20
120.40	120.10
120.60 A	160
130.30 B	130.10, 130.20
150.20 J	150.10
150.50	150.30
160.80 G	160.70
160.110	160.90
170.20 C	170.20 B

APPENDIX C NCEES Publications

Publications available on ncees.org in the About section

- The NCEES **annual report** highlights the Council’s leadership, mission, initiatives, and financial activities. An interactive version of the annual report is available at ncees.org/annualreport.
- The NCEES **Bylaws** outlines the structure of the Council.
- The **Continuing Professional Competency Guidelines** provides best practices for state licensing boards that have CPC requirements for licensees.
- The **History of the National Council of Examiners for Engineering and Surveying, 1920–2020** provides an in-depth history of U.S. licensure and NCEES.
- **Licensure Exchange** is the NCEES bimonthly newsletter for the exchange of information, opinions, and ideas regarding the licensure of engineers and surveyors.
- The **Manual of Policy and Position Statements** describes Council administrative, examination, financial, and professional policies as well as the official NCEES position on licensure issues.
- The **Model Law** reflects best practices as determined by the NCEES member boards. It is a model for state practice legislation.
- The **Model Rules** provides licensure boards with guidelines for engineering and surveying licensing laws and ethics.
- When it conducts a credentials evaluation, NCEES compares the candidate’s college-level education against the NCEES **Engineering Education Standard** or the NCEES **Surveying Education Standard**. These standards reflect generally agreed-upon educational qualifications for entering the profession.
- NCEES **Squared** is the official NCEES source for engineering and surveying licensure statistics.
- The NCEES white paper “**Using the FE Exam as an Outcomes Assessment Tool**” describes in detail how engineering departments can use the FE exam to assess program outcomes.

Additional publications available on MyNCEES (Board Resources portion of the NCEES website)

- Annual meeting *Action Items and Conference Reports*
- NCEES board of directors minutes
- *Investigation and Enforcement Guidelines*
- *Investigative Training Manual*
- Zone meeting minutes
- *Zone Meeting and Continuity Guidelines*

APPENDIX D

Model Language for Member Boards that License Structural Engineers

Model Law 130.10 provides model language for general licensure requirements for professional engineers and professional surveyors. The language highlighted in gray below is being provided in this appendix to the *Model Law* so that boards that also license structural engineers will have model language for structural engineering. Adopting similar language can help with licensure mobility among the jurisdictions that license structural engineers. The language highlighted in gray below is provided for those boards. The language that is not highlighted in gray is currently in *Model Law 130.10 B* for professional engineers and is provided as a reference for where to insert the structural engineering-related language in the *Model Law*.

Model language to use for structural engineering licensure

130.10 General Requirements for Licensure

Education, experience, and examinations are required for licensure as a professional engineer or professional surveyor as set forth by the jurisdiction.

B. Engineering

1. Certification or Enrollment as an Engineer Intern

The following shall be considered as minimum evidence that the applicant is qualified for certification as an engineer intern.

- a. Graduating from an engineering program of four years or more accredited by the Engineering Accreditation Commission of ABET (EAC/ABET), graduating from an engineering master's program accredited by EAC/ABET, or meeting the requirements of the NCEES *Engineering Education Standard*
- b. Passing the NCEES Fundamentals of Engineering (FE) examination

2. Licensure as a Professional Engineer

The board may designate a professional engineer as being licensed in a specific discipline or branch of engineering, signifying the area in which the engineer has demonstrated competence.

a. Initial Licensure as a Professional Engineer

An applicant who presents evidence of meeting the applicable education, examination, and experience requirements as described below shall be eligible for licensure as a professional engineer.

(1) Education Requirements

An individual seeking licensure as a professional engineer shall possess one or more of the following education qualifications:

- (a) A degree in engineering from an EAC/ABET-accredited bachelor's program
- (b) A degree in engineering from an EAC/ABET-accredited master's program
- (c) A bachelor's, master's, or doctoral degree in engineering from a non-EAC/ABET-accredited program. This individual's education must be shown to meet the NCEES *Engineering Education Standard*.

(2) Examination Requirements

An individual seeking licensure as a professional engineer shall take and pass the NCEES Fundamentals of Engineering (FE) examination and the NCEES Principles and Practice of Engineering (PE) examination, and any jurisdiction-specific examination.

(3) Experience Requirements

An individual seeking licensure as a professional engineer shall present evidence of a specific record of four years of progressive engineering experience after a qualifying degree is conferred as described in a(1) above. This experience should be of a grade and character that indicate to the board that the applicant may be competent to practice engineering. The following educational criteria may apply as a substitute to the length of experience set forth above:

- (a) An individual with a master's degree in engineering acceptable to the board: three years of experience after the qualifying bachelor's degree is conferred as described in a(1)(a) or a(1)(c) above
- (b) An individual with an earned doctoral degree in engineering acceptable to the board and who has passed the FE exam: two years of experience
- (c) An individual with an earned doctoral degree in engineering acceptable to the board and who has elected not to take the FE exam: four years of experience

A graduate degree that is used to satisfy education requirements cannot be applied for experience credit toward licensure. To be eligible for experience credit, graduate degrees shall be relevant to the applicant's area of professional practice.

Experience credit for a graduate degree cannot be earned concurrently with work experience credit.

3. Licensure as a Professional Structural Engineer

a. Initial Licensure as a Professional Structural Engineer

An applicant who presents evidence of meeting the applicable education, examination, and experience requirements as described below shall be eligible for licensure as a professional structural engineer.

(1) Education Requirements

(a) An individual seeking licensure as a professional structural engineer shall possess one or more of the following education qualifications:

(i) A degree in engineering from an EAC/ABET-accredited bachelor's program

(ii) A degree in engineering from an EAC/ABET-accredited master's program

(iii) A bachelor's, master's, or doctoral degree in engineering from a non-EAC/ABET-accredited program. This individual's education must be shown to meet the NCEES *Engineering Education Standard*.

(b) The degree, or degrees, must include a minimum of 18 semester (27 quarter) hours of structural analysis and design courses and at least 9 of the semester (14 quarter) hours must be structural design classes.

(2) Examination Requirements

An individual seeking licensure as a professional structural engineer shall take and pass the NCEES Fundamentals of Engineering (FE) examination and the NCEES Principles and Practice of Engineering (PE) Structural examination, and any jurisdiction-specific examination.

(3) Experience Requirements

An individual seeking licensure as a professional structural engineer shall present evidence of completing one of the following:

(a) Four years of acceptable structural engineering experience after confirmation of a bachelor of science degree in an engineering program accredited by EAC/ABET

(b) Three years of acceptable structural engineering experience after confirmation of a bachelor of science degree in engineering from an EAC/ABET-accredited engineering program and a master's degree in engineering that includes at least 6 semester (9 quarter) hours of structural engineering (in addition to the 18 hours noted above)

(c) Three years of acceptable structural engineering experience after confirmation of a master's degree in engineering from an EAC/ABET-accredited engineering program that includes at least 6 semester (9 quarter) hours of structural engineering (in addition to the 18 hours noted above)

(d) Two years of acceptable structural engineering experience and an earned doctoral degree in engineering focused on structural engineering from an institution that offers EAC/ABET-accredited programs

A graduate degree that is used to satisfy education requirements cannot be applied for experience credit toward licensure. To be eligible for experience credit, graduate degrees shall be relevant to the applicant's area of professional practice. Experience credit for a graduate degree cannot be earned concurrently with work experience credit.

b. Licensure by Comity for a Professional Engineer or Professional Structural Engineer

The following shall be considered as minimum evidence satisfactory to the board that the applicant is qualified for licensure by comity:

(1) An individual holding a license to engage in the practice of engineering issued by a proper authority of any jurisdiction or any foreign country, based on requirements that do not conflict with the provisions of this Act and possessing credentials that are, in the judgment of the board, of a standard that provides proof of minimal competency and is comparable to the applicable licensure act in effect in this jurisdiction at the time such certificate was issued may, upon application, be licensed without further examination except as required to examine the applicant's knowledge of statutes, rules, and other requirements unique to this jurisdiction; or

(2) An individual holding an active Council Record with NCEES, whose qualifications as evidenced by the Council Record meet the requirements of this Act, may, upon application, be licensed without further examination except as required to examine the

applicant's knowledge of statutes, rules, and other requirements unique to this jurisdiction.

- (3) In addition to b(1) or b(2) above, an applicant for comity as a professional structural engineer must have passed one of the following:
- a. 16 hours of NCEES structural examinations, 8 hours of which were from the SEII taken prior to January 1, 2011,
 - b. 16-hour state-written examinations taken prior to 2004,
 - c. NCEES SEII plus 8-hour state-written structural examination taken prior to January 1, 2011, or
 - d. NCEES PE Structural examination taken after January 1, 2011.



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Report Highlights

Why DLA Performed This Audit

The audit was performed to determine if there is a continued need for the board and if its termination date should be extended. The board is set to sunset on June 30, 2025, and will have one year from that date to conclude its administrative operations.

What the Legislative Auditor Recommends

No recommendations were made as part of this audit.

A Sunset Review of the Department of Commerce, Community, and Economic Development, State Board of Registration for Architects, Engineers, and Land Surveyors (board)

April 17, 2024

Audit Control Number 08-20141-24

REPORT CONCLUSIONS

Overall, the audit concluded that the board served the public's interest by conducting meetings in an effective manner; actively amending regulations to improve the registration process; and effectively registering architects, engineers, land surveyors, and landscape architects.

In accordance with AS 08.03.010(c)(3), the board is scheduled to terminate on June 30, 2025. We recommend that the legislature extend the board's termination date eight years to June 30, 2033.

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ALASKA STATE LEGISLATURE

LEGISLATIVE BUDGET AND AUDIT COMMITTEE

Division of Legislative Audit



P.O. Box 113300
Juneau, AK 99811-3300
(907) 465-3830
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legaudit@akleg.gov

May 11, 2024

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Title 24 and Title 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the Department of Commerce, Community, and Economic Development, State Board of Registration for Architects, Engineers, and Land Surveyors and the attached report is submitted for your review.

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
STATE BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS,
AND LAND SURVEYORS

SUNSET REVIEW

April 17, 2024

Audit Control Number
08-20141-24

The audit was conducted as required by AS 44.66.050(a). Per AS 08.03.010(c)(3), the State Board of Registration for Architects, Engineers, and Land Surveyors is scheduled to terminate on June 30, 2025. We recommend that the legislature extend the board's termination date eight years to June 30, 2033.

The audit was conducted in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. Fieldwork procedures utilized in the course of developing the findings and recommendations presented in this report are discussed in the Objectives, Scope, and Methodology.

A handwritten signature in blue ink, appearing to read "Kris Curtis".

Kris Curtis, CPA, CISA
Legislative Auditor

ABBREVIATIONS

AAC	Alaska Administrative Code
ACN	Audit Control Number
AS	Alaska Statute
board	State Board of Registration for Architects, Engineers, and Land Surveyors
CISA	Certified Information Systems Auditor
CPA	Certified Public Accountant
DCBPL	Division of Corporations, Business and Professional Licensing
DCCED	Department of Commerce, Community, and Economic Development
DLA	Division of Legislative Audit
FY	Fiscal Year
LLC	Limited Liability Corporation
LLP	Limited Liability Partnership

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ORGANIZATION AND FUNCTION

State Board of Registration for Architects, Engineers, and Land Surveyors (board)

The board was established for the purpose of issuing registrations to architects, engineers, land surveyors, and landscape architects who meet the examination and education requirements established by the board. The board may also suspend, refuse to renew, or revoke registrations.

The board is comprised of 11 members: two civil engineers, two land surveyors, one mining engineer, one electrical or mechanical engineer, one engineer from another branch of the profession of engineering, two architects, one landscape architect, and one public member.¹ Exhibit 1 lists board members as of March 31, 2024.

Alaska Statutes require each board member to have been a resident of the state for three consecutive years immediately preceding an appointment to the board. Additionally, except

for the public member, board members must be registered and have a minimum of five years of professional practice.

Per AS 08.48.101, the board may adopt regulations and provide policy guidance to:

1. Describe the contents and minimum score of examinations and conduct examinations.

¹ In 2017 the board's sunset extension legislation added a landscape architect to the board. Sec. 2, Ch. 11, SLA 2017.

Exhibit 1

State Board of Registration for Architects, Engineers, and Land Surveyors Members as of March 31, 2024

Jeff Garness, Chair
Engineer, At Large

Edward Leonetti, Vice Chair
Landscape Architect

Paul Baril
Architect

Bradford Rinckey
Land Surveyor

Elizabeth Johnston
Electrical/Mechanical Engineer

Colin Maynard
Civil Engineer

Jake Maxwell
Land Surveyor

Randall Rozier
Architect

Sterling Strait
Civil Engineer

John Barry
Mining Engineer

Brent Cole
Public Member

Source: Board's executive administrator.

-
2. Establish bylaws governing its meetings and activities.
 3. Publish a code of ethics or professional conduct for those registrants and entities regulated by the board.
 4. Establish continuing education requirements for registrants regulated by the board.

**Department
of Commerce,
Community,
and Economic
Development's
(DCCED) Division of
Corporations, Business
and Professional
Licensing (DCBPL)**

DCBPL provides administrative and investigative assistance to the board. Administrative assistance includes budgetary services and functions such as collecting fees, maintaining files, receiving application forms, publishing notices for meetings and examinations, and assisting with board regulations.

Alaska Statute 08.01.087 gives DCBPL authority to act on its own initiative or in response to a complaint. DCBPL may:

1. Conduct an investigation to determine whether a person has violated a law.
2. Bring an action in Superior Court to enjoin the act.
3. Examine or have examined the books and records of a person whose business activities require a business license or licensure by a board listed in AS 08.01.010, or whose occupation is listed in AS 08.01.010.
4. Issue subpoenas for the attendance of witnesses and the production of records.

Alaska Statute 08.01.065 requires DCCED to adopt regulations that establish the amount and manner of payment of application, examination, investigation, and registration fees.

To support board operations, statutes authorize an executive administrator for the board and a dedicated investigator.

REPORT

CONCLUSIONS

In developing our conclusion regarding whether the State Board of Registration for Architects, Engineers, and Land Surveyors' (board) termination date should be extended, its operations were evaluated using the 11 factors set out in AS 44.66.050(c), which are included as Appendix A of this report. Under the State's "sunset" law, these factors are to be considered in assessing whether an entity has demonstrated a public policy need for continuing operations.

The audit concluded that the board served the public's interest by conducting meetings in an effective manner; actively amending regulations to improve the registration process; and effectively registering architects, engineers, land surveyors, and landscape architects.

In accordance with AS 08.03.010(c)(3), the board is scheduled to terminate on June 30, 2025. We recommend that the legislature extend the board's termination date eight years to June 30, 2033.

Detailed report conclusions are as follows.

The board generally conducted its meetings effectively and did not duplicate the efforts of other entities.

The board met 19 times from July 2020 through January 2024, which exceeded the minimum four meetings per year required by statute. A review of 12 board meetings found that meetings allowed time for public comment and a quorum was consistently met. One of the 12 meetings was not publicly noticed due to clerical error.

As the only entity authorized to register and regulate architects, engineers, land surveyors, and landscape architects, the board does not duplicate the activities of another governmental agency.

The board recommended statutory changes and actively amended regulations.

During the audit period the board recommended passage of Senate Bill 126. Senate Bill 126 updated registration processes, allowed for both an electrical and a mechanical engineer to serve on the board at the same time, updated the definition of landscape architecture, and added the limited partnership form of organization to the list of entities that can apply for a certificate of authorization.

Further, the board issued and amended regulations to implement statutory changes and improve the registration process. Significant changes included regulations that:

- established a temporary military courtesy certificate of registration to allow active duty military members and spouses to practice as an architect, engineer, land surveyor, or landscape architect. This change expedited the registration process for military members and spouses.
- reduced the continuing education required for registrants that have been practicing for 30 years or more. This change made renewing registrations less burdensome for experienced registrants.
- updated education requirements for engineers and land surveyors to help ensure adequate continuing knowledge and skills.
- authorized landscape architecture graduates to take the registration examination prior to completing experience requirements. This change improved the efficiency of the registration process.
- added experience and education requirements for structural engineers. This change helped ensure registered candidates have the appropriate education and experience.
- eliminated redundant and repetitive regulation wordage that impeded readability and simplified requirements related to computation of education credits. These changes promoted efficiency and public understanding.

Board related investigations were actively performed.

A review of board related investigative activity concluded that cases were actively investigated. A total of 156 board related complaints were open or opened from July 2020 through January 2024. Of the open investigations, 23 were open for more than 180 days. The audit reviewed five investigations open for over 180 days and found no unjustified periods of inactivity. Additionally, the audit reviewed two complaints open for more than 180 days and, likewise, found no unjustified periods of inactivity.

The board issued registrations in compliance with statutes and regulations.

Exhibit 2 on the following page shows that from FY 21 through FY 23 the board issued 991 new registrations and certificates. Auditors tested 15 new and 10 renewal registrations issued during the audit period and found all were issued in compliance with statutes and regulations.

Exhibit 2 also shows that as of January 2024 there were 6,628 active registrants. Appendix B to this report compares the registrants as of January 2024 to the number reported in the prior 2016 sunset audit. Overall, there were 758 fewer architect, engineer, land surveyor, and landscape architect registrations, representing an overall decline of 10 percent. The change varies by type of registrant. For example, civil engineer registrations declined by 12 percent (385 fewer registrants) and structural engineer registrations increased by 42 percent (116 new registrations).

According to the board chair, the decrease in registrations may be due to U.S. and Alaska demographic trends (i.e., the “boomer” generation retiring). Economic differences between Alaska and the rest of the country may be leading younger registrants to begin careers outside of Alaska. Further, career paths (such as the construction trades) may have lower costs of entry (i.e., education and professional examinations) for similar or greater compensation.

Exhibit 2

State Board of Registration for Architects, Engineers, and Land Surveyors Registration and Certificate Activity FY 21 through January 31, 2024

Occupation/Entity	New Registrations Issued (Exclusive of Renewals)			Total as of January 31, 2024
	FY 21	FY 22	FY 23	
Agriculture Engineer	0	0	0	1
Architect	29	25	31	540
Limited Liability Company (LLC)	23	23	26	255
Limited Liability Partnership (LLP)	1	0	1	4
Chemical Engineer	4	4	3	95
Civil Engineer	139	107	146	2,748
Control Systems Engineer	2	1	3	46
Corporation	23	21	20	414
Electrical Engineer	37	22	45	662
Environmental Engineer	3	3	7	137
Fire Protection Engineer	5	6	2	56
Industrial Engineer	0	0	0	1
Land Surveyor	10	10	8	350
Landscape Architect	2	4	4	55
Mechanical Engineer	47	28	45	734
Metallurgical and Materials Engineer	0	0	0	4
Mining and Mineral Processing Engineer	1	0	1	34
Naval Architect and Marine Engineer	0	3	2	20
Nuclear Engineer	0	0	0	0
Petroleum Engineer	3	2	2	78
Structural Engineer	11	14	32	394
Total	340	273	378	6,628

Source: Compiled from the Division of Corporations, Business and Professional Licensing (DCBPL) licensing database.

DCBPL audited compliance with continuing professional education requirements in a timely manner.

During most of the audit period, DCBPL regulations required five percent of registrants be audited to confirm continuing professional education was accurately reported by registrants.² During the 2021 renewal period, the board selected 309 registrants (approximately five percent) for a continuing education audit. The continuing education audits took an average of 35 days to complete per registrant and 95 percent of the audits were completed within 60 days.

Auditors noted that DCBPL’s sample included 46 expired or lapsed registrations, reducing the sample size to about 4.3 percent of existing registrations. Effective January 5, 2024, the continuing education audit regulation was amended to eliminate the requirement that DCBPL conduct a specific number of continuing education audits. Instead, regulations require DCBPL audit a percentage of licensees that DCBPL “deems appropriate and necessary to protect public health and safety.”

Registration fees were sufficient to cover board operations.

The board’s schedule of revenues and expenditures for FY 21 through January 2024 is shown in Exhibit 3 on the following page. The board receives its revenue from registration and renewal fees. Renewals are conducted on a biennial basis, creating a two-year cycle in board revenues. The board had a \$748,364 surplus at the end of FY 23, the second year of its biennial licensing period.

Auditors noted that, during the period covered by the 2016 sunset audit (FY 12 through FY 15), the board expended an average of approximately \$46,700 annually on travel. As shown in Exhibit 3, travel costs decreased significantly. FY 23 travel of \$22,512 was less than half of travel costs reported in the prior sunset audit. The board chair explained that travel had been reduced due to DCBPL budgeting constraints. The board believes in-person meetings are most effective.

² Regulation 12 AAC 02.960(c), which was effective most of the audit period, stated: “Except as provided in (d) of this section, the department will select licensees for audit under (a) of this section as follows: (1) ten percent of the total number of licensees in that profession if the total number of licensees is less than 3,000; or (2) five percent of the total number of licensees in that profession if the total number of licensees is 3,000 or more.”

Exhibit 3

State Board of Registration for Architects, Engineers, and Land Surveyors Schedule of Revenues and Expenditures FY 21 through January 31, 2024 (Unaudited)				
	FY 21	FY 22	FY 23	July 1, 2023 - January 31, 2024
Revenues				
Registration Fees	\$ 146,310	\$ 957,475	\$ 153,720	\$ 854,005
General Fund	-	17,581	4,700	-
Other Sources	-	1,375	6,500	2,050
Total Revenues	146,310	976,431	164,920	856,055
Direct Expenditures				
Personal Services	234,966	227,737	284,063	145,451
Travel	2,110	15,391	22,512	13,052
Services	45,587	41,395	38,383	31,758
Commodities	-	-	1,110	-
Total Direct Expenditures	282,663	284,523	346,068	190,261
Indirect Expenditures	254,030	304,173	297,153	148,578*
Total Expenditures	536,693	588,696	643,221	338,839
Annual Surplus (Deficit)	(390,383)	387,735	(478,301)	517,216
Beginning Cumulative Surplus (Deficit)	1,229,313	838,930	1,226,665	748,364
Ending Cumulative Surplus (Deficit)	\$ 838,930	\$1,226,665	\$ 748,364	\$1,265,580

Source: DCBPL management.

* Estimated based on the indirect allocation for July 1, 2023 through December 31, 2023.

The board made no changes to its fees from FY 21 through FY 24. According to DCBPL management, the surplus is expected to decline over the next several years. The board’s schedule of fees from FY 21 through January 2024 is shown in Exhibit 4.

Exhibit 4

State Board of Registration for Architects, Engineers, and Land Surveyors Registration Fees FY 21 through January 31, 2024	
	FY 21 — January 31, 2024
Application fee	\$200
Initial biennial registration fee	100
Biennial registration renewal fee	100
Biennial certification fee for corporations, LLCs, and LLPs	300
Renewal biennial fee for corporations, LLCs, and LLPs	300
Amendment to corporate, LLC, and LLP certification	75
Retired status registration one-time fee	25
Alaska land surveying exam	100
Late renewal penalty fee	50
Continuing education extension period fee	50

Source: 12 AAC 02.110.

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FINDINGS AND RECOMMENDATIONS

The prior 2016 sunset audit made no recommendations.

There are no new recommendations made as part of this sunset audit.

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OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with Title 24 and Title 44 of the Alaska Statutes, we have reviewed the activities of the State Board of Registration for Architects, Engineers, and Land Surveyors (board) to determine if there is a demonstrated public need for its continued existence.

As required by AS 44.66.050(a), this report shall be considered by the committee of reference during the legislative oversight process in determining whether the board should be reestablished. Currently, under AS 08.03.010(c)(3), the board will terminate on June 30, 2025, and will have one year from that date to conclude its administrative operations.

Objectives

The two central, interrelated objectives of our report are to:

1. Determine if the termination date of the board should be extended.
2. Determine if the board is operating in the public's interest.

Scope

The assessment of operations and performance of the board was based on criteria set out in AS 44.66.050(c). Criteria set out in this statute relates to the determination of a demonstrated public need for the board. We reviewed the board's activities from July 1, 2020 through January 31, 2024. Unaudited financial data from the Division of Corporations, Business and Professional Licensing (DCBPL) is presented for the same period.

Methodology

During the course of our audit, we reviewed and evaluated the following:

- The prior sunset audit report (ACN 08-20096-16) to identify issues affecting the board and to identify prior sunset audit recommendations.

-
- Applicable statutes and regulations to identify board functions and responsibilities, determine whether statutory or regulatory changes enhanced or impeded board activities, and help ascertain if the board operated in the public interest.
 - The State's Online Public Notices System to verify board meetings were adequately public noticed in compliance with state law.
 - Expenditures, revenues, and fee levels for the board to determine whether fee levels covered the cost of operations.
 - Board meeting minutes and annual reports to gain an understanding of board proceedings and activities, the nature and extent of public input, whether a quorum was maintained, and whether board vacancies impeded operations.
 - Board investigation data for cases open or opened from July 1, 2020 through January 31, 2024, to assess the efficiency of the investigative process.
 - Various Alaska news websites to identify complaints against the board or other board related concerns.
 - Various websites containing information for potential duplication of board activities.

Internal controls over the registration and investigative processes were assessed to determine if controls were properly designed and implemented. Additionally, to identify and evaluate board activities, we conducted interviews with State agency staff and board members. Specific areas of inquiry included board operations, statutory duties, duplication of efforts, fee levels, travel restrictions for board meetings, board and staff vacancies, and complaints against the board.

The audit utilized the following samples:

- A judgmental sample of 12 of 19 board meetings held from July 1, 2020 to January 31, 2024, was reviewed to gain an understanding of board proceedings and activities; and to determine the nature and extent of public input, whether a quorum was maintained, whether the meetings were public noticed, and whether board vacancies impeded operations. Test results were not projected to the population.
- Seven of the 41 board related cases open 180 days or longer between July 1, 2020 through January 31, 2024, were reviewed for unjustified periods of inactivity. Three of the cases were randomly selected and four were judgmentally selected. Test results were not projected to the population.
- A random sample of 25 registration applications was tested. Fifteen new applications were selected from the 62 new registrations issued to architects and mechanical, electrical, and civil engineers between July 1, 2023 and January 31, 2024. Ten renewal applications were selected from the 4,622 registrations that were subject to the December 31, 2023 renewal period. The 15 new and 10 renewal applications were assessed for statutory and regulatory compliance. The sample size was based on low control risk, low inherent risk, and moderate to high audit risk. Test results were not projected to the population.
- A random sample of 10 of 233 completed continuing education audits that were subject to the December 31, 2021, renewal period was reviewed for regulatory compliance. Test results were not projected to the population.

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APPENDICES

SUMMARY

Appendix A: This appendix provides the sunset criteria used in developing the conclusion regarding whether the State Board of Registration for Architects, Engineers, and Land Surveyors' termination date should be extended.

Appendix B: This appendix shows the change in registration and certificate activity by occupation or entity when compared to the prior 2016 sunset audit.

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APPENDIX A

Analysis of Public Need Criteria AS 44.66.050(c)

A determination as to whether a board or commission has demonstrated a public need for its continued existence must take into consideration the following factors:

1. the extent to which the board or commission has operated in the public interest;
2. the extent to which the operation of the board or commission has been impeded or enhanced by existing statutes, procedures, and practices that it has adopted, and any other matter, including budgetary, resource, and personnel matters;
3. the extent to which the board or commission has recommended statutory changes that are generally of benefit to the public interest;
4. the extent to which the board or commission has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service that it has provided;
5. the extent to which the board or commission has encouraged public participation in the making of its regulations and decisions;
6. the efficiency with which public inquiries or complaints regarding the activities of the board or commission filed with it, with the department to which a board or commission is administratively assigned, or with the office of victims' rights or the office of the ombudsman have been processed and resolved;
7. the extent to which a board or commission that regulates entry into an occupation or profession has presented qualified applicants to serve the public;

APPENDIX A (Continued)

8. the extent to which state personnel practices, including affirmative action requirements, have been complied with by the board or commission in its own activities and in the area of activity or interest;
9. the extent to which statutory, regulatory, budgetary, or other changes are necessary to enable the board or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection;
10. the extent to which the board or commission has effectively attained its objectives and purposes and the efficiency with which the board or commission has operated; and
11. the extent to which the board or commission duplicates the activities of another governmental agency or the private sector.

APPENDIX B

State Board of Registration for Architects, Engineers, and Land Surveyors Change in Registration and Certificate Activity February 2016 Compared to January 2024

	Total Registrations 2016*	Total Registrations 2024**	Change	Percentage Change
Agriculture Engineer	2	1	(1)	(50%)
Architect	613	540	(73)	(12%)
LLC	204	255	51	25%
LLP	5	4	(1)	(20%)
Chemical Engineer	136	95	(41)	(30%)
Civil Engineer	3,133	2,748	(385)	(12%)
Control Systems Engineer	35	46	11	31%
Corporation	499	414	(85)	(17%)
Electrical Engineer	739	662	(77)	(10%)
Environmental Engineer	128	137	9	7%
Fire Protection Engineer	39	56	17	44%
Industrial Engineer	1	1	0	0%
Land Surveyor	484	350	(134)	(28%)
Landscape Architect	50	55	5	10%
Mechanical Engineer	850	734	(116)	(14%)
Metallurgical and Materials Engineer	2	4	2	100%
Mining and Mineral Processing Engineer	50	34	(16)	(32%)
Naval Architect and Marine Engineer	18	20	2	11%
Nuclear Engineer	1	0	(1)	(100%)
Petroleum Engineer	119	78	(41)	(34%)
Structural Engineer	278	394	116	42%
Total	7,386	6,628	(758)	

Source: Compiled from the DCBPL licensing database.

* As of February 15, 2016, per sunset audit ACN 08-20096-16.

** As of January 31, 2024.

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Agency Response from the Department of Commerce, Community, and Economic Development



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce,
Community, and Economic
Development

OFFICE OF THE COMMISSIONER
Julie Sande, Commissioner

P.O. Box 110800
Juneau, Alaska 99811-0800
Main: 907.465.2500
Fax: 907.465.5442

November 8, 2024

Kris Curtis
Legislative Auditor
Division of Legislative Audit
P.O. Box 113300
Juneau, AK 99811-3300

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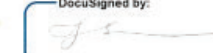
LEGISLATIVE AUDIT

Dear Ms. Curtis:

Thank you for the October 24, 2024, Confidential Preliminary Report regarding the Department of Commerce, Community, and Economic Development (DCCED), State Board of Registration for Architects, Engineers, and Land Surveyors (board) Sunset Review. I am pleased to know that you are recommending a full extension of this board to June 30, 2033, and have no recommendations for this audit period.

Again, thank you for the opportunity for the department to provide input on this matter. If you have any questions, please feel free to contact me.

Sincerely,

DocuSigned by:

Julie Sande
Commissioner

cc: Sylvan Robb, Director, Division of Corporations, Business and Professional Licensing, DCCED
Lizzie Kubitz, Legislative Liaison, DCCED

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Agency Response from State Board of Registration for Architects, Engineers, and Land Surveyors

Jeffrey A. Garness, PE, MS
3701 E Tudor Road, Suite 101
Anchorage, Alaska 99507
jeff@garnessengineering.com
Mobile: 907-244-9612

November 10, 2024

Alaska State Legislature
Legislative Budget and Audit Committee
Division of Legislative Audit
PO Box 113300
Juneau, Alaska 99811-3300
Attn: Kris Curtis, CPA, CISA

Subject: AELS Sunset Audit

Ms. Curtis,

I have read the "Preliminary Audit Report" for State Board of Architects, Engineers, and Land Surveyors (AELS) dated April 17th, 2024. I concur with the "Report Conclusions" and the "Findings and Recommendations."

If you have any questions, please contact me.

Sincerely,


Jeffrey A. Garness, P.E., M.S.
Chair, AELS Board

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LEGISLATIVE AUDIT

		Regulation Section	Project Name	Does it affect other Regulation Projects	Board Approval Date	FAQs	Date sent to Reg Specialists	Date sent to Dept. of Law
Submitted as one project	Aug-23	36.145	What defines an office	no	2/8/2024	Completed	6/3/2024	7/15/2024
	Aug-23	38.185	Document retention	no	2/8/2024	Completed	6/3/2024	7/15/2024
	Nov-23	36.530b	CE Military Exemption	no	2/8/2024	Completed	6/3/2024	7/15/2024
		Multiple Sections	Responsible Charge	no	2/8/2024	Completed	6/3/2024	7/15/2024
	Feb-24	36.170	Late Fees	no	2/8/2024	Completed	6/3/2024	7/15/2024
	May-24	Multiple Sections	Architectural Engineering	no	5/8/2024	Completed	6/3/2024	7/15/2024
	May-24	36.520 (7)	Adding "per biennium" to business/ethics CE courses	no	5/9/2024	Completed	6/3/2024	7/15/2024
	Feb-24	36.920	Bylaw Date	no	11/13/2024	Completed	11/15/2024	
	Nov-24	36.990 (44)	Significant Structures - F Bridges	No	11/13/2024	Completed	11/15/2024	
	Nov-24	36.210	Barrier Crimes	no				
	Nov-24	36.165	Expired Registrations/Reinstatement	yes				
	Nov-24	36.510	Expired Registrations/Reinstatement	yes				

February 12-13, 2025 CE Audit Board Update	
Retired:	7
Exempt:(licensed on or after 10/1/2021)	31
Lapsed:	24
Cleared:	251
With staff/board for review:	1
With paralegal:	3
Consent Agreement - Aug 2024	1
Non Disciplinary Letter Of Advisement - Nov 2024	2
Consent Agreement - Feb 2025	1
Voluntary Surrender - Feb 2025	1
Total Randomly Selected for Audit:	322

November 13-14, 2024 CE Audit Board Update	
Retired:	7
Exempt:(licensed on or after 10/1/2021)	31
Lapsed:	25
Cleared:	251
With staff/board for review:	1
With paralegal:	4
Consent Agreement - Aug 2024	1
Non Disciplinary Letter Of Advisement - Nov 2024	2
Total Randomly Selected for Audit:	322

August 22, 2024 CE Audit Board Update	
Retired:	8
Exempt:(licensed on or after 10/1/2021)	31
Lapsed:	28
Cleared:	247
With staff/board for review:	1
With paralegal:	6
Consent Agreement - Aug 2024	1
Total Randomly Selected for Audit:	322

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

Board of Architects, Engineers, and Land Surveyors	FY 18	FY 19	Biennium	FY 20	FY 21	Biennium	FY 22	FY 23	Biennium	FY 25	
										FY 24	1st & 2nd QTR
Revenue											
Revenue from License Fees	\$ 909,305	\$ 161,305	\$ 1,070,610	\$ 932,985	\$ 146,310	\$ 1,079,295	\$ 957,475	\$ 153,720	\$ 1,111,195	\$ 971,065	\$ 85,410
General Fund Received				\$ -	\$ -	\$ -	\$ 17,581	\$ 4,700	22,281	\$ 466	\$ -
Allowable Third Party Reimbursements	13,692	10,892	24,584	\$ 4,143	\$ -	4,143	\$ 1,375	\$ 6,500	7,875	\$ 4,427	\$ 2,269
TOTAL REVENUE	\$ 922,997	\$ 172,197	\$ 1,095,194	\$ 937,128	\$ 146,310	\$ 1,083,438	\$ 976,431	\$ 164,920	\$ 1,141,351	\$ 975,958	\$ 87,679
Expenditures											
Non Investigation Expenditures											
1000 - Personal Services	179,399	201,499	380,898	173,287	159,806	333,093	172,213	223,949	396,162	223,229	108,614
2000 - Travel	29,385	26,313	55,698	15,812	2,110	17,922	15,391	22,087	37,478	22,726	1,366
3000 - Services	45,487	59,467	104,954	35,084	43,162	78,246	41,295	38,332	79,627	34,834	18,874
4000 - Commodities	499	27	526	30	-	30	-	1,110	1,110	31	-
5000 - Capital Outlay	-	-	-	-	-	-	-	-	-	-	-
Total Non-Investigation Expenditures	254,770	287,306	542,076	224,213	205,078	429,291	228,899	285,477	514,377	280,820	128,854
Investigation Expenditures											
1000-Personal Services	110,690	121,182	231,872	71,024	75,160	146,184	55,524	60,114	115,638	55,008	30,406
2000 - Travel	-	-	-	-	-	-	-	425	425	-	385
3023 - Expert Witness	-	-	-	-	-	-	-	-	-	-	-
3088 - Inter-Agency Legal	-	-	-	-	1,996	1,996	85	-	85	1,381	-
3094 - Inter-Agency Hearing/Mediation	58	-	58	-	-	-	-	-	-	-	-
3000 - Services other	-	670	670	208	429	637	15	51	66	38	-
4000 - Commodities	-	-	-	-	-	-	-	-	-	-	-
Total Investigation Expenditures	110,748	121,852	232,600	71,232	77,585	148,817	55,624	60,590	116,214	56,427	30,790
Total Direct Expenditures	365,518	409,158	774,676	295,445	282,663	578,108	284,523	346,067	630,591	337,247	159,644
Indirect Expenditures											
Internal Administrative Costs	-	176,749	176,749	187,122	160,058	347,180	207,091	199,257	406,348	197,312	98,656
Departmental Costs	-	96,635	96,635	66,632	61,722	128,354	68,456	67,003	135,459	66,203	33,102
Statewide Costs	-	32,978	32,978	32,186	32,250	64,436	28,626	30,893	59,519	26,930	13,465
Total Indirect Expenditures	-	306,362	306,362	285,940	254,030	539,970	304,173	297,153	601,326	290,445	145,223
TOTAL EXPENDITURES	\$ 365,518	\$ 715,520	\$ 1,081,038	\$ 581,385	\$ 536,693	\$ 1,118,078	\$ 588,696	\$ 643,220	\$ 1,231,917	\$ 627,692	\$ 304,867
Cumulative Surplus (Deficit)											
Beginning Cumulative Surplus (Deficit)	\$ 859,414	\$ 1,416,893		\$ 873,570	\$ 1,229,313		\$ 838,930	\$ 1,226,665		\$ 748,365	\$ 1,096,631
Annual Increase/(Decrease)	557,479	(543,323)		355,743	(390,383)		387,735	(478,300)		348,266	(217,188)
Ending Cumulative Surplus (Deficit)	\$ 1,416,893	873,570		\$ 1,229,313	\$ 838,930		\$ 1,226,665	\$ 748,365		\$ 1,096,631	\$ 879,443
Statistical Information											
Number of Licenses for Indirect calculation	8,152	7,331		7,488	7,386		8,122	7,763		7,803	
Additional information:											
<ul style="list-style-type: none"> • General fund dollars were received in FY21-FY24 to offset increases in personal services and help prevent programs from going into deficit or increase fees. • Most recent fee change: New fee added FY20 • Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and program changes per AS 08.01.065. 											

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

Appropriation Name (Ex)	(Multiple Items)
Sub Unit	(Multiple Items)
PL Task Code	AEL1

Sum of Budgetary Expenditures Object Name (Ex)	Object Type Name (Ex) 1000 - Personal Services	2000 - Travel	3000 - Services	Grand Total
1011 - Regular Compensation	72,571.09			72,571.09
1014 - Overtime	16.06			16.06
1021 - Allowances to Employees	180.00			180.00
1023 - Leave Taken	11,046.95			11,046.95
1028 - Alaska Supplemental Benefit	5,131.18			5,131.18
1029 - Public Employee's Retirement System Defined Benefits	656.12			656.12
1030 - Public Employee's Retirement System Defined Contribution	4,254.06			4,254.06
1034 - Public Employee's Retirement System Defined Cont Health Reim	2,757.22			2,757.22
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	673.68			673.68
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	14,043.07			14,043.07
1040 - Group Health Insurance	22,703.37			22,703.37
1041 - Basic Life and Travel	1.66			1.66
1042 - Worker's Compensation Insurance	456.41			456.41
1047 - Leave Cash In Employer Charge	1,931.22			1,931.22
1048 - Terminal Leave Employer Charge	1,338.02			1,338.02
1053 - Medicare Tax	1,174.38			1,174.38
1077 - ASEA Legal Trust	66.11			66.11
1079 - ASEA Injury Leave Usage	13.46			13.46
1080 - SU Legal Trst	5.58			5.58
2000 - In-State Employee Airfare			344.71	344.71
2001 - In-State Employee Surface Transportation			27.40	27.40
2002 - In-State Employee Lodging			229.00	229.00
2003 - In-State Employee Meals and Incidentals			90.00	90.00
2005 - In-State Non-Employee Airfare			216.26	216.26
2006 - In-State Non-Employee Surface Transportation			31.81	31.81
2007 - In-State Non-Employee Lodging			229.00	229.00
2008 - In-State Non-Employee Meals and Incidentals			90.00	90.00
2009 - In-State Non-Employee Taxable Per Diem			336.00	336.00
2010 - In-State Non-Employee Non-Taxable Reimbursement			40.00	40.00
2013 - Out-State Employee Surface Transportation			102.73	102.73
2015 - Out-State Employee Meals and Incidentals			282.14	282.14
2020 - Out-State Non-Employee Meals and Incidentals			263.50	263.50
2022 - Out-State Non-Employee Non-Taxable Reimbursement			133.25	133.25
2970 - Travel Cost Transfer			(665.11)	(665.11)
3001 - Test Monitor/Proctor			3,000.00	3,000.00
3002 - Memberships			14,495.00	14,495.00
3035 - Long Distance			8.76	8.76
3044 - Courier			68.38	68.38
3085 - Inter-Agency Mail			61.20	61.20
3088 - Inter-Agency Legal			1,240.31	1,240.31
Grand Total	139,019.64	1,750.69	18,873.65	159,643.98

From: [Catherine Fritz](#)
To: [Bonnell, Joseph K \(CED\)](#); [Neal, Sara J \(CED\)](#)
Subject: Public Testimony during today's AELS meeting
Date: Wednesday, February 12, 2025 6:56:19 AM

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Joseph and Sara,

I am not available during the 11:30am scheduled public testimony time today, so I am hoping that you can share this email with the Board during that time (or other time as you see appropriate).

Hello AELS Board, and thank you for the opportunity to make public comment today. I would like to comment on the topic of Interior Design regulation, and share some observations about SB 54. I am not representing the Alaska AIA today - only representing myself, through my expertise as a former AELS Board member.

In general, my concern about Interior Design (ID) regulation continues to be, "Legislature, if you want to do this, keep it a Title Act like the majority of states who regulate ID, and and keep it SIMPLE." There are 28 states who regulate ID, and 25 of those are Title Acts. The most recent state to adopt ID regulation was Pennsylvania (Oct 31, 2024) - it is a very straightforward Title Act that uses the word "certified" for IDs and changed statutory references of architects to "licensed" to make the distinction clear that IDs are not licensed to practice.

I hope you received the Jan 15 memo from legislative counsel, Conran Gunther, along with SB 54. The memo does a good job of clearly stating the difference between a Title Act and a Practice Act. Two of the key issues to remember are that a Title Act does not require a license to perform the services, and it does not restrict performance of those services to anyone. In other words, anyone can perform interior design without a license.

Please review SB 54 carefully, keeping these core issues in mind, and think about how the AELS Board will manage/administer interior design. The bill is a Title Act that is embedded within a Practice Act (08.48) for other design professions (A,E,LS,LA). As I reviewed the bill, I found the following questions/concerns:

1. Numerous references to the "practice" of ID that may lead to confusion about the purpose of the bill (to be a Title Act). Are these really necessary? Can most (all?) be removed or re-worded for clarity?
2. Use of the word "registered" ID - "certified" seems to be a better word to distinguish ID from the other registered professions who PRACTICE a design discipline. Again, don't build in confusion for purposes of administering this law.
3. Section 9 of the bill is about Comity - This is problematic since there are no national standards by which the Board will be able to determine if another jurisdiction is equal to Alaska. Also, I question the necessity of this section for a Title Act - you can't restrict the practice of ID, so is comity even relevant?
4. Sections 16-20 of the bill are about Corporate Authorization - similar to my point above, is this relevant for a Title Act? Why would you need to have Corp Authorization if ID is not restricted (not licensed)? I'm not sure about this, but it seems pretty complicated and irrelevant.
5. And a big concern about SB 54: I'm so disappointed that the EA Salary issue is not in this bill!!! I worked (unsuccessfully) for over 2 years to try to get an EA salary increase, and was pleased to see that the Board's draft bill for sunset included the language to specify a salary range. I hope you can find a way to get the salary raised!

THANK YOU for the hard work you do on the AELS Board. Please don't hesitate to contact me to discuss my questions/concerns more, especially if you are able to have time to study/review SB 54 in committee.

Sincerely,

Catherine Fritz, Architect



Council for
Interior Design
Qualification

The Interior Design Profession The Impact on Public Safety and the Importance of Reasonable Regulation



@NCIDQexam



CIDQ

NCIDQ
Examination

Presentation Agenda

- About CIDQ and Introduction to the Interior Design Profession
- Interior Design's Impact on Public Health, Safety, and Welfare
- NCIDQ Exam Overview
- Joint NCARB/CIDQ Comparison Report
- Interorganizational Council on Regulation (ICOR)
- Jurisdictional Regulation and Legislative Timeline

About CIDQ

- The Council for Interior Design Qualification (CIDQ) is the **premier certifying organization for interior design professionals**.
- CIDQ develops and administers the three-part NCIDQ Examination, which tests interior designers' knowledge of core competencies required for professional practice in the industry.
- CIDQ membership is **comprised of regulatory boards from across the United States and Canada**.
- Since 1974, CIDQ's mission has been to create, test and promote guidelines for determining competency in the practice of interior design. NCIDQ Certification has been the global standard for interior design professionals for 50 years.



CIDQ Fast Facts

- 28 member boards
 - 15 member boards are joint, multi-disciplinary board with membership in other national credentialing organizations.
- 8-member Board of Directors
 - Board membership typically features a diverse background of practitioners
- Staff of 8 Based in Alexandria, VA
- CIDQ regularly updates the NCIDQ exam
 - Practice analysis conducted every 5 years in compliance with guidelines and standards published in The Standards for Educational and Psychological Testing

What is Interior Design?

Interior design encompasses the analysis, planning, design, documentation, and management of interior non-structural/non-seismic construction and alteration projects in compliance with applicable building design and construction, fire, life-safety, and energy codes, standards, regulations, and guidelines for the purpose of obtaining a building permit, as allowed by law.

- CIDQ has developed short and long form definitions of the profession of interior design, which are available on our website.

Interior Design is NOT Interior Decoration

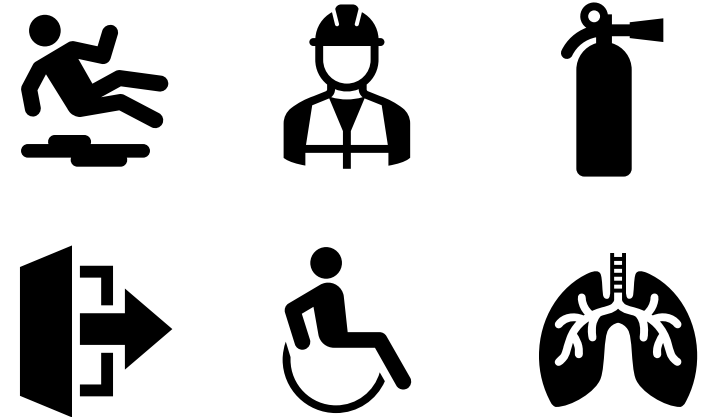
This short video describes the differences between the profession of interior design and the occupation of interior decoration

Full video and other resources available at [cidq.org/hsw](https://www.cidq.org/hsw)

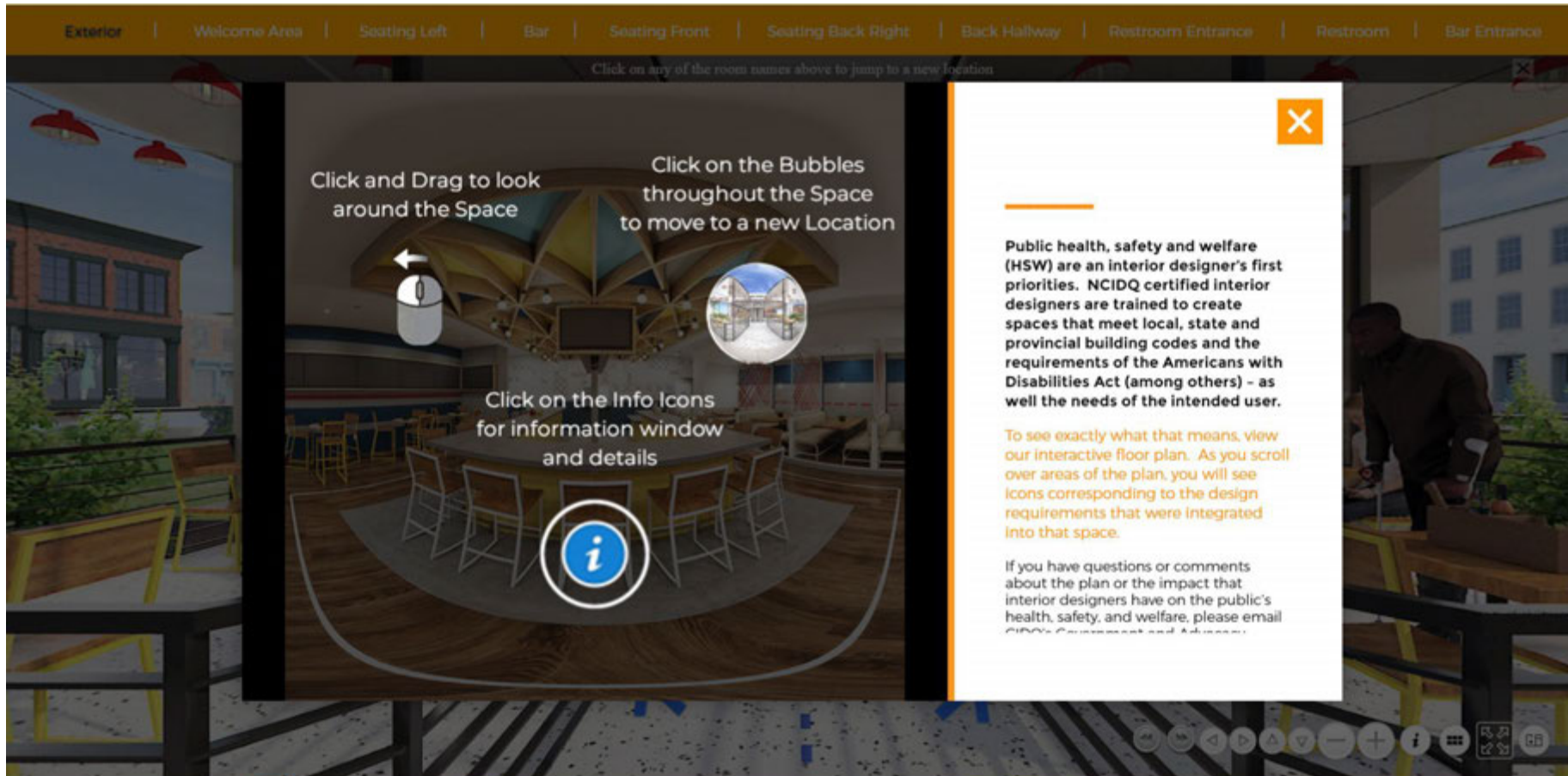
The Interior Designers' Impact on HSW

- Interior designers directly impact public health, safety, and welfare in their practice in a variety of different ways:

- Building Codes and Regulations
- Fire and life safety
- Accessibility and ADA compliance
- Emergency Egress
- Slip and Fall Resistance
- Air Quality Control and Healthful Materials



What Does ID's HSW Impact Look Like in a Commercial Space?



NCIDQ Overview

Exam Basics

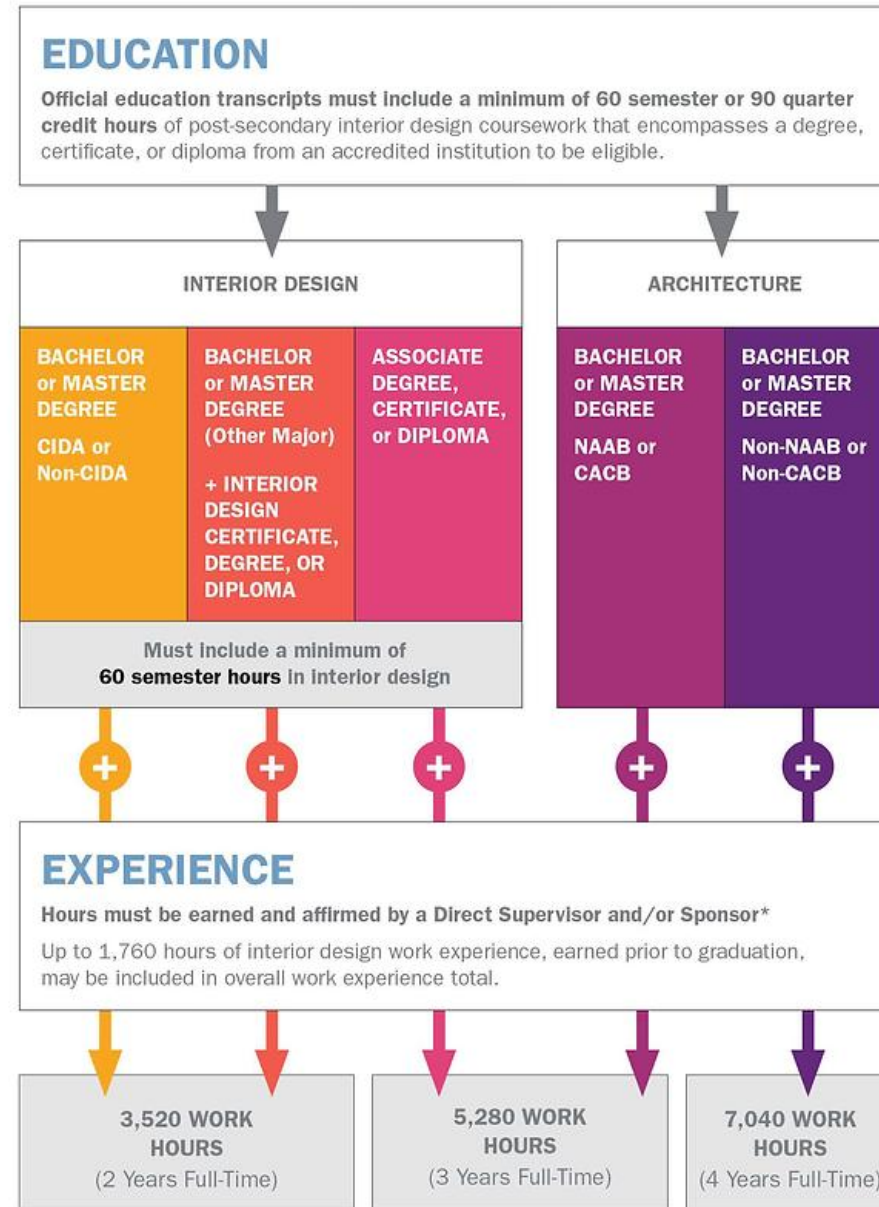
The NCIDQ Exam consists of 3 separate sections

Exam Name	Format	Number of Questions	Duration
IDFX	Multiple Choice	125*	3 hours
IDPX	Multiple Choice	175*	4 hours
PRAC	Hot Spot, Drag and Place, Fill in the Blank	114*	4 hours

*The IDFX and IDPX exams contains 25 unscored pre- test questions. The PRAC exam contains nine (9) unscored pre-test questions.

Eligibility Paths

For full eligibility paths and work experience requirements, visit www.cidq.org/paths.



Work Experience Requirements

Minimum hours will be required in each of the following categories for all candidates:

● **Programming/Pre-Design**
200 HOURS

● **Schematic Design**
200 HOURS

● **Contract Administration**
200 HOURS



● **Design Development**
300 HOURS

● **Construction Documents**
400 HOURS

● **Professional Practice**
200 HOURS

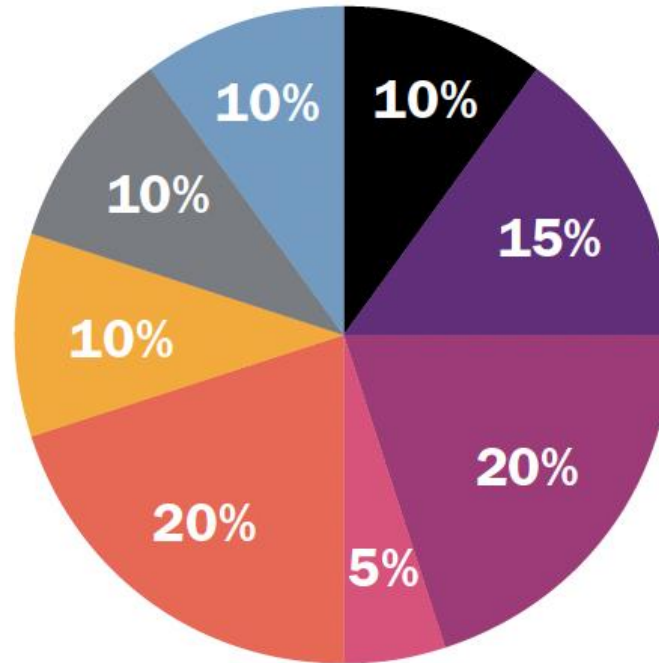
The **IDFX** exam covers the following content areas:

● **I. Programming and Site Analysis**

● **II. Relationship between Human Behavior and the Designed Environment**

● **III. Design Communication Techniques**

● **IV. Life Safety and Universal Design**



● **V. Interior Building Materials and Finishes**

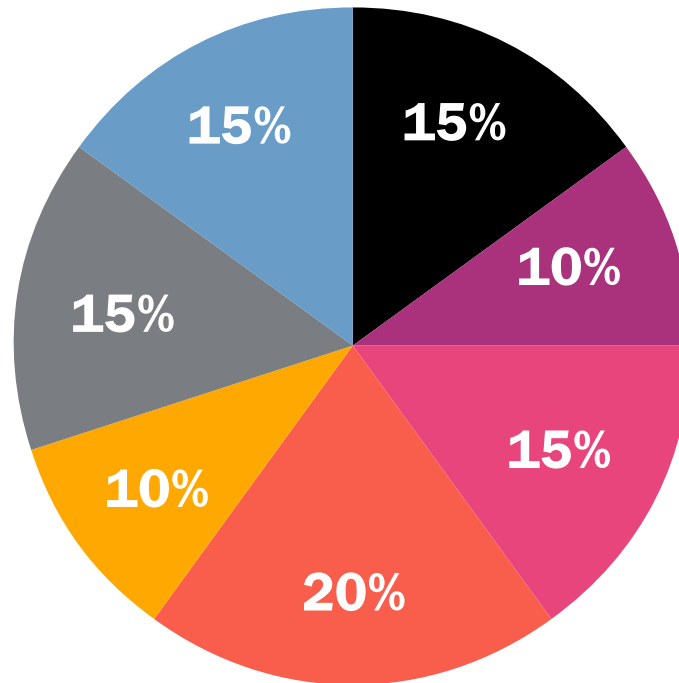
● **VI. Technical Specifications for Furniture, Fixtures, & Equipment and Lighting**

● **VII. Construction Drawings, Schedules, and Specifications**

● **VIII. Professional Development and Ethics**

The **IDPX** exam covers the following content areas:

- **I. Project Assessment and Sustainability**
- **II. Project Process, Roles, and Coordination**
- **III. Professional Business Practices**
- **IV. Code Requirements, Laws, Standards, and Regulations**



- **V. Integration with Building Systems and Construction**
- **VI. Integration of Furniture, Fixtures, & Equipment**
- **VII. Contract Administration**

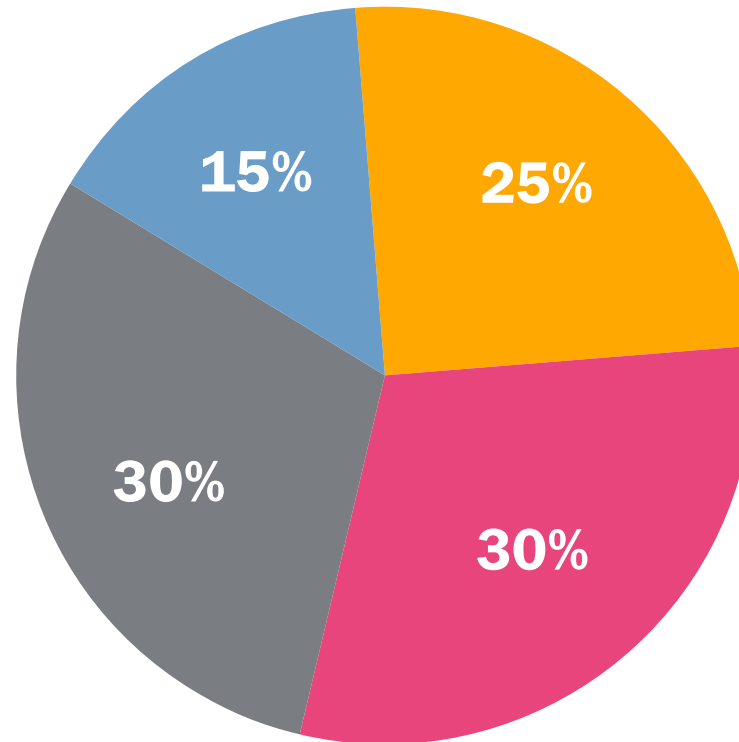
The **PRAC** exam covers the following content areas:



I. Programming, Planning, and Analysis



II. Code Requirements, Laws, Standards, and Regulations



III. Integration with Building Systems and Construction

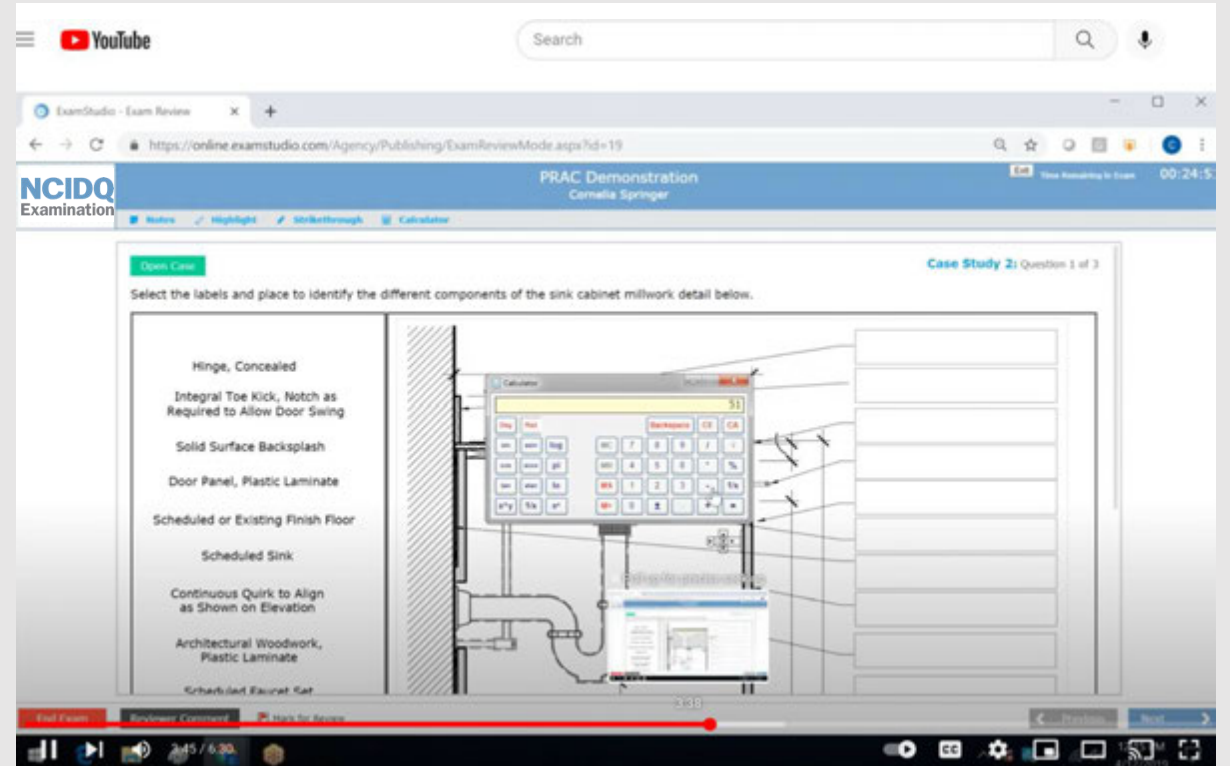


IV. Contract Documents

PRAC

Practicum Exam

- No drawing
- Not software specific
- 114 total questions
- 4 hours in duration
- 3 separate case studies (large commercial, small commercial, residential) with provided resources (tabs)



Demo available on YouTube: youtu.be/tOiw9Wll7cQ

Exam Development

INSIDE LOOK: THE NCIDQ EXAM DEVELOPMENT PROCESS



To ensure the NCIDQ Examination is valid, fair, and reliable, The Council for Interior Design Qualification (CIDQ) complies with guidelines and standards published in The Standards for Educational and Psychological Testing. CIDQ works with a professional testing company that specializes in developing certification and licensure exams throughout the entire test-development and administration process.

1 PRACTICE ANALYSIS



During the practice analysis, a panel of interior design experts defines the overall practice areas and distinct tasks, knowledge, and skills required to validate competency.

Nearly 800 practicing interior designers review and rate the areas and tasks according to level of importance.



2 DEVELOPING A TEST BLUEPRINT



Based on the practice analysis, we develop an exam blueprint, which determines the relative weight of each practice area or task and the number of corresponding questions.

3 QUESTION DEVELOPMENT AND VALIDATION

Exam questions are written and reviewed by NCIDQ certificate-holding subject matter experts, who are trained in exam development best practices.



4 PRETESTING EXAM QUESTIONS

CIDQ pretests all questions before including them as scored items on the exam. Pretest results are analyzed statistically to ensure the quality and reliability of the overall exam.



CIDQ uses a leveling procedure to ensure that one test is not harder or easier than another.

5 EXAMINATION ASSEMBLY



For each exam administration, an appropriate number of questions from each content area is selected from pretested questions as specified in the test blueprint.

A committee of NCIDQ-certified exam reviewers works with testing experts to ensure maximum quality and an appropriate mixture of content.

6 REVIEW AND REVISION

The draft exams are again reviewed by the committee for technical accuracy and by testing experts to ensure process integrity.



7 PASSING SCORE

CIDQ works with our testing consultant to determine the defensible, criterion-referenced passing score.

The passing point allows CIDQ to validate an interior designer's ability to practice independently in a manner that protects public health, safety, and welfare.



8 TEST ADMINISTRATION



Specific, consistent processes are in place for admitting candidates into the exam room, using highly trained personnel to verify identity, provide security, allot test times, etc.

Testing facilities must meet CIDQ guidelines for security, proper room size, ventilation, restroom facilities, accessibility, and noise control.

9 PSYCHOMETRIC ANALYSIS

After each exam administration, CIDQ conducts systematic analysis studies to ensure the proper function of each question and of the test as a whole.

Psychometric analysis evaluates the quality of the exam using extensive reliability analysis and other studies.



Council for
Interior Design
Qualification

LEARN MORE

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www.cidq.org



Joint NCARB/CIDQ Comparison Report

In December 2021, the National Council of Architectural Registration Boards (NCARB) and the Council for Interior Design Qualification (CIDQ) issued a joint report that assesses areas of correlation and distinction between the knowledge, skills, and tasks required for competency in the fields of architecture and interior design.

Practice Analyses

Examination Objectives

NCARB Practice Analysis of Architecture

[based on 96 total tasks]

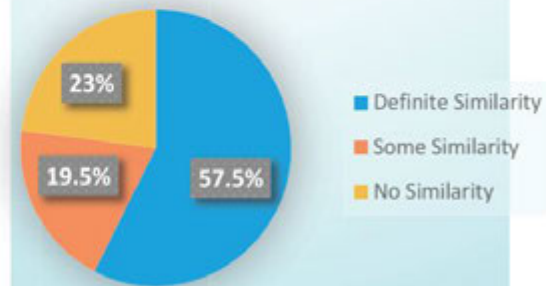
Percentage of Competencies



CIDQ Practice Analysis of Interior Design

[based on 87 total tasks]

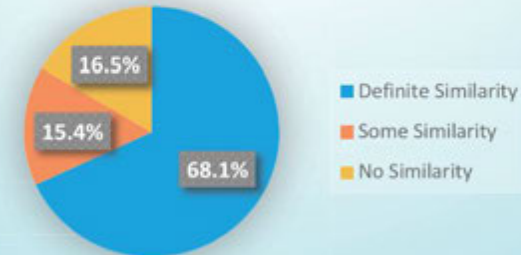
Percentage of Competencies



Architect Registration Examination (ARE)

[based on 91 Objectives]

Percentage of Objectives/Knowledge Areas



NCIDQ Examination

[based on 138 Knowledge Areas]

Percentage of Objectives/Knowledge Areas



Comparison Report Key Findings

The report does not advocate that architecture and interior design are interchangeable, should be merged, or should become more connected. However, CIDQ and NCARB SMEs found that:

- The pathways to regulated practice for both architects and interior designers have the same basic requirements: Specialized **education**, relevant professional **experience**, and **examination** of essential knowledge and skills. In addition, NCARB and CIDQ follow a similar, well-established process to determine the requirements for experience and examination.
- Following careful research and discussion, NCARB and CIDQ identified several areas of definite similarity between the professions and their respective examinations, as well as areas where there is some similarity or no similarity. Areas of no similarity are equally as important as areas of some or definite similarity.
- While similar in practice and required knowledge, architecture and interior design are unique and distinct disciplines that both have an important role in protecting the health, safety, and welfare of the public within the built environment.

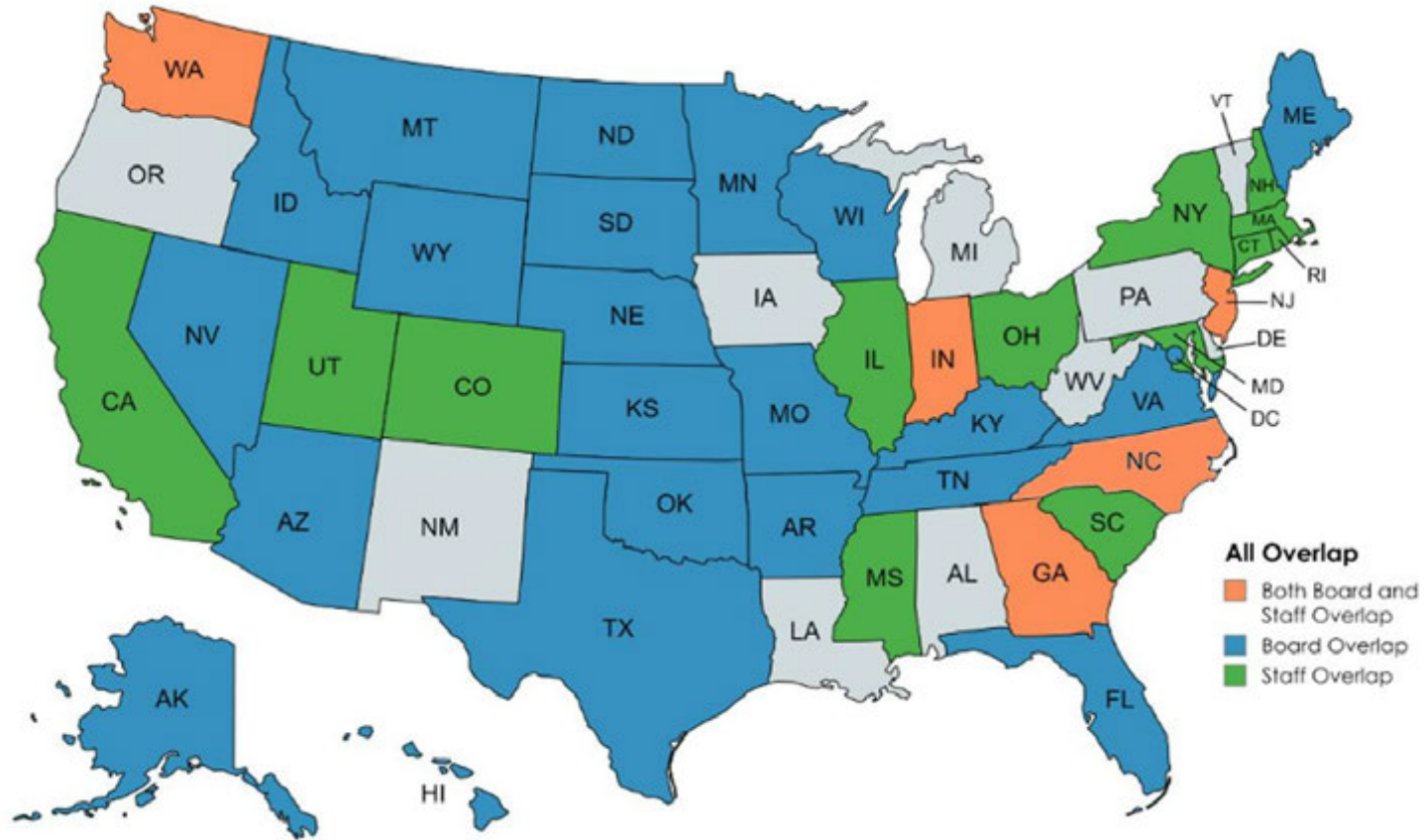
About ICOR



Interorganizational Council on Regulation



Shared Members, Resources, Success





Member board support



Best practices in
regulation of design
professions



Advocacy for licensure
in the public's interest



Harmonizing licensure
policies, processes and
procedures



ICOR Supports Interior Design Regulation



“Our collective mission is to support and advocate for smart, reasonable regulation focused on protecting the public health, safety, and welfare and to facilitate licensure of qualified professionals. ***As all the design professions (architecture, engineering, interior design, landscape architecture and surveying) have an impact on health, safety, and welfare in the built environment, ICOR supports the reasonable regulation of each profession to ensure public protection.***”

“Due to the commonalities in regulation and practice, as well as the profound impact on the public and environments, ***we unequivocally support the continued licensure of architecture, engineering, interior design, landscape architecture and surveying.*** At stake are billions of dollars’ worth of infrastructure and site improvements every year, and the safety of persons and property these improvements affect. Oversight of these professions is essential to protecting the public’s health, safety, welfare, while minimizing the risks associated with technical design professions.”

INTERORGANIZATIONAL COUNCIL ON REGULATION

Statement of Support for Regulation of ICOR Professions
May 2023

The current debate regarding the role of professional licensure in the United States must include acknowledgement of the value of state licensing boards. These boards are typically made up of citizen volunteers appointed by governors who license professionals and enforce licensing rules consistent with laws passed by their legislatures and with support and guidance from state government officials. Licensing boards in each state and territory have the unique and important responsibility of protecting the public health, safety, and welfare of their citizens by establishing the standards necessary for competent practice.

The Interorganizational Council on Regulation (ICOR), comprised of the four regulatory organizations for the design professions, was formed almost two decades ago to share best practices and discuss our complementary focus on advocating on behalf of the public protection role our regulatory boards play. As nonprofit associations, membership in our organizations is comprised of these boards—whose functions include licensing and other credentialing—for architecture, engineering, interior design, landscape architecture and surveying. In many jurisdictions these professions are overseen by the same board.

Our collective mission is to support and advocate for smart, reasonable regulation focused on protecting the public health, safety, and welfare and to facilitate licensure of qualified professionals. As all the design professions (architecture, engineering, interior design, landscape architecture and surveying) have an impact on health, safety, and welfare in the built environment, ICOR supports the reasonable regulation of each profession to ensure public protection.

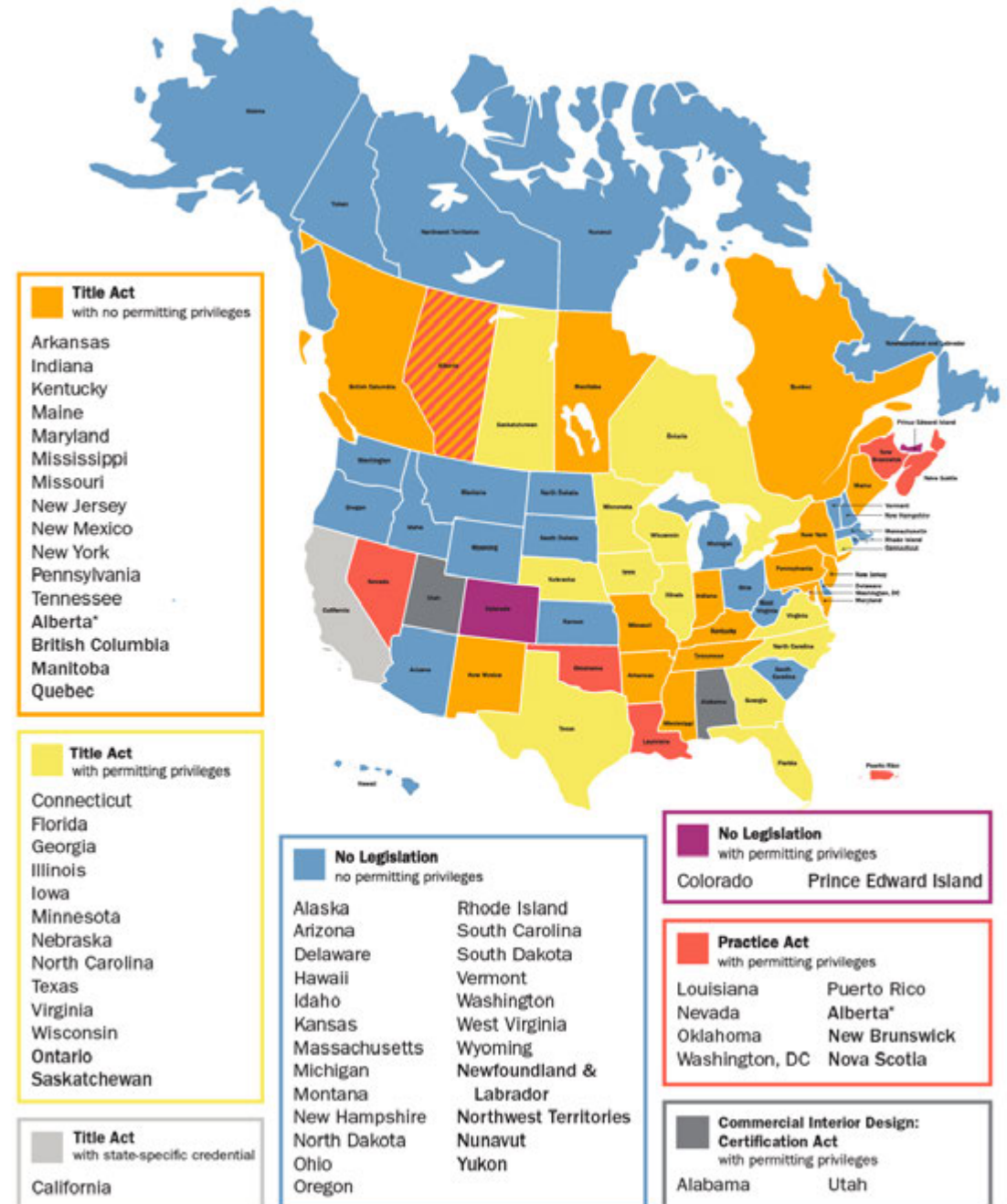
ICOR member professions share common licensure elements as well as performing some of the same tasks. While this ‘practice overlap’ does exist, it is important to note each of these professions are unique and distinct, with a role in protecting the health, safety, and welfare of the public. It is common to see these professions regulated by a multi-disciplinary board as well as having these separate professions working on the same design project. That collaboration is vital to the design process and does not diminish the individual impact that each profession has on protecting the public.

Architecture, engineering, interior design, landscape architecture and surveying professions intersect when working on buildings, the environments surrounding buildings, transportation corridors, and our nation’s infrastructure. ICOR-related professions are involved in the construction process, planning, designs, drawings, and stamping and of sealing documents, essential to obtaining building permits and other necessary approvals for construction.



Legislative Map

- 31 regulated jurisdictions (28 states, DC, PR)
- 6 states have passed legislation creating or expanding interior design regulation in the last three years, with more considering it every year



*Interior design is regulated in Alberta by both practice and title acts. More information can be found on the Jurisdictional Requirements page.

Working Together to Protect the Public

Reasonable regulation of the interior design profession is important for the protection of public health, safety, and well-being. NCIDQ Certified Interior designers impact public safety in a variety of ways, yet such regulation has traditionally been opposed by members of the professional architecture community. However, over the last several years, practitioners from the architecture and interior design communities have succeeded in collaborating to draft reasonable regulation that protects the public.



This timeline shows that collaboration between architects and interior designers on reasonable regulation of interior design is not only possible but also an important part of creating policy that best protects the public.

2021

June 2021

The National Council of Architectural Registration Boards (NCARB), the national regulatory and credentialing body for the architecture profession, sunsets their long-standing resolution to oppose interior design licensing, stating *"The 20-year-old resolution does not reflect the current state of interior design licensing and is not in alignment with NCARB's efforts to support multi-disciplinary Member Boards that regulate architecture and interior design."*

July 2021

The North Carolina General Assembly passed [SB 188](#), creating registration and the ability to stamp and seal non structural construction plans for permitting, or independent practice rights, for certified interior designers. This bill was developed in collaboration with the Board of Architects and was unopposed by the state component of the American Institute of Architects.

December 2021

The Council for Interior Design Qualification (CIDQ) and NCARB released the [Joint Comparison Report](#), which found substantial similarities between the practice analyses and exam objectives of the credentialing examinations of the architecture and interior design professions. Among the [findings](#), the groups concluded that *"architecture and interior design are separate and distinct professions that both have an important role in protecting public health, safety, and welfare."*

December 2021

The national component of the American Institute of Architects (AIA) [revised their national position](#) to eliminate outright opposition to interior design licensure, stating: *"A revised position allows AIA and its members to be more flexible and to negotiate and discuss options and remedies with legislators, regulators, and partner groups that best suit their respective state since each state is different."*

2022

March 2022

The Wisconsin Legislature passed [SB 344](#). Developed in collaboration with the state component of the American Institute of Architects, this bill was unopposed and expanded the state's title act to include permitting privileges and independent practice rights for certified interior designers.

June 2022

The Illinois General Assembly unanimously passed [HB 4715](#). Developed in collaboration with the state component of the American Institute of Architects, this bill was unopposed and expanded the state's title act to include permitting privileges and independent practice rights for certified interior designers.

2023

January 2023

The Inter-organizational Council on Regulation (ICOR), comprised of the national regulatory associations administering credentialing examinations for the four design professions (architecture, engineering, landscape architecture, and interior design), convenes the Practice Overlap Task Force, bringing subject matter experts from each profession together to study issues of practice overlap and provide guidance to regulatory boards on handling issues of overlapping practice.

April 2023

The Iowa Legislature passed [SF 135](#). Developed in collaboration with the state component of the American Institute of Architects, this bill was unopposed and expanded the state's title act to include permitting privileges and independent practice rights for certified interior designers.

May 2023

ICOR releases a [signed statement](#) "unequivocally" supporting continued licensure and regulation of all the design professions.

2024

March 2024

The Nebraska Legislature passed [LB 16](#). Developed in collaboration with the state component of the American Institute of Architects, this bill was unopposed and created a title act with permitting privileges for NCIDQ Certified interior designers.

April 2024

The Oklahoma Legislature passed [HB 1793](#). Developed in collaboration with the Oklahoma Board of Architects, this bill converted the state's title act into a practice act requiring mandatory registration of Licensed Interior Designers.

[asid.org](#) | [cidq.org](#) | [iida.org](#)



Council for
Interior Design
Qualification

NCIDQ The Mark of a Professional®

Contacts

- **Cathe M. Evans-** *cathe@ncbarch.org*
 - Executive Director, North Carolina Board of Architecture and Registered Interior Designers
 - Facilitated development and passage of 2021 NC SB 188

- **Leslie Hanska-** *leslie.hanska@boardofarch.ok.gov*
 - Executive Director, Oklahoma Board of Architects, Landscape Architects, and Licensed Interior Designers
 - Facilitated development and passage of 2024 OK HB 1793

Questions?

mbarusch@cidq.org

5. 12 AAC 36.105(b) is interpreted to mean an engineer by comity must have passed the NCEES exam in the same discipline of their application.
6. The exam referenced in 12 AAC 36.105(d)(1) must be in the same discipline for which the applicant is applying.

C. Education

1. Engineering and/or land surveying exam candidates

- a. The board shall follow the requirements for education credit as outlined in the regulations for FE (formerly the EIT), PE (except as outlined in sub-paragraph 1 below), SE, FS (was formerly the LSIT), and PS exam applicants, (12 AAC 36.062, 12 AAC 36.063, 12 AAC 36.064, 12 AAC 36.065)

- i. The following alternative ABET accredited engineering degree programs are considered equivalent to the full engineering education allowance for an ABET Accredited Degree Program in the licensed discipline as given in 12 AAC 36.063(3)(B) if the college transcript shows a minimum of 18 credit hours in 300 level or greater coursework related to the desired license discipline. In addition, the work experience verification must show involvement in the work of that discipline.

<u>Discipline</u>	<u>ABET degree program</u>	<u>Alternative ABET engineering degree program</u>
Agricultural (AG)	Agricultural Engineering	Civil Engineering
Chemical (EC)	Chemical Engineering	-
Civil (CE)	Civil Engineering	Construction Engineering, Geological Engineering, Mining Engineering, Architectural Engineering
Control Sys (CS)	-	Architectural Engineering, Electrical Engineering, Mechanical Engineering
Electrical (EE)	Electrical Engineering	Architectural Engineering
Environmental (EV)	Environmental Engineering	Civil Engineering
Fire Protection (FP)	Fire Protection Engineering	Architectural Engineering, Electrical Engineering, Mechanical Engineering
Industrial (IN)	Industrial Engineering	-
Mechanical (ME)	Mechanical Engineering	Architectural Engineering
Metallurgical and Materials (MM)	Metallurgical Engineering	-
Mining and Mineral Processing (EM)	Mining & Mineral Processing Engineer	Civil Engineering, Geological Engineering
Naval Architecture and Marine (NM)	Naval Architecture & Marine Engineering	-
Nuclear (NU)	Nuclear Engineering	-
Petroleum (EP)	Petroleum Engineering	-
Structural (SE)	-	Architectural Engineering, Civil Engineering

- b. If degree was earned over a period of more than four years, and the applicant was working at the same time, the board will review the transcripts, comparing work experience verifications and assign calendar years/months for education credits and work experience gained while in college. (12 AAC 36.063(e))
- c. If a person worked full time and attended college simultaneously and obtained a degree after six years, the board will not give the applicant any work experience credit beyond two years.
- d. In 12 AAC 36.064 and .065, coursework in land surveying – no degree (minimum of two years credit hours), means 30 credit hours of core surveying courses and 30 credit hours of professional development courses.
- e. If a person applies for the Fundamentals of Land Surveying Examination before July 1, 2014 and meets 75% of the requirements of one of the Classifications listed under “12 AAC 36.064.(2)(A) – Table A of Education and Work Experience Requirements for Fundamentals of Land Surveying Examination” that person will be

From: [Matt Christian](#)
To: [Board of AELS \(CED sponsored\)](#)
Subject: Letter Request
Date: Friday, December 6, 2024 11:17:21 AM
Attachments: [Aspen Creek Skilled Nursing Prelims \(2\).pdf](#)

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am writing to request a letter allowing me to provide structural engineering services for a specific structure. The structure is described below. I sent this request informally to the board earlier (12/4/2024). I was told the request had been sent to a structural engineer that sits on the board. That engineer's initial reaction was that I would be allowed to provide structural engineering services for the project in question. However, for a formal letter to be issued, the request would need to be addressed during the next board meeting (February I believe).

Please see the below for my initial request which includes a description of the project. I have also attached a site plan for the project. Please reach out to me by phone or email for any additional information needed. Thank you for your time and consideration.

"I am currently in the process of applying for my Alaska P.E. license through comity. I am applying for this license to perform structural engineering on a specific project in Anchorage, AK. I do not want any unforeseen problems to arise during design or design review. I am banking heavily on this project, it is an extremely important project for me and my company. My inquiry is whether the project requires an S.E. licensed engineer. Here is some information regarding the project (Preliminary drawings are attached):

- Skilled nursing facility split into (4) structures. Each building is structurally independent, but connected via hallways. Please see attached site plan for the proposed floor plans.
- Single story, slab-on-grade, wood framed construction.
- Lateral force resisting system consists of light-frame (wood) walls sheathed with wood structural panels rated for shear resistance.
- Each structure is approximately 20,000 square feet +/-
- (1) of the structures is for admin, office, and kitchen space.
- The other (3) structures each house 30-40 people varying from short-term care, sub-acute care, and long-term care.

There is an excerpt in the Alaska State Legislature for buildings that require a licensed structural engineer in the definitions section, 12 AAC 36.990 (44) (B) (iv) which states "medical facilities with 50 or more resident, incapacitated patients;". I contacted the Anchorage building department to inquire whether my project would require an S.E. The building department requested I contact the AELS board to verify. I am hoping that each building can be considered separate, and that each building individually can be seen as housing less than 50 patients. Also, some percentage of patients are likely not incapacitated.

My request is that the Alaska Licensing board write me a letter allowing me to design and

stamp the structural drawings for the described and attached project with my Alaska P.E. license (assuming my application for comity is accepted). This project is extremely important to my company, and I can provide multiple project examples fully demonstrating my professional capabilities and competency in designing single story wood framed structures. Please consider my request, and let me know if there are any further qualifications or review processes needed to work on this project. I plan on taking my S.E. examination soon, but this concern is coming up a bit last minute on this project.

Thanks for your consideration."

Thanks,

Matt Christian, PE

STRUX Engineering LLC

6015 W. Overland Rd. Ste. 105

Boise, ID 83709

512.676.9004

matt@struxengineering.com

PROJECT INFORMATION:

SITE INFORMATION:

APN: 009-271-16-000
 PROPOSED: ±334,263 S.F. (7.67 ACRES)
 ZONING: B3

BUILDING DATA:

PROPOSED USE: SKILLED NURSING FACILITY
 OCCUPANCY: I-2
 CONSTRUCTION TYPE: VA
 FIRE SPRINKLERED: YES
 STORIES: 1

BUILDING AREA:

MAIN BUILDING: 417,542 S.F.
 SHORT-TERM PATIENT WING: 421,205 S.F.
 LONG-TERM PATIENT WING: 427,248 S.F.
 SUB-ACUTE WING: 422,000 S.F.
TOTAL BUILDING AREA: 587,995 S.F.

BED COUNT:

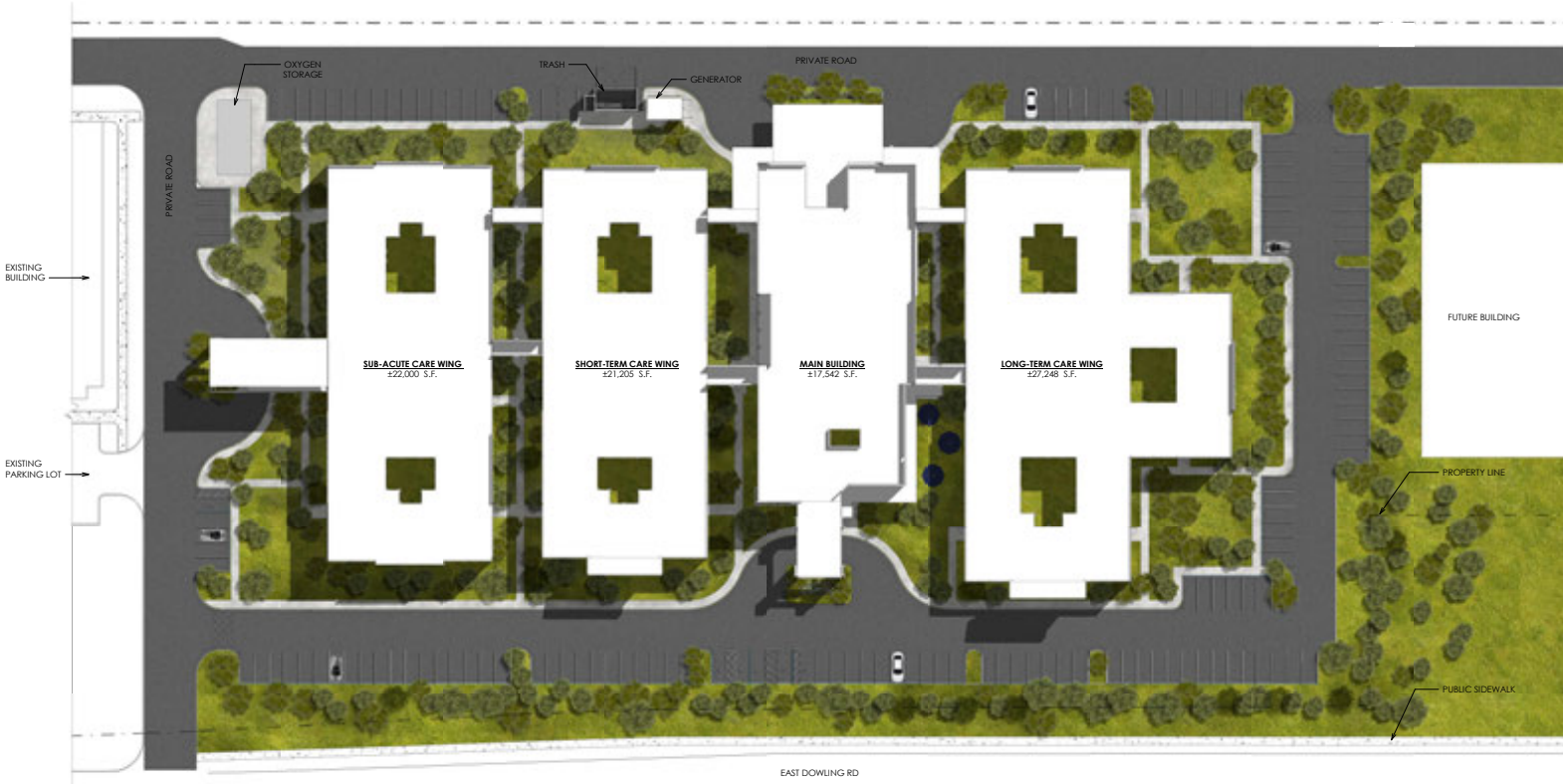
SHORT-TERM PATIENT WING:
 (26) 1-BED PRIVATE: 26 BEDS
 (6) 2-BED SEMI-PRIVATE: 12 BEDS
 LONG-TERM PATIENT WING:
 (20) 1-BED PRIVATE: 20 BEDS
 (9) 2-BED SEMI-PRIVATE: 18 BEDS
 SUB-ACUTE WING:
 (31) 2-BED SEMI-PRIVATE: 62 BEDS
TOTAL BEDS: 150 BEDS

PARKING TABULATION:

PARKING REQUIRED:
 1/4 SPACE - 1 BED (113 BEDS/4) 29 SPACES
PARKING PROVIDED:
 STANDARD SPACES 141 SPACES
 HANDICAP SPACES 6 SPACES
TOTAL: 147 SPACES

VICINITY MAP:

NO SCALE



ASPEN CREEK SKILLED NURSING FACILITY
SPRING CREEK ENTERPRISE

SCHEMATIC OVERALL SITE PLAN

ARCHITECTURE + INTERIORS + PLANNING
 221 NORTH KAMPART STREET, SUITE 101
 ORANGE, CA 92668 · P: 714.937.1985
 PROJECT#: 211173 · OCTOBER 18, 2021



N:\Projects\2021\AspenCreek\01 - Documents\0107 - AspenCreek_Schematic.rvt



SUB-ACUTE CARE
(31) 2-BED SEMI-PRIVATE

SHORT-TERM CARE
(26) 1-BED PRIVATE
(6) 2-BED SEMI-PRIVATE

MAIN BUILDING

LONG-TERM CARE WING
(32) 1-BED PRIVATE
(9) 2-BED SEMI-PRIVATE



ASPEN CREEK SKILLED NURSING FACILITY

SPRING CREEK ENTERPRISE

SCHEMATIC OVERALL FLOOR PLAN

ARCHITECTURE + INTERIORS + PLANNING
321 NORTH KANAPAHT STREET, SUITE 101
ORANGE, CA 92668 · P: 714.937.1985
PROJECT#: 21173 · OCTOBER 18, 2021



SOUTH ELEVATION



MATERIAL PALETTE

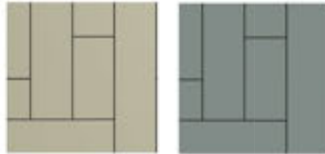
STONE



ANODIZED ALUMINUM



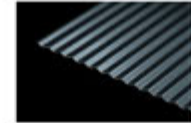
FIBER CEMENT



HARDIE PANEL



CORRUGATED METAL

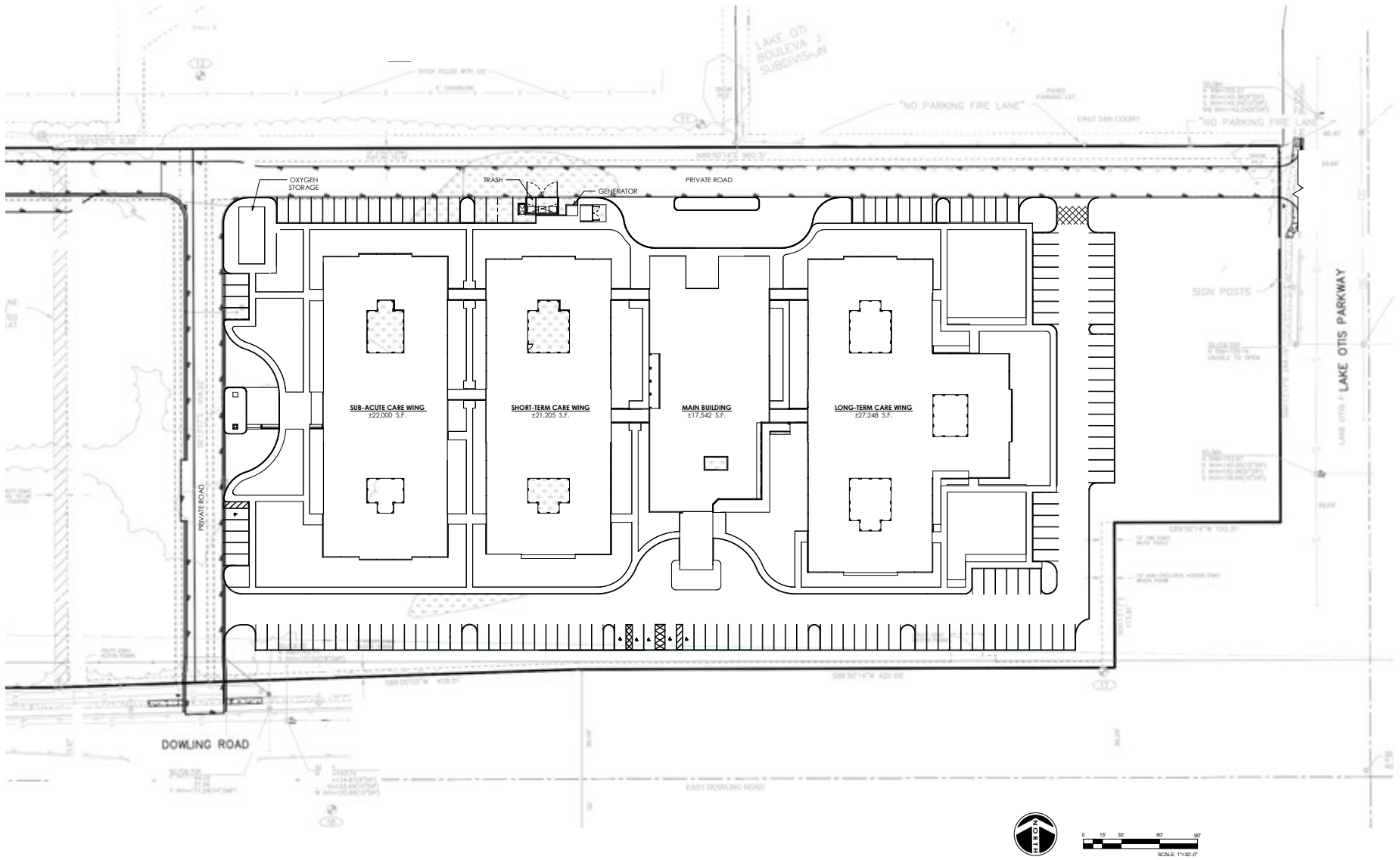


ASPEN CREEK SKILLED NURSING FACILITY
SPRING CREEK ENTERPRISE

OVERALL EXTERIOR ELEVATION

ARCHITECTURE + INTERIORS + PLANNING
 221 NORTH BARKER STREET, SUITE 101
 ORANGE, CA 92668 P. 714.937.1985
 PROJECT# 21173 | OCTOBER 18, 2021





ASPEN CREEK SKILLED NURSING FACILITY
SPRING CREEK ENTERPRISE

TECHNICAL SITE PLAN

ARCHITECTURE + INTERIORS + PLANNING
 321 NORTH KAMAPART STREET, SUITE 101
 ORANGE, CA 92668 · P: 714.937.1985
 PROJECT#: 211173 · OCTOBER 18, 2021



\p\projects\211173\211173.dwg, Document: 211173_TSP_Skilled Care SRF_Schematic
 10/18/2021 10:48:42 AM

To:

Alaska State Board Of Registration For Architects, Engineers, & Land Surveyors

State of Alaska/DCCED

Division of Corporations, Business and Professional Licensing

AELS Board

333 Willoughby Ave. 9th Floor

Juneau, AK 99811-0806

To whom it may concern on the AELS Board,

My name is Nehemiah Williams. I am a "Professional Land Surveyor" (PLS) licensed in Oregon, license number: 78470PLS. I have been a surveyor for over 20 years- licensed for 7. I recently accepted a position as a Land Surveyor on the Chugach National Forest in Anchorage, AK.

Recently, when attempting to apply for Land Surveying licensure/registration through AELS, I was told that I could not be registered as a surveyor without a four-year degree in surveying from an AELS approved school (or NCEES approved bachelor's degree equivalent education). I was told that no one in Alaska has been able to obtain surveyor registration without a bachelor's degree since 2016, pursuant to a law that was passed.

In my 20+ year career in surveying, I have worked with several of the best surveyors in Oregon- three of which were voted "The Surveyor of the Year" by the PLSO (Professional Licensed Surveyors of Oregon). Said surveyors have 30 to 50 years of experience, and they run successful surveying companies. These are by far the best surveyors that I have ever worked with. None of said surveyors have a bachelor's degree, rather they learned their skills from their fathers and on the job training passed down for generations. I have never seen a correlation between education that guarantees that an individual is a competent surveyor.

If an individual can pass the NCEES FS and PS exams coupled with documented experience working for other professionally licensed surveyors, one could reason that they have the general knowledge base and aptitude equivalent to a bachelor's degree. This is because the FS and PS exams are specifically designed by NCEES to be based on the coursework, curriculum and syllabus of a bachelor's degree in Land Surveying. In my opinion, passing the FS and PS coupled with documented experience working for licensed surveyors should be enough proof of a general understanding of Land Surveying closely equivalent to a bachelor's degree.

In Oregon 20 years ago, there were over 2,000 PLS, today there around 700. Oregon is facing a future crisis- one day there will not be enough surveyors to do the work needed. I am not sure what those numbers look like in Alaska, but I would assume it's a similar situation. The Forest Service in Alaska is already facing a shortage of licensed surveyors.

I think it is detrimental to the profession to exclude experienced surveyors from registration that have, for instance, 20 to 50 years of experience- on the basis that they don't have a bachelor's degree. Therefore, the policy of the Board to refuse registration to surveyors on the basis that they

don't have a bachelor's degree- weakens the talent pool of surveyors in Alaska, in my opinion. For this reason, most other States in the USA have an option for experience in lieu of a bachelor's degree- for instance Oregon requires 9 years of experience, in Idaho 8 years is required. It is my opinion that the AELS Board should adopt a new rule that would allow registration without a bachelor's degree- perhaps requiring 8 to 9 years of experience like Oregon or Idaho. Perhaps even more experience would suffice the Board, for instance 10 to 20 years.

As I mentioned previously, I have recently been selected for a permanent position with the Forest Service as the Lead Land Surveyor on the Chugach National Forest. I humbly request that you consider my background, experience, and licensure in the State of Oregon. I would like to discuss with the board opportunities for a waiver or some other pathway towards surveyor registration within the State of Alaska.

Thank you for reading.

Respectfully,

Nehemiah Williams, PLS (Oregon #78470PLS)

nehemiah.williams@usda.gov

**The Alaska Board of Registrations for Architects, Engineers, and Land Surveyors
Examiner's Report for February 12th & 13th, 2025**

[33] Applications received for the [February 12th & 13th, 2025] Board Review: ([0] comity applications and [33] exam applications)

LICENSE TYPE	COMITY	EXAM	TOTAL
Agriculture Engineer	0	0	0
Architect	0	2	2
Chemical Engineer	0	0	0
Civil Engineer	0	15	15
Control Systems Engineer	0	1	1
Electrical Engineer	0	5	5
Environmental Engineer	0	5	5
Fire Protection Engineer	0	1	1
Industrial Engineer	0	0	0
Land Surveyor	0	2	2
Landscape Architect	0	0	0
Mechanical Engineer	0	2	2
Metallurgical & Materials Engineer	0	0	0
Mining & Mineral Processing Engineer	0	0	0
Naval Architect & Marine Engineer	0	0	0
Petroleum Engineer	0	0	0
Structural Engineer	0	0	0

October 2024: Submissions of NCEES/NCARB/CLARB Transmittals by Comity Applicants

NCEES	NCARB	CLARB	Conditionally Approved	Reviewed by Board-No Record/Different WEV
5	7	0	2	5 CA out of 5

November 2024: Submissions of NCEES/NCARB/CLARB Transmittals by Comity Applicants

NCEES	NCARB	CLARB	Conditionally Approved	Reviewed by Board-No Record/Different WEV
6	6	0	1	0 CA out of 6

December 2024: Submissions of NCEES/NCARB/CLARB Transmittals by Comity Applicants

NCEES	NCARB	CLARB	Conditionally Approved	Reviewed by Board-No Record/Different WEV
11	1	0	3	1 CA out of 12

Exam Results: Quarterly results for October 24th, 2024 – January 28th, 2025

EXAM	PASS	FAIL	NO SHOW	EXAM	PASS	FAIL	NO SHOW	EXAM	PASS	FAIL	NO SHOW
FE	32	18	0	PE	20	7	0	AKLS	0	0	0
FS	2	0	0	PS	0	0	0	SE	0	0	0
A.R.E.	8	8	0								

Quarterly Breakdown of Application Board Reviews and Licenses Issued Guide (page 2-3): Denied/Incomplete + Condition Approved + Board Approved = Board Reviewed Total, Board Approved + Licensed after competing CA + Licensed after Exam = Total Licensed Issued, In State Reviewed + Out of State Reviewed = Board Reviewed Total

The Alaska Board of Registrations for Architects, Engineers, and Land Surveyors

Examiner's Report for February 12th & 13th, 2025

FY24 Quarterly Breakdown of Application Board Reviews and Licenses Issued:

1st Quarter Dates: July 1st-September 30th, 2024

License Type	Board Reviewed Total	Denied/Incomplete	Condition Approved	Board Approved	Staff CA	Staff Approved	Licensed after completing CA-Arctic, JQ, or WEV	Licensed after Exam	Total License Issued	In State reviewed	Out of State reviewed
Agriculture Engineer	0	0	0	0	0	0	0	0	0	0	0
Architect	0	0	0	0	3	11	0	0	0	2	12
Chemical Engineer	0	0	0	0	0	1	0	0	0	0	1
Civil Engineer	9	0	0	9	0	9	3-JQ/1-Arctic Course	11	0	2	16
Control Systems Engineer	1	0	0	1	0	1	0	0	0	0	2
Electrical Engineer	3	0	2	1	1	3	0	2	0	0	7
Environmental Engineer	0	0	0	0	0	0	0	1	0	0	0
Fire Protection Engineer		0	0	0	0	1	0	0	0	0	1
Industrial Engineer	0	0	0	0	0	0	0	0	0	0	0
Land Surveyor	0	0	0	0	0	0	0	1	0	0	
Landscape Architect	0	0	0	0	0	0	0	0	0	0	0
Mechanical Engineer	4	0	1	3	1	3	0	2		0	8
Metallurgical & Materials Engineer	0	0	0	0	0	0	0	0	0	0	0
Mining & Mineral Processing Engineer	0	0	0	0	0	0	0	2	0	0	0
Naval Architect & Marine Engineer	0	0	0	0	0	0	0	0	0	0	
Nuclear Engineer	0	0	0	0	0	0	0	0	0	0	0
Petroleum Engineer	0	0	0	0	0	0	0	0	0	0	0
Structural Engineer	4	0	1	3	0	2	0	1	0	0	6

2nd Quarter Dates: October 1st – December 31st, 2024

License Type	Board Reviewed Total	Denied/Incomplete	Condition Approved	Board Approved	Staff CA	Staff Approved	Licensed after completing CA-Arctic, JQ, or WEV	Licensed after Exam	Total License Issued	In State reviewed	Out of State reviewed
Agriculture Engineer	0	0	0	0	0	0	0	0	0	0	0
Architect	14	0	0	0	6	8	4-CRC & 1-JQ	1	13	0	14
Chemical Engineer	0	0	0	0	0	0	0	0	0	0	0
Civil Engineer	28	1	4	8	4	11	2-CRC	11	24	4	24
Control Systems Engineer	0	0	0	0	0	0	0	0	0	0	0
Electrical Engineer	8	0	1	2	3	2	2-CRC	4	7	0	8
Environmental Engineer	0	0	0	0	0	0	0	1	0	0	0
Fire Protection Engineer	0	0	0	0	0	0	0	0	0	0	0
Industrial Engineer	0	0	0	0	0	0	0	0	0	0	0
Land Surveyor	0	0	0	0	0	0	0	0	0	0	0
Landscape Architect	2	0	0	2	0	0	0	0	2	0	2
Mechanical Engineer	3	0	0	2	1	0	2-CRC	5	2	1	2
Metallurgical & Materials Engineer	0	0	0	0	0	0	0	0	0	0	0
Mining & Mineral Processing Engineer	0	0	0	0	0	0	0	0	0	0	0
Naval Architect & Marine Engineer	0	0	0	0	0	0	0	0	0	0	0
Nuclear Engineer	0	0	0	0	0	0	0	0	0	0	0
Petroleum Engineer	0	0	0	0	0	0	0	0	0	0	0
Structural Engineer	3	0	0	2	0	1	4-CRC	0	3	0	3

Quarterly Breakdown of Application Board Reviews and Licenses Issued Guide (page 2-3): Denied/Incomplete + Condition Approved + Board Approved = Board Reviewed Total, Board Approved + Licensed after competing CA + Licensed after Exam = Total Licensed Issued, In State Reviewed + Out of State Reviewed = Board Reviewed Total

The Alaska Board of Registrations for Architects, Engineers, and Land Surveyors

Examiner's Report for February 12th & 13th, 2025

3rd Quarter Dates: January 1st – March 31st, 2024

License Type	Board Reviewed Total	Denied/Incomplete	Condition Approved	Board Approved	Staff Approved	Licensed after completing CA-Arctic, JQ, or WEV	Licensed after Exam	Total License Issued	In State reviewed	Out of State reviewed
Agriculture Engineer	0	0	0	0	0	0	0	0	0	0
Architect	2	0	0	2	9	1-CRC	0	12	0	2
Chemical Engineer	0	0	0	0	0	1-CRC	0	1	0	0
Civil Engineer	12	0	8	4	14	4-CRC, 3-JQ, & 1-WEV	9	35	1	11
Control Systems Engineer	0	0	0	0	0	0	0	0	0	0
Electrical Engineer	1	0	0	1	4	3-CRC	2	10	0	1
Environmental Engineer	0	0	0	0	0	0	1	1	0	0
Fire Protection Engineer	1	0	0	1	0	0	0	1	0	1
Industrial Engineer	0	0	0	0	0	0	0	0	0	0
Land Surveyor	1	0	1	0	0	0	0	0	0	1
Landscape Architect	0	0	0	0	0	0	0	0	0	0
Mechanical Engineer	2	0	2	0	2	1-CRC & 2-JQ	3	8	0	2
Metallurgical & Materials Engineer	0	0	0	0	0	0	0	0	0	0
Mining & Mineral Processing Engineer	0	0	0	0	0	0	0	0	0	0
Naval Architect & Marine Engineer	0	0	0	0	0	1-CRC	0	1	0	0
Nuclear Engineer	0	0	0	0	0	0	0	0	0	0
Petroleum Engineer	0	0	0	0	0	0	0	0	0	0
Structural Engineer	4	0	2	2	1	1-CRC	0	4	0	4

4th Quarter Dates: April 1st – June 30th, 2024

License Type	Board Reviewed Total	Denied/Incomplete	Condition Approved	Board Approved	Staff Approved	Licensed after completing CA-Arctic, JQ, or WEV	Licensed after Exam	Total License Issued	In State reviewed	Out of State reviewed
Agriculture Engineer	0	0	0	0	0	0	0	0	0	0
Architect	8	1	2	5	1	1-Arctic/1-JQ	0	8	0	8
Chemical Engineer	0	0	0	0	0	0	1	1	1	0
Civil Engineer	42	0	23	19	2	10-Arctic/JQ-4/1-VO FE/1-LOR	18	55	14	28
Control Systems Engineer	1	0	0	1	0	0	0	1	1	0
Electrical Engineer	17	0	8	9	0	4-Arctic/1-JQ	1	15	2	15
Environmental Engineer	3	0	0	3	0	0	0	3	1	2
Fire Protection Engineer	0	0	0	0	0	0	0	0	0	0
Industrial Engineer	0	0	0	0	0	0	0	0	0	0
Land Surveyor	1	0	1	0	0	0	7	7	0	1
Landscape Architect	1	0	1	0	0	1-JQ	0	1	0	1
Mechanical Engineer	22	0	15	7	1	5-Arctic/2-JQ/1-Ref info	1	17	8	14
Metallurgical & Materials Engineer	0	0	0	0	0	0	0	0	0	0
Mining & Mineral Processing Engineer	0	0	0	0	0	0	0	0	0	0
Naval Architect & Marine Engineer	0	0	0	0	0	0	0	0	0	0
Nuclear Engineer	0	0	0	0	0	0	0	0	0	0
Petroleum Engineer	0	0	0	0	0	0	0	0	0	0
Structural Engineer	15	1	6	8	2	5-Arctic/1-JQ	1	17	1	14

Quarterly Breakdown of Application Board Reviews and Licenses Issued Guide (page 2-3): Denied/Incomplete + Condition Approved + Board Approved = Board Reviewed Total, Board Approved + Licensed after competing CA + Licensed after Exam = Total Licensed Issued, In State Reviewed + Out of State Reviewed = Board Reviewed Total

The Alaska Board of Registrations for Architects, Engineers, and Land Surveyors

Examiner's Report for February 12th & 13th, 2025

FY23 thru FY25 Professional License Statistics- (this information uses dates beginning July 1st, 2024 – January 22nd, 2025, for each fiscal year)

Licenses Issued to date ending: January 27th, 2025:

Individual Licenses:

License Type	FY25 Total License Count	FY24 Total License Count	FY23 Total License Count
Agriculture Engineer	0	0	0
Architect	37	24	31
Chemical Engineer	1	5	3
Civil Engineer	76	99	147
Control Systems Engineer	2	1	3
Electrical Engineer	25	26	45
Environmental Engineer	2	6	7
Fire Protection Engineer	2	3	2
Industrial Engineer	0	0	0
Land Surveyor	4	5	8
Landscape Architect	2	3	4
Mechanical Engineer	21	28	45
Metallurgical & Materials Engineer	0	0	0
Mining & Mineral Processing Engineer	2	0	1
Naval Architect & Marine Engineer	0	2	2
Nuclear Engineer	0	0	0
Petroleum Engineer	0	1	2
Structural Engineer	14	20	32

License Type	Active
Agriculture Engineer	1
Architect	631
Chemical Engineer	104
Civil Engineer	3040
Control Systems Engineer	49
Electrical Engineer	743
Environmental Engineer	143
Fire Protection Engineer	62
Industrial Engineer	1
Land Surveyor	366
Landscape Architect	59
Mechanical Engineer	811
Metallurgical & Materials Engineer	4
Mining & Mineral Processing Engineer	40
Naval Architect & Marine Engineer	21
Nuclear Engineer	0
Petroleum Engineer	84
Structural Engineer	435

Firm Licenses:

License Type	FY25 Total Licensed	FY24 Total Licensed	FY23 Total Licensed
Authorized Corporation	18	20	20
Authorized Limited Liability Corporation	9	17	26
Authorized Limited Liability Partnership	1	0	1

Licenses Issued to date ending: January 27th, 2025:

License Type	Active
Authorized Corporations	478
Authorized Limited Liability Corporation	299
Authorized Limited Liability Partnership	6

Quarterly Breakdown of Application Board Reviews and Licenses Issued Guide (page 2-3): Denied/Incomplete + Condition Approved + Board Approved = Board Reviewed Total, Board Approved + Licensed after competing CA + Licensed after Exam = Total Licensed Issued, In State Reviewed + Out of State Reviewed = Board Reviewed Total

From: [Heather Keenan](#)
To: [Board of AELS \(CED sponsored\)](#)
Subject: RE: Foreign business license
Date: Tuesday, February 11, 2025 11:11:34 AM
Attachments: [image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Good afternoon,

We won't be offering services to the general public; we will only be surveying for the sites that our clients need to build EV charging stations on.

The work would be completed by a licensed profession land surveyor.

If you have any questions, feel free to contact me!

Thank you for your assistance.

****Our DBLS Family will be off, and the offices will be closed every other Friday throughout the year. Our closure dates are Friday, February 7th, and Friday, February 21st. ****

Note: We will also be closed in observance of President's Day – Monday, February 17th.

Heather L. Keenan
6140 Brent Thurman Way
Suite 230
Las Vegas, Nevada 89148
(o) 702.823.3257
(c) 702.686.3257
(f) 702.933.9030

www.diamondbacklandsurveying.com

“We do not rise to the level of our expectations, we fall to the level of our training.” - Archilochus.





Established 2008

ARIZONA CALIFORNIA NEVADA UTAH WASHINGTON



Always Do Right! This Will Gratify Some & Astonish The Rest!

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From: Board of AELS (CED sponsored) <aelsboard@alaska.gov>
Sent: Tuesday, February 11, 2025 11:16 AM
To: Heather Keenan <hkeenan@diamondbacklandsurveying.com>
Subject: RE: Foreign business license

Good morning,

I will need a little time to investigate your question. I was hoping to get a little clarification though. Will your firm be offering land surveying services through the sub-contractor in Alaska?

A firm does not need to have a physical office in Alaska.

Thank you and have a great day,



Kelly B. Johnson
Occupational Licensing Examiner
Board of Registration for Architects, Engineers, and Land Surveyors

kelly.johnson@alaska.gov
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From: Heather Keenan <hkeenan@diamondbacklandsurveying.com>

Sent: Monday, February 10, 2025 1:22 PM

To: Board of AELS (CED sponsored) <aelsboard@alaska.gov>

Subject: Foreign business license

You don't often get email from hkeenan@diamondbacklandsurveying.com. [Learn why this is important](#)

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Good afternoon,

I have a couple questions about a Foreign LLC (located in las Vegas) wanting to do subcontracting work.

Do we need to have an Alaska PLS on staff, or can we subcontract work to an Alaska PLS if we apply for a foreign business license?

We have a national client wanting us to do work in Alaska, however we do not have an Alaska PLS on staff. Can we do subcontract with a COA from Alaska and a contract with a Alaska PLS?

Can you please explain if subcontracting work for a foreign land surveying business is possible.

If subcontracting is allowed, do we need a physical office or virtual office?

If you have any questions, feel free to contact me!

Have a great day!

Thank you for your assistance

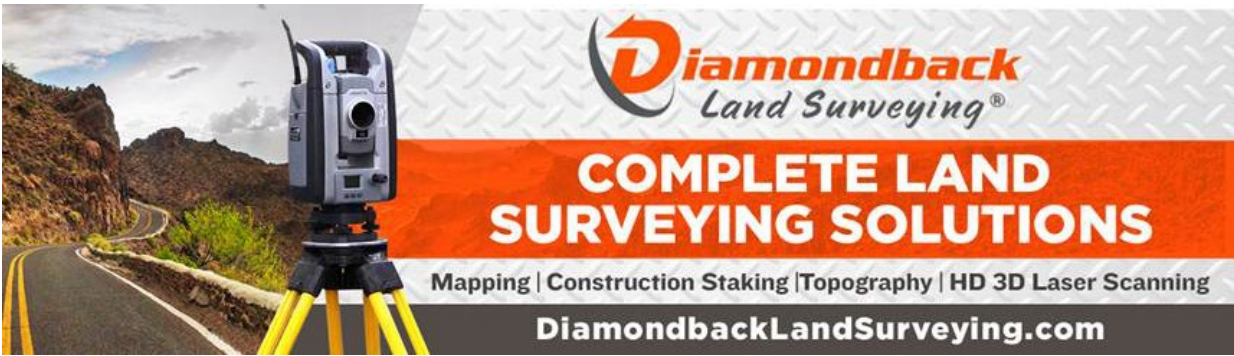
****Our DBLS Family will be off, and the offices will be closed every other Friday throughout the year. Our closure dates are Friday, February 7th, and Friday, February 21st. ****

Note: We will also be closed in observance of President's Day – Monday, February 17th.

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“We do not rise to the level of our expectations, we fall to the level of our training.” - Archilochus.



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Always Do Right! This Will Gratify Some & Astonish The Rest!

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Sean O'Neill

Applicant applied Land Surveyor by Exam in February 2023 and was found Incomplete because his education did not meet the requirements of 12AAC36.065. Since that decision, he has been completing a BS in Land Surveying and Geomatics which he will complete in May 2025. He emailed the board November 2024 to request that he be allowed to sit for the AKLS in April 2025 before he finishes his degree. Otherwise, he would have to wait until October 2025 to sit for the AKLS. Maxwell and Rinckey reviewed his request and indicated they would support him taking the AKLS before finishing his degree, but his application would have to be reviewed by the board after he finished his degree so that he can be approved take the PS. In January 2025, applicant submitted a letter to the board requesting that he be allowed to sit for both the PS and the AKLS. Neal called applicant to let him know that the reviewing board members were only supportive of him sitting for the AKLS before he finished his degree, and he would have to have his application reviewed by the board again after he finished his degree before he could be approved to sit for the PS.

Philip Beatty

Applicant applied Electrical Engineer by Comity and was reviewed during the December monthly board review by Colin Maynard and Ed Leonetti. Applicant had 302 months of responsible charge experience verified by civil engineer, Neil Pietrok. Neil Pietrok provided an explanation as how he as a civil engineer verified electrical engineering responsible charge experience. 12AAC36.105 (c)(1)(B) says that if the verifier is in a different discipline than the applicant the “related branch of engineering” must be “approved by the board.” For this reason, Maynard requested that the whole board review this experience to ensure that it can be considered as electrical engineering responsible charge experience.

Francisco Olguin (Juan Francisco Olguin-Juarez)

Applicant applied Mechanical Engineer by Comity and was reviewed during the December monthly board review by Colin Maynard and Ed Leonetti. Applicant had 7 months of responsible charge verified by civil engineer, Qunfang Li. Qunfang Li provided an explanation as how he as a civil engineer verified mechanical engineering responsible charge experience. 12AAC36.105 (c)(1)(B) says that if the verifier is in a different discipline than the applicant the “related branch of engineering” must be “approved by the board.” For this reason, Maynard requested that the whole board review this experience to ensure that it can be considered as mechanical engineering responsible charge experience.

12 AAC 36.065. ELIGIBILITY FOR PROFESSIONAL LAND SURVEYOR EXAMINATION. (a) To be eligible for the professional land surveyor examination, an applicant must

- (1) have passed the fundamentals of land surveying examination; and
- (2) submit to the board satisfactory evidence that the applicant's education, work experience, or both are equivalent to the requirements set out in the following table of education and work experience requirements for professional land surveyors:

**TABLE OF EDUCATION AND WORK EXPERIENCE
REQUIREMENTS FOR PROFESSIONAL LAND SURVEYORS**

Classification	Education Credit Allowed In Years	Work Experience Credit Allowed In Years	Responsible Charge Under P.L.S. In a Land Surveying Capacity In Years	Total Years of Education and Work Experience Required
Graduate of an ABET accredited or board approved curriculum with a B.S. degree in land surveying and a master's or doctorate degree in land surveying	5	3	3	8
Graduate of an ABET accredited land surveying curriculum 4-year course	4	4	3	8
Graduate of a board approved land surveying curriculum 4-year course	4	4	3	8
Graduate of a 4-year degree with board approved courses meeting land surveying education standard under (h) of this section	2	6	3	8

Without degree but have board approved courses meeting land surveying education standard under (i) of this section	2	8	5	10
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(b) "Responsible charge of professional land surveying (P.L.S.);" means work as a supervisor under the responsible control of a land surveyor registered in the United States, and working in the "practice of land surveying" as described in AS 08.48.341. The remainder of the required work experience listed in (a) of this section must be derived from office or field work involving the activities listed in AS 08.48.341. Partial completion of a curriculum leading to a degree in land surveying will be considered by the board in determining applicable work experience. The board will determine the amount of credit given for responsible charge experience gained under the responsible control of a professional in engineering based on applicability to professional land surveying.

(c) The board will accept up to a maximum of two years of credit for professional work experience used in securing registration in civil or mining engineering as experience in securing registration in land surveying based on its applicability to professional land surveying.

(d) The board will accept up to a maximum of two years of subprofessional work experience for up to one half of the work experience required for registration based on its applicability to professional land surveying.

(e) An applicant with a degree obtained outside of the United States shall submit

(1) a transcript of the applicant's education and if the transcript is not in English, submit a translation into English and a signed and notarized affidavit by the translator of the accuracy of translation; and

(2) an evaluation of the applicant's education from an agency approved by the board unless the applicant's education has been earned at a school accredited by an accreditation agency recognized by the board.

(f) Education and work experience may not be accumulated concurrently. A maximum of 12 months' credit may be claimed for a calendar year.

(g) Repealed 10/29/2009.

(h) For the purpose of this section, course work must meet the following land surveying education standard:

(1) at least 12 semester credits or the equivalent must be in mathematics and basic college level science courses, which must include [CALCULUS]-**trigonometry**, physics, and statistics;

(2) at least 30 semester credits or the equivalent must be in geomatics and land surveying science and design courses, which must include practical field surveying, course in rectangular survey system, and of which at least six semester credits or the equivalent must be in boundary law courses; the geomatics and land surveying course work must include the study of geographic information system (GIS), global navigation satellite systems (GNSS), error analysis and adjustment, geodesy, and map projections.

(i) For the purpose) of this section, course work must meet the following land surveying education standard:

(1) at least 12 semester credits or the equivalent must be in mathematics and basic college level science courses, which must include, physics, trigonometry, and statistics;

(2) at least 45 semester credits or the equivalent must be in geomatics and land surveying science and design courses, which must include practical field surveying, course in rectangular survey system, and of which at least six semester credits or the equivalent must be in boundary law courses; the geomatics and land surveying course work must include the study of geographic information system (GIS), global navigation satellite systems (GNSS), error analysis and adjustment, geodesy, and map projections.



MEMORANDUM

DATE: January 24, 2025
TO: Architects, Engineers, and Land Surveyors
THRU: Erika Priksat, Chief Investigator *EP*
FROM: Patrick Kase, Investigator
RE: Investigative Report for the February 13, 2025 Meeting

The following information was compiled as an investigative report to the Board for the period of October 29, 2024 thru January 24, 2025; this report includes cases, complaints, and intake matters handled since the last report.

Matters opened by the Paralegals in Anchorage and Juneau, regarding continuing education audits and license action resulting from those matters are covered in this report.

OPEN - 15

<u>Case Number</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Status Date</u>
ENGINEER			
2024-000956	Unlicensed practice or activity	Intake	10/09/2024
2025-000030	Continuing education	Intake	11/06/2024
2024-000581	Continuing education	Complaint	06/13/2024
2024-000618	Continuing education	Complaint	07/05/2024
2024-000938	Unlicensed practice or activity	Complaint	11/27/2024
2024-001142	Unlicensed practice or activity	Complaint	01/09/2025
2020-000410	Unprofessional conduct	Investigation	02/09/2024
2020-000411	Unprofessional conduct	Investigation	02/09/2024
2020-000840	Negligence	Investigation	05/10/2023
2024-000587	Continuing education	Investigation	08/26/2024

LAND SURVEYOR

2021-000675	Negligence	Complaint	10/06/2021
2022-000330	Unlicensed practice or activity	Complaint	10/27/2022
2024-000905	Unlicensed practice or activity	Complaint	11/20/2024
2023-000082	Unlicensed practice or activity	Investigation	10/30/2024

MECHANICAL ENGINEER

2024-000603	Continuing education	Investigation	07/22/2024
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Closed - 1

<u>Case #</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Closed</u>	<u>Closure</u>
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ENGINEER

2024-000912	Unethical conduct	Closed-Intake	12/12/2024	Incomplete Complaint
-------------	-------------------	---------------	------------	----------------------

END OF REPORT

Investigative Committee Meeting
12.20.2024 Zoom call

People in attendance

Jake Maxwell
Patrick Kase
Billy Homestead
Ed
Sara

Agenda

From Nov. Board Meeting

- Review
 - Committee reviewed AIA/NCARB & NSPE Code of Ethics and concluded that they don't cover criminal convictions/activities. They mostly cover professional conduct, which our regulations current cover.
 - Not seeing anything new that would allow the board to look into criminal activity.
 - Not showing that the code of ethics are as useful as other boards.
 - Recommend pivoting off of adopting code of ethics and shifting to a regulation project that adds barrier crimes to 36.210 Professional code of conduct. See screen shot below.
 - Path for investigators would be:
 - Step 1 – Statute reference 08.48.111(3)
 - Step 2 – Regulation update to 36.210.c.3 for citation point for conviction
 - Step 3 – (new) Board Policy to criminal conviction (like Colorado)
 - Step 3 – Disciplinary matrix

(c). For purposes AS 08.48.111, a registrant must not be convicted of a felony, involving moral turpitude or a crime that could have an effect to their professional capacity as a licensee. (remove-list). (establish a policy like CO.) They following is list are crimes of moral turpitude, but not limited to the following crimes: Murder, Rape, Child abuse, Spousal abuse, Kidnapping, Robbery, Theft, Fraud, Aggravated assault, and Animal cruelty.

A registrant who is convicted of a felony conviction, that involves moral turpitude, or a crime that affects their moral capacity of their profession, will be evaluated under board policy #xx dated xx.

Add to definitions: Moral Turpitude

Commented [EL1]: Sarah to send to Alison to revise

Revised on Colorado's Policy.

Review of Criminal Convictions

2.13. Review of Criminal Convictions. It is the policy of the Board to evaluate each applicant with a criminal conviction on a **case-by-case basis** to determine the effect of a criminal conviction on eligibility for Electrical licensure pursuant to Board Rule 1.8(B) and section 24-5-101, C.R.S., including the nature of the conviction, conviction history, and/or other factors as appropriate.

This policy provides general guidelines for those with a criminal history to prove their rehabilitation and fitness to obtain an occupational or professional credential despite their criminal record. The fact that an applicant for licensure has been convicted of a crime does not, by itself, prevent the applicant from applying for and receiving a license.

2.13.1 The Board will consider the following factors when determining the impact of a criminal conviction on licensing.

2.13.1.1 Direct relationship between the conviction and the practice or profession, and the effect, if any, the conviction may have on the applicant's fitness or ability to perform the duties and responsibilities of a licensee. The Board may use any of the following factors to help make this determination:

- a. The relationship of the crime to the practice requiring a license or registration;
- b. Requirements and restrictions set forth in current criminal justice supervision documents, such as parole or probation agreements;
- c. Whether the conviction was for unlawful sexual behavior;
- d. Whether the applicant would be directly responsible for the care of individuals susceptible to abuse or mistreatment because of their circumstances, including age, disability, frailty, mental health disorder, developmental disability, or ill health; and
- e. Whether the duties of employment would place a coworker or the public in a vulnerable position.

2.13.1.2. Nature of the conviction. The Board may use any of the following factors to help examine the nature of the conviction:

- a. The seriousness of the crime, including the actual damages, physical or otherwise, resulting from the criminal activity;
- b. The methods or tools used to commit the crime. For example, violence, deadly weapons, fraud, or deceit;

Policy 2.13

Review of Criminal Convictions

- c. The age of the victim and the relationship between the victim and the applicant;
- d. Whether the crime was an isolated or repeated incident. If part of a pattern of criminal activity, the Board will consider, to the greatest extent possible, all facts and circumstances precipitating repeated

criminal convictions. It is the policy of the Board that the mere fact of more than one conviction on an individual's criminal history does not automatically disqualify the individual from licensure.

- e. The age of the applicant when the crime was committed and the amount of time that has passed since the conviction;
- f. Whether the conduct that constituted the basis for the criminal conviction has subsequently been decriminalized or legalized; and
- g. Evidence of social conditions which may have contributed to the crime or other circumstances that lessen culpability of the applicant for the crime. For example:
 - a. The absence of criminal plan or premeditation;
 - b. The presence of peer pressure or other contributing influences;
 - c. The absence of adult supervision or guidance at the time the crime was committed; and,
 - d. Immature thought process or judgement at the time the crime was committed.

2.13.1.3 Applicants should provide information regarding his or her rehabilitation and good conduct, both during and after incarceration. This information is intended to help the applicant show that she or he has in fact been rehabilitated, learned from their mistakes, and is ready to resume a productive life. Information and evidence regarding the applicant's rehabilitation may include:

- a. Good conduct during incarceration or in the community;
- b. Counseling or psychiatric treatment received, if any;
- c. Participation in a substance abuse treatment program, if any;
- d. Acquisition of additional academic or vocational schooling;
- e. Successful participation in correctional work-release programs;
- f. Letters of recommendation from people familiar with the applicant's personal history, situation and rehabilitation efforts;
- g. A record of steady employment following incarceration;
- h. A record of financial support of the individual's dependents;

Policy 2.13

Review of Criminal Convictions

- i. Successful completion of probation or community supervision, early release from probation or community supervision;
- j. A record of consistent payment toward outstanding court costs, supervision fees, fines, and restitution;
- k. Expressions of remorse and having learned from past mistakes;
- l. Current maturity and personal accountability;
- m. Absence of subsequent criminal conduct;
- n. Current support structures that will help prevent future criminal activity; and
- o. Any other information the applicant wishes to provide that she or he believes will be helpful to the Board.

2.13.2. Information provided to the Board pursuant to this policy, such as medical or mental health records, will be kept confidential in accordance with all applicable state and federal laws.

2.13.3 When making a determination as to an applicant's fitness to practice, along with Board Rule 1.8(B)(3):

- a. The Board will not consider criminal convictions the records of which have been duly sealed or expunged;
- b. The Board will not consider records of arrest or criminal charges that did not result in a conviction or guilty plea, and which are not actively pending;
- c. The Board will not consider convictions for which the applicant has been pardoned; and,
- d. The Board will not consider criminal convictions which are the subject of a court-issued order of collateral relief specific to the credential sought by the applicant.

2.13.4 Applications found to include incomplete criminal background information pursuant to Board Rule 1.8(B) will be placed on administrative hold until all relevant information is provided to the Board for up to one year from the date of the application, at which time the application will be expired.

2.13.5 The Board will give to each applicant whose qualification for licensure is reviewed pursuant to this policy a presumption of rehabilitation. The Board views it as its duty to show why an applicant should be disqualified based on her or his criminal

Policy 2.13

Review of Criminal Convictions record; it is not the applicant's duty to prove to the Board why her or his criminal record is not disqualifying.

2.13.6 Conditional Licensure -

When the Board determines that an applicant for licensure has been convicted of a potentially disqualifying crime, the Board may issue a conditional license to the applicant rather than disqualifying the applicant, pursuant to 24-34-107(5), C.R.S.

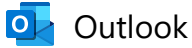
2.13.7 Probation, Parole, and Supervised Release -

These guidelines also apply to applicants who are subject to a criminal justice supervision agreement, or who are serving sentences under community corrections or other criminal justice supervision release agreements. Applicants who are under current criminal supervision are required to submit their current criminal supervision plan or agreement to aid the Board's qualification review.

2.13.8 The Board retains the right to review all applications with a criminal conviction

- Items for next meeting agenda
 - Review AS 08.48.111
 - Establish plan to have investigator proactively check on lapsed COA's to determine if they are still practicing.
 - Look for entities offering AELS services and ensuring they have active COA

- Develop an “inspection list” to guide investigators through a proactive construction site AELS check



Info regarding barrier crimes - Reg Project 36.210

From Neal, Sara J (CED) [redacted]

Date Mon 2025-01-27 4:32 PM

To [redacted]

Cc Bonnell, Joseph K (CED) [redacted]

Hi Ed –

[redacted]

We did meet with our supervisor, Glenn Saviers, regarding the project as well as the idea of a policy like Colorado has.

She had some suggestions about how to move forward with this –

- 1. During the next committee meeting, she would attend to better evaluate how to reach the end goal of what AELS is trying to do.
- 2. Have LAW give guidance as to whether AELS has statutory authority to have barrier crimes in regulation. (It might under 08.48.111 and/or 08.48.171)
- 3. Depending on LAW's answer – draft language that is broader rather than listing certain crimes.

After that is done the committee can then move on to putting it in the discipline matrix and possibly policy if LAW advises it.

If you are agreeable to this plan, then you would present to the board during the Feb 12-13 meeting what the committee talked about but not take any action on it.

[redacted]



Sara Neal

Executive Administrator / Board of Registration for Architects, Engineers and Land Surveyors
Corporations, Business and Professional Licensing

[redacted]

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From: [Sterling Strait](#)
To: [Neal, Sara J \(CED\)](#)
Subject: RE: [EXTERNAL] REMINDER - Education Committee Meeting TODAY Noon-1pm
Date: Thursday, December 12, 2024 5:16:16 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[CRE Website notes.docx](#)

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My notes from this afternoon's committee meeting:

- Core Competencies
 - Send to full board for review
 - Feedback received from John Berry
- Discipline Specific Courses?
 - Discussed whether we would accept a discipline-specific course from a professional society
 - Example: ASHRAE could develop a Mech. Eng. Course which would only be applicable for MEs. Would not count for other disciplines
 - Would require AELS Board to govern which course applies to which applicant
- Professional Organization Outreach
 - Recommended that we contact local professional organization to ask:
 - Would they be interested in developing discipline-specific courses for their members
 - Do they have feedback on our proposed core competencies
 - Colin Maynard volunteered to reach out
- Website Update – CRU Course Page
 - Add notes to courses describing their content and which disciplines are recommended to take them
 - Add links to the courses where they are missing
 - See my attached notes for these updates

-Sterling Strait
Civil/Structural Engineer
907.777.8380

From: Neal, Sara J (CED) <sara.neal@alaska.gov>
Sent: Thursday, December 12, 2024 8:57 AM
To: Neal, Sara J (CED) <sara.neal@alaska.gov>
Subject: [EXTERNAL] REMINDER - Education Committee Meeting TODAY Noon-1pm

CAUTION: External sender. DO NOT open links or attachments from UNKNOWN senders.

Good morning- sorry for the late reminder

Agenda –

Review Core Competencies for the Cold Regions Design Course

You are invited to a Zoom meeting.

When: Dec 12, 2024 12:00 PM Alaska

Register in advance for this meeting:

https://us02web.zoom.us/join/zoom/register/tZYld-6srTopE9V4-8sU0Pk_ICZWHANhkP9b

After registering, you will receive a confirmation email containing information about joining the meeting.

Meeting ID: 8280743

Password: 121340



Sara Neal
Executive Administrator / Board of Registration for Architects,
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MEMORANDUM

January 15, 2025

SUBJECT: Registered interior design
(Work Order No. 34-LS0044\N)

TO: Senator Matt Claman
Attn: Breanna Kakaruk

FROM: Conran H. Gunther 
Legislative Counsel

Attached is the requested bill draft incorporating your feedback on the previous bill draft (Work Order No. 34-LS0044\A) and the changes requested by the State Board of Registration for Architects, Engineers, and Land Surveyors (board) and Department of Environmental Conservation (DEC). Please review the following drafting notes.

Title act with permitting privileges. You requested that this bill draft include all changes necessary to make it a "title act with permitting privileges." This bill draft incorporates language from CSSB 73() from the 33rd Legislature (Work Order No. 33-LS0244\H), which you similarly requested be drafted as a title act with permitting privileges. You also requested a memorandum explaining the distinction between a title act, practice act, and a title act with permitting privileges and what makes this bill draft a title act with permitting privileges.

A practice act requires a person to be licensed to practice an occupation in a jurisdiction.¹ A title act does not require a license to practice an occupation, rather it establishes an optional license that allows a person to use a protected title when practicing that occupation.² In the interior design profession, the term "permitting privileges" is used to refer to the ability to "stamp and sign (sometimes called stamp and seal) construction documents that are submitted to building departments for the purposes of applying for building permits."³

¹ See *Regulated Jurisdictions*, Council for Interior Design Qualification, <https://www.cidq.org/regulated-jurisdictions> (last visited Dec. 18, 2024).

² *Id.*

³ *A Glimpse into Interior Design Licensing Legislation | Does Your State Require a License to Practice Interior Design?*, Dakota Design Co. (Oct. 2024),

This bill draft regulates the use of "a title tending to convey the impression that the person is a 'registered interior designer' while offering to practice or practicing interior design[.]"⁴ It "does not prohibit the practice of interior design by a person who does not use the title 'registered interior designer.'"⁵ It also authorizes a registered interior designer to obtain a seal bearing the registrant's name, registration number, and the legend for a registered interior designer.⁶ A registered interior designer is required to stamp documents with the seal and sign the seal when the registered interior designer "issues final drawings, specifications, surveys, plats, plates, reports, or similar documents[.]"⁷ As a result, this bill draft is properly characterized as a title act with permitting privileges.

Exemptions from AS 08.48. You requested that this bill draft include three amendments to AS 08.48.331, which contains a list of people exempt from the requirements of AS 08.48. First, you requested an exemption for persons providing planning, design, and implementation services limited to the kitchen or bath of certain buildings.⁸ It is my understanding that your intention behind this provision is to only exempt a narrow scope of interior designers from the registration requirement. Because this bill draft is a title act, an interior designer can avoid the registration requirement while performing interior design work by simply not using the title "registered interior designer." As such, exemptions under AS 08.48.331(a) are unnecessary for interior designers and this provision has been excluded from this bill draft.

Second, after discussing your bill draft with the board, you requested "an exception to the industrial exemption for natural gas pipelines in response to a National Transportation Safety Board forwarded to the Board by Governor Dunleavy." AS 08.48.331 does not contain an exemption that explicitly applies to natural gas pipelines, and I have not been able to identify an alternative exemption therein that you or the board may be referencing. Because I cannot identify such an exception in AS 08.48.331, this provision has been excluded from this bill draft. Please let me know if there is a specific provision that you and the board are concerned with in AS 08.48.331.

<https://www.dakotadesigncompany.com/blog/does-your-state-require-a-license-to-interior-design>.

⁴ Secs. 08.48.181(c) and 08.48.321(b).

⁵ Sec. 08.48.218.

⁶ Sec. 08.48.221(a).

⁷ *Id.*

⁸ *See* sec. 08.48.331(a)(15) of Work Order No. 33-LS0405\H.2.

Senator Matt Claman

January 15, 2025

Page 3

Last, after discussing your bill draft with the board and DEC, you requested "an exemption for individuals certified by the [DEC] to design and install small on-site wastewater systems." The term "onsite wastewater systems" is not used in statute. However, certifications and authorizations necessary for the construction, installation, and modification of conventional onsite wastewater systems are regulated by DEC under 18 AAC 72.400 - 72.440. As such, sec. 08.48.331(a)(15) of this bill draft uses the terms in those regulations and references the statutory authority under which the regulations were adopted. I recommend having DEC review sec. 08.48.331(a)(15) to ensure it has the intended effect.

Please let me know if you have any questions.

CHG:boo

24-331.boo

Attachment

34-LS0044\I
Gunther
1/30/25

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 54
IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY SENATOR CLAMAN

Introduced:
Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to registered interior designers and interior design; extending the**
2 **termination date of the State Board of Registration for Architects, Engineers, and Land**
3 **Surveyors; relating to the State Board of Registration for Architects, Engineers, and**
4 **Land Surveyors; establishing requirements for the practice of registered interior design;**
5 **relating to the practice of architecture, engineering, land surveying, landscape**
6 **architecture, and registered interior design by partnerships; relating to the scope of the**
7 **certification requirements for architects, engineers, land surveyors, landscape**
8 **architects, and registered interior designers; relating to liens for labor or materials**
9 **furnished; relating to the procurement of landscape architectural and interior design**
10 **services; and providing for an effective date."**

11 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

12 * **Section 1.** AS 08.03.010(c)(3) is amended to read:

1 (3) State Board of Registration for Architects, Engineers, and Land
2 Surveyors (AS 08.48.011) - June 30, 2033 [2025];

3 * **Sec. 2.** AS 08.48.011(b) is amended to read:

4 (b) The board consists of 13 [11] members appointed by the governor having
5 the qualifications as set out in AS 08.48.031. The board consists of

6 (1) two civil engineers;

7 (2) [,] two land surveyors;

8 (3) [,] one mining, petroleum, or chemical engineer;

9 (4) [,] one electrical engineer;

10 (5) one [OR] mechanical engineer;

11 (6) [,] one engineer from another branch of the profession of
12 engineering;

13 (7) [,] two architects;

14 (8) one interior designer;

15 (9) [,] one landscape architect; [,] and

16 (10) one public member.

17 * **Sec. 3.** AS 08.48.011(b), as amended by sec. 2 of this Act, is amended to read:

18 (b) The board consists of 13 members appointed by the governor having the
19 qualifications as set out in AS 08.48.031. The board consists of

20 (1) two civil engineers;

21 (2) two land surveyors;

22 (3) one mining, petroleum, or chemical engineer;

23 (4) one electrical engineer;

24 (5) one mechanical engineer;

25 (6) one engineer from another branch of the profession of engineering;

26 (7) two architects;

27 (8) one registered interior designer;

28 (9) one landscape architect; and

29 (10) one public member.

30 * **Sec. 4.** AS 08.48.071(f) is amended to read:

31 (f) The department shall assemble statistics relating to the performance of its

1 staff and the performance of the board, including

2 (1) the number of architects, engineers, land surveyors, [AND]
3 landscape architects, and registered interior designers registered over a five-year
4 period;

5 (2) the rate of passage of examinations required by the board;

6 (3) the number of applicants for registration over a five-year period;

7 (4) an account of registration fees collected under AS 08.01.065;

8 (5) a measure of the correspondence workload of staff.

9 * **Sec. 5.** AS 08.48.101 is amended by adding a new subsection to read:

10 (c) The board shall adopt regulations establishing a definition of "interior
11 design" for the purposes of this chapter. The definition must include the preparation of
12 documents related to non-load-bearing interior construction, space planning, finish
13 materials, and furnishings.

14 * **Sec. 6.** AS 08.48.111 is amended to read:

15 **Sec. 08.48.111. Power to revoke, suspend, or reissue certificate.** The board
16 may suspend, refuse to renew, or revoke the certificate of or reprimand a registrant,
17 corporation, limited liability company, limited liability partnership, or limited
18 partnership who is found guilty of [(1)] fraud or deceit in obtaining a certificate; [(2)]
19 gross negligence, incompetence, or misconduct in the practice of architecture,
20 engineering, land surveying, [OR] landscape architecture, or registered interior
21 design; or [(3)] a violation of this chapter, a regulation adopted under this chapter, or
22 the code of ethics or professional conduct as adopted by the board. [THE CODE OF
23 ETHICS OR PROFESSIONAL CONDUCT SHALL BE DISTRIBUTED IN
24 WRITING TO EVERY REGISTRANT AND APPLICANT FOR REGISTRATION
25 UNDER THIS CHAPTER. THIS PUBLICATION AND DISTRIBUTION OF THE
26 CODE OF ETHICS OR PROFESSIONAL CONDUCT CONSTITUTES DUE
27 NOTICE TO ALL REGISTRANTS.] The board may revise and amend its code and,
28 upon doing so, shall immediately notify each registrant in writing of the revisions or
29 amendments. The board may, upon petition of the registrant, corporation, limited
30 liability company, limited liability partnership, or limited partnership, reissue a
31 certificate if a majority of the members of the board vote in favor of the reissuance.

1 * **Sec. 7.** AS 08.48.171 is amended to read:

2 **Sec. 08.48.171. General requirements and qualifications for registration.**

3 An applicant for registration as an architect, engineer, land surveyor, [OR] landscape
4 architect, or registered interior designer must be of good character and reputation
5 and shall submit evidence satisfactory to the board of the applicant's education,
6 training, and experience.

7 * **Sec. 8.** AS 08.48.181 is amended to read:

8 **Sec. 08.48.181. Registration upon examination.** Except as provided in
9 AS 08.48.191, for registration as a professional architect, professional engineer,
10 professional land surveyor, [OR] professional landscape architect, or registered
11 interior designer, a person shall be examined in this state in accordance with the
12 regulations of procedure and standards adopted by the board under AS 44.62
13 (Administrative Procedure Act). The procedure and standards shall at least meet the
14 requirements adopted by recognized national examining councils for these
15 professions.

16 * **Sec. 9.** AS 08.48.191 is amended by adding a new subsection to read:

17 (e) A person holding a certificate of registration authorizing the person to
18 practice registered interior design in a state, territory, or possession of the United
19 States, the District of Columbia, or a foreign country that, in the opinion of the board,
20 meets the requirements of this chapter, based on verified evidence, may, upon
21 application, be registered in accordance with the regulations of the board.

22 * **Sec. 10.** AS 08.48.201(a) is amended to read:

23 (a) Application for registration as a professional architect, a professional
24 engineer, a professional land surveyor, [OR] a professional landscape architect, or a
25 registered interior designer shall be submitted in the manner prescribed by the
26 board.

27 * **Sec. 11.** AS 08.48.211(b) is amended to read:

28 (b) The certificate of registration is prima facie evidence that the person
29 named in it is entitled to all rights and privileges of a professional architect,
30 professional engineer, professional land surveyor, [OR] professional landscape
31 architect, or registered interior designer while the certificate remains unrevoked or

1 unexpired.

2 * **Sec. 12.** AS 08.48.215(a) is amended to read:

3 (a) On retiring from practice and payment of an appropriate one-time fee, **an**
4 **individual who is registered as a professional architect, engineer, land surveyor,**
5 **or landscape architect and** [A REGISTRANT] in good standing with the board may
6 apply for the conversion of a certificate of registration to a retired status registration.
7 The registrant may not practice architecture, engineering, land surveying, or landscape
8 architecture in the state. A retired status registration is valid for the life of the
9 registration holder and does not require renewal.

10 * **Sec. 13.** AS 08.48 is amended by adding a new section to read:

11 **Sec. 08.48.218. Untitled practice of interior design.** This chapter does not
12 prohibit the practice of interior design by a person who is not registered as a registered
13 interior designer if the person does not use the title "registered interior designer."

14 * **Sec. 14.** AS 08.48.221(a) is amended to read:

15 (a) Each registrant may obtain a seal of the design authorized by the board,
16 bearing the registrant's name, registration number, and the appropriate legend for
17 architect, engineer, land surveyor, [OR] landscape architect, **or registered interior**
18 **designer.** When a registrant issues final drawings, specifications, surveys, plats,
19 plates, reports, or similar documents, the registrant shall stamp the documents with the
20 seal and sign the seal. The board shall adopt regulations governing the use of seals by
21 the registrant. An architect, engineer, land surveyor, [OR] landscape architect, **or**
22 **registered interior designer** may not affix or permit a seal and signature to be affixed
23 to an instrument after the expiration of a certificate or for the purpose of aiding or
24 abetting another person to evade or attempt to evade a provision of this chapter. The
25 registrant, by sealing and signing the document, certifies that the document was
26 prepared by or under the registrant's responsible charge and is within the registrant's
27 field of practice or is design work of minor importance.

28 * **Sec. 15.** AS 08.48.241(a) is amended to read:

29 (a) This chapter does not prevent a corporation, limited liability company,
30 limited liability partnership, or limited partnership from offering architectural,
31 engineering, land surveying, [OR] landscape architectural, **or registered interior**

1 **design** services; however, the corporation, limited liability company, limited liability
2 partnership, or limited partnership shall file with the board

3 (1) an application for a certificate of authorization on a form to be
4 prescribed by the board and containing information required to enable the board to
5 determine whether the corporation, limited liability company, limited liability
6 partnership, or limited partnership is qualified in accordance with the provisions of
7 this chapter to offer to practice architecture, engineering, land surveying, [OR]
8 landscape architecture, **or registered interior design** in this state;

9 (2) a certified copy of a resolution of the board of directors of the
10 corporation, the managing members or manager of the limited liability company, the
11 general partners of a limited liability partnership, or the general partners of a limited
12 partnership designating persons holding certificates of registration under this chapter
13 as responsible for the practice of architecture, engineering, land surveying, [OR]
14 landscape architecture, **or registered interior design** by the corporation, limited
15 liability company, limited liability partnership, or limited partnership in this state and
16 providing that full authority to make all final architectural, engineering, land
17 surveying, [OR] landscape architectural, **or registered interior design** decisions on
18 behalf of the corporation, limited liability company, limited liability partnership, or
19 limited partnership with respect to work performed by the corporation, limited liability
20 company, limited liability partnership, or limited partnership in this state is granted by
21 the board of directors of the corporation, the managing members or manager of the
22 limited liability company, the general partners of the limited liability partnership, or
23 the general partners of the limited partnership to the persons designated in the
24 resolution; however, the filing of this resolution does not relieve the corporation,
25 limited liability company, limited liability partnership, or limited partnership of any
26 responsibility or liability imposed on it by law or by contract;

27 (3) a designation in writing setting out the name of one or more
28 persons holding certificates of registration under this chapter who are in responsible
29 charge of each major branch of the architectural, engineering, land surveying, [OR]
30 landscape architectural, **or registered interior design** activities in which the
31 corporation, limited liability company, limited liability partnership, or limited

1 partnership specializes in this state; if a change is made in the person in responsible
2 charge of a major branch of the architectural, engineering, land surveying, [OR]
3 landscape architectural, **or registered interior design** activities, the change shall be
4 designated in writing and filed with the board within 30 days after the effective date of
5 the change.

6 * **Sec. 16.** AS 08.48.241(b) is amended to read:

7 (b) Upon filing with the board the application for certificate of authorization,
8 certified copy of resolution, affidavit, and designation of persons specified in this
9 section, the board shall, subject to (c) of this section, issue to the corporation, limited
10 liability company, limited liability partnership, or limited partnership a certificate of
11 authorization to practice architecture, engineering, land surveying, [OR] landscape
12 architecture, **or registered interior design** in this state upon a determination by the
13 board that

14 (1) the bylaws of the corporation, the articles of organization or
15 operating agreement of the limited liability company, the partnership agreement of the
16 limited liability partnership, or the partnership agreement of the limited partnership
17 contain provisions that all architectural, engineering, land surveying, [OR] landscape
18 architectural, **or registered interior design** decisions pertaining to architectural,
19 engineering, land surveying, [OR] landscape architectural, **or registered interior**
20 **design** activities in this state will be made by the specified architect, engineer, land
21 surveyor, [OR] landscape architect, **or registered interior designer** in responsible
22 charge, or other registered architects, engineers, land surveyors, [OR] landscape
23 architects, **or registered interior designers** under the direction or supervision of the
24 architect, engineer, land surveyor, [OR] landscape architect, **or registered interior**
25 **designer** in responsible charge;

26 (2) the application for certificate of authorization states the type of
27 architecture, engineering, land surveying, [OR] landscape architecture, **or registered**
28 **interior design** practiced or to be practiced by the corporation, limited liability
29 company, limited liability partnership, or limited partnership;

30 (3) the applicant corporation, limited liability company, limited
31 liability partnership, or limited partnership has the ability to provide architectural,

1 engineering, land surveying, [OR] landscape architectural, or registered interior
2 design services;

3 (4) the application for certificate of authorization states the
4 professional records of the designated person who is in responsible charge of each
5 major branch of architectural, engineering, land surveying, [OR] landscape
6 architectural, or registered interior design activities in which the corporation, limited
7 liability company, limited liability partnership, or limited partnership specializes;

8 (5) the application for certificate of authorization states the experience,
9 if any, of the corporation, limited liability company, limited liability partnership, or
10 limited partnership in furnishing architectural, engineering, land surveying, [OR]
11 landscape architectural, or registered interior design services during the preceding
12 five-year period;

13 (6) the applicant corporation, limited liability company, limited
14 liability partnership, or limited partnership meets other requirements related to
15 professional competence in the furnishing of architectural, engineering, land
16 surveying, [OR] landscape architectural, or registered interior design services as
17 may be adopted by the board in furtherance of the objectives and provisions of this
18 chapter.

19 * **Sec. 17.** AS 08.48.241(d) is amended to read:

20 (d) The certificate of authorization must specify the major branches of
21 architecture, engineering, land surveying, [OR] landscape architecture, or registered
22 interior design of which the corporation, limited liability company, limited liability
23 partnership, or limited partnership has designated a person in responsible charge as
24 provided in this section. The certificate of authorization shall be conspicuously
25 displayed in the place of business of the corporation, limited liability company, limited
26 liability partnership, or limited partnership, together with the names of persons
27 designated as being in responsible charge of the professional activities.

28 * **Sec. 18.** AS 08.48.241(e) is amended to read:

29 (e) If a corporation, limited liability company, limited liability partnership, or
30 limited partnership that is organized solely by [EITHER] a group of architects, a group
31 of engineers, a group of land surveyors, [OR] a group of landscape architects, or a

1 **group of registered interior designers**, each holding a certificate of registration
2 under this chapter, applies for a certificate of authorization, the board may, in its
3 discretion, grant a certificate of authorization to the corporation, limited liability
4 company, limited liability partnership, or limited partnership based on a review of the
5 professional records of the incorporators of the corporation, organizers of the limited
6 liability company, partners who formed the limited liability partnership, or partners
7 who formed the limited partnership in place of the required qualifications set out in
8 this section. If the ownership of the corporation is altered, the membership of the
9 limited liability company is altered, the partners of the limited liability partnership
10 change, or the general partners of the limited partnership change, the corporation,
11 limited liability company, limited liability partnership, or limited partnership shall
12 apply for a revised certificate of authorization, based on the professional records of the
13 owners of the corporation, the members of the limited liability company, the partners
14 of the limited liability partnership, or the general partners of the limited partnership, if
15 exclusively architects, engineers, land surveyors, [OR] landscape architects, **or**
16 **registered interior designers**, or otherwise under the qualifications required by (b)(1)
17 - (4) of this section.

18 * **Sec. 19.** AS 08.48.241(f) is amended to read:

19 (f) A corporation, limited liability company, limited liability partnership, or
20 limited partnership authorized to offer architectural, engineering, land surveying, [OR]
21 landscape architectural, **or registered interior design** services under this chapter,
22 together with its directors, officers, managing members, manager, and partners for
23 their own individual acts, is responsible to the same degree as the designated
24 individual registrant, and shall conduct its business without misconduct or malpractice
25 in the practice of architecture, engineering, land surveying, [OR] landscape
26 architecture, **or registered interior design** as defined in this chapter.

27 * **Sec. 20.** AS 08.48.251 is amended to read:

28 **Sec. 08.48.251. Certain partnerships.** This chapter does not prevent the
29 practice of architecture, engineering, land surveying, [OR] landscape architecture, **or**
30 **registered interior design** by a partnership if all of the members of the partnership
31 are registrants under this chapter. In this section, "partnership" does not include a

1 limited liability partnership or a limited partnership.

2 * **Sec. 21.** AS 08.48.281 is amended by adding a new subsection to read:

3 (c) A person may not use a title tending to convey the impression that the
4 person is a "registered interior designer" while offering to practice or practicing
5 interior design, as defined in regulation by the board, unless the person has been
6 registered or authorized under this chapter.

7 * **Sec. 22.** AS 08.48.291 is amended to read:

8 **Sec. 08.48.291. Violations and penalties.** A person who practices or offers to
9 practice architecture, engineering, land surveying, [OR] landscape architecture, or
10 registered interior design in the state without being registered or authorized to
11 practice in accordance with the provisions of this chapter, or a person presenting or
12 attempting to use the certificate or the seal of another, or a person who gives false or
13 forged evidence of any kind to the board or to a member of the board in obtaining or
14 attempting to obtain a certificate, or a person who impersonates a registrant, or a
15 person who uses or attempts to use an expired or revoked or nonexistent certificate,
16 knowing of the certificate's status, or a person who falsely claims to be registered and
17 authorized to practice under this chapter, or a person who violates any of the
18 provisions of this chapter, is guilty of a misdemeanor and upon conviction is
19 punishable by a fine of not more than \$10,000, or by imprisonment for not more than
20 one year, or by both.

21 * **Sec. 23.** AS 08.48.295(a) is amended to read:

22 (a) In addition to any other provision of law, if a person practices or offers to
23 practice architecture, engineering, [OR] land surveying, or registered interior design
24 in the state without being registered or authorized to practice in accordance with the
25 provisions of this chapter, the board may enter an order levying a civil penalty.

26 * **Sec. 24.** AS 08.48.311 is amended to read:

27 **Sec. 08.48.311. Rights not transferable.** The right to engage in the practice of
28 architecture, engineering, land surveying, [OR] landscape architecture, or registered
29 interior design is considered a personal and individual right, based on the
30 qualifications of the individual as evidenced by the individual's certificate of
31 registration, which is not transferable.

1 * **Sec. 25.** AS 08.48.321 is amended by adding a new subsection to read:

2 (b) A person uses a title tending to convey the impression that the person is a
3 "registered interior designer" while offering to practice or practicing interior design if
4 the person by verbal claim, sign, advertisement, letterhead, card, or other means
5 represents to be a registered interior designer or through the use of some other title
6 implies that the person is a registered interior designer when offering to practice or
7 practicing interior design.

8 * **Sec. 26.** AS 08.48.331(a) is amended to read:

9 (a) This chapter does not apply to

10 (1) a contractor performing work designed by a professional architect,
11 engineer, or landscape architect or the supervision of the construction of the work as a
12 supervisor or superintendent for a contractor;

13 (2) workers in building trades crafts, earthwork, grounds keeping, or
14 nursery operations, and superintendents, supervisors, or inspectors in the performance
15 of their customary duties;

16 (3) an officer or employee of the United States government practicing
17 architecture, engineering, land surveying, or landscape architecture as required by the
18 person's official capacity;

19 (4) an employee or a subordinate of a registrant if the work or service
20 is done under the direct supervision of a registrant;

21 (5) associates, consultants, or specialists retained by a registrant, [A]
22 partnership of registered individuals, [A] corporation, [A] limited liability company,
23 [A] limited liability partnership, or [A] limited partnership authorized to practice
24 architecture, engineering, land surveying, or landscape architecture under this chapter,
25 in the performance of professional services if responsible charge of the work remains
26 with the registrant, the partnership, or a designated representative of the corporation,
27 limited liability company, limited liability partnership, or limited partnership;

28 (6) a person preparing drawings or specifications for

29 (A) a building for the person's own use and occupancy as a
30 single family residence and related site work for that building;

31 (B) farm or ranch buildings and their grounds unless the public

1 health, safety, or welfare is involved;

2 (C) a building that is intended to be used only as a residence by
3 not more than

4 (i) four families and that is not more than two stories
5 high and the grounds of the building; or

6 (ii) two families and that is not more than three stories
7 high and the grounds of the building, if the building is located in a
8 municipality that has adopted a building or residential code that applies
9 to the building and if the building complies with the building or
10 residential code;

11 (D) a garage, workshop, or similar building that contains less
12 than 2,000 square feet of floor space to be used for a private noncommercial
13 purpose and the grounds of the building;

14 (7) a specialty contractor licensed under AS 08.18 while engaged in
15 the business of construction contracting for work designed by an architect, engineer,
16 or landscape architect that is within the specialty to be performed or supervised by the
17 specialty contractor, or a contractor preparing shop or field drawings for work that the
18 specialty contractor has contracted to perform;

19 (8) a person furnishing drawings, specifications, instruments of
20 service, or other data for alterations or repairs to a building or its grounds that do not
21 change or affect the structural system or the safety of the building, or that do not affect
22 the public health, safety, or welfare;

23 (9) a person who is employed by a postsecondary educational
24 institution to teach engineering, architectural, or landscape architectural courses; in
25 this paragraph, "postsecondary educational institution" has the meaning given in
26 AS 14.48.210;

27 (10) an officer or employee of an individual, firm, partnership,
28 association, utility, corporation, limited liability company, limited liability partnership,
29 or limited partnership, who practices engineering, architecture, land surveying, or
30 landscape architecture involved in the operation of the employer's business only [,
31 AND FURTHER] if neither the employee nor the employer offers engineering,

1 architecture, land surveying, or landscape architecture services to the public;
2 exclusions under this paragraph do not apply **to an officer or employee practicing**
3 **engineering, architecture, land surveying, or landscape architecture on**

4 **(A)** [TO] buildings or structures whose primary use is public
5 occupancy; **or**

6 **(B) natural gas pipelines; in this subparagraph, "natural**
7 **gas pipeline" has the meaning given in AS 31.25.390;**

8 (11) a person while involved in revegetation, restoration, reclamation,
9 rehabilitation, or erosion control for disturbed land that the board determines does not
10 affect the public health, safety, or welfare;

11 (12) a person while maintaining or directing the placement of plant
12 material that the board determines does not affect the public health, safety, or welfare;

13 (13) an employee, officer, or agent of a regulatory agency of the state
14 or a municipality when reviewing drawings and specifications for compliance with the
15 building codes of the state or a municipality if the drawings and specifications have
16 been sealed and signed by an architect, engineer, land surveyor, or landscape architect
17 or the preparation of the drawings and specifications is exempt under this section from
18 the requirements of this chapter; in this paragraph, "building codes" includes codes
19 relating to building, mechanical, plumbing, electrical, fire safety standards, and
20 zoning;

21 (14) a person who is designing fire protection systems and is
22 authorized by the Department of Public Safety to design fire protection systems;

23 **(15) a person who is authorized to construct, install, or modify a**
24 **conventional onsite wastewater system by the Department of Environmental**
25 **Conservation under AS 46.03.100 and is constructing, installing, or modifying a**
26 **conventional onsite wastewater system with a capacity of less than 500 gallons of**
27 **wastewater a day; the Department of Environmental Conservation may adopt**
28 **regulations limiting the locations in the state in which this paragraph applies.**

29 * **Sec. 27.** AS 08.48.341(4) is amended to read:

30 (4) "certificate of authorization" means a certificate issued by the
31 board authorizing a corporation, a limited liability company, a limited liability

1 partnership, or a limited partnership to provide professional services in architecture,
2 engineering, land surveying, [OR] landscape architecture, or registered interior
3 design through individuals legally registered by the board;

4 * **Sec. 28.** AS 08.48.341(23) is amended to read:

5 (23) "registrant" means a person registered by the board as a
6 professional architect, professional engineer, professional land surveyor,
7 professional [OR] landscape architect, or registered interior designer;

8 * **Sec. 29.** AS 08.48.341 is amended by adding new paragraphs to read:

9 (27) "registered interior design" means the practice of interior design
10 as a registered interior designer;

11 (28) "registered interior designer" means a person who is registered as
12 a registered interior designer by the board and who may use the title "registered
13 interior designer" in the practice of interior design.

14 * **Sec. 30.** AS 23.30.017(c)(1) is amended to read:

15 (1) "design professional" means a person registered under AS 08.48 as
16 an architect, engineer, [OR] land surveyor, landscape architect, or registered
17 interior designer;

18 * **Sec. 31.** AS 34.35.050 is amended to read:

19 **Sec. 34.35.050. Lien for labor or materials furnished.** A person has a lien,
20 only to the extent provided under this chapter, to secure the payment of the contract
21 price if the person

22 (1) performs labor on [UPON] real property at the request of the owner
23 or the agent of the owner for the construction, alteration, or repair of a building or
24 improvement;

25 (2) is a trustee of an employee benefit trust for the benefit of
26 individuals performing labor on the building or improvement and has a direct contract
27 with the owner or the agent of the owner for direct payments into the trust;

28 (3) furnishes materials that are delivered to real property under a
29 contract with the owner or the agent of the owner that are incorporated in the
30 construction, alteration, or repair of a building or improvement;

31 (4) furnishes equipment that is delivered to and used on [UPON] real

1 property under a contract with the owner or the agent of the owner for the
2 construction, alteration, or repair of a building or improvement;

3 (5) performs services under a contract with the owner or the agent of
4 the owner in connection with the preparation of plans, surveys, or architectural, [OR]
5 engineering, landscape architectural, or registered interior design plans or
6 drawings for the construction, alteration, or repair of a building or improvement,
7 whether or not actually implemented on that property; or

8 (6) is a general contractor.

9 * **Sec. 32.** AS 35.15.010(c) is amended to read:

10 (c) In this section, "professional services" means architectural, engineering,
11 [OR] land surveying, landscape architectural, or registered interior design
12 services.

13 * **Sec. 33.** AS 36.30.270(a) is amended to read:

14 (a) Notwithstanding conflicting provisions of AS 36.30.100 - 36.30.260, a
15 procurement officer shall negotiate a contract for an agency with the most qualified
16 and suitable firm or person of demonstrated competence for architectural, engineering,
17 [OR] land surveying, landscape architectural, or registered interior design
18 services. The procurement officer shall award a contract for those services at fair and
19 reasonable compensation as determined by the procurement officer, after
20 consideration of the estimated value of the services to be rendered, and the scope,
21 complexity, and professional nature of the services. When determining the most
22 qualified and suitable firm or person, the procurement officer shall consider the

23 (1) proximity to the project site of the office of the firm or person
24 unless federal law prohibits this factor from being considered in the awarding of the
25 contract; and

26 (2) employment practices of the firm or person with regard to women
27 and minorities.

28 * **Sec. 34.** AS 36.30.270(d) is amended to read:

29 (d) Notwithstanding the other provisions of this section, a procurement officer
30 may include price as an added factor in selecting architectural, engineering, [AND]
31 land surveying, landscape architectural, and registered interior design services

1 when, in the judgment of the procurement officer, the services required are repetitious
2 in nature, and the scope, nature, and amount of services required are thoroughly
3 defined by measurable and objective standards to reasonably enable firms or persons
4 making proposals to compete with a clear understanding and interpretation of the
5 services required. In order to include price as a factor in selection, a majority of the
6 persons involved by the procurement officer in evaluation of the proposals must be
7 registered in the state to perform architectural, engineering, [OR] land surveying,
8 **landscape architectural, or registered interior design** services.

9 * **Sec. 35.** AS 36.90.100 is amended to read:

10 **Sec. 36.90.100. Contracts for architectural, engineering, land surveying,**
11 **[OR] landscape architectural, or registered interior design services.** The state or a
12 municipality may not award a contract for architectural, engineering, land surveying,
13 [OR] landscape architectural, **or registered interior design** services to

14 (1) an individual who is not registered under AS 08.48 to perform the
15 architectural, engineering, land surveying, [OR] landscape architectural, **or registered**
16 **interior design** services required by the contract;

17 (2) a partnership, except as provided by (3) of this section, that is not
18 qualified under AS 08.48.251 to provide the architectural, engineering, land surveying,
19 [OR] landscape architectural, **or registered interior design** services required by the
20 contract; or

21 (3) a corporation, limited liability company, or limited liability
22 partnership that is not authorized under AS 08.48.241 to offer the architectural,
23 engineering, land surveying, [OR] landscape architectural, **or registered interior**
24 **design** services required by the contract.

25 * **Sec. 36.** AS 08.48.011(c) is repealed.

26 * **Sec. 37.** The uncodified law of the State of Alaska is amended by adding a new section to
27 read:

28 TRANSITION: BOARD APPOINTMENT. Notwithstanding AS 08.48.031, an
29 interior designer appointed to the State Board of Registration for Architects, Engineers, and
30 Land Surveyors under AS 08.48.011(b), as amended by sec. 2 of this Act, must be certified by
31 the Council for Interior Design Qualification and have resided in the state for at least two

1 years immediately preceding appointment. On and after the effective date of sec. 3 of this Act,
2 an interior designer appointed to the board under AS 08.48.011(b), as amended by sec. 2 of
3 this Act, may continue to occupy the seat on the board reserved for the registered interior
4 designer until a registered interior designer is appointed to the seat. An interior designer
5 appointed to the board under AS 08.48.011(b), as amended by sec. 2 of this Act, is eligible for
6 reappointment to the board on the effective date of sec. 3 of this Act if the interior designer
7 meets the requirements of AS 08.48.011(b), as amended by sec. 3 of this Act.

8 * **Sec. 38.** Sections 2 and 37 of this Act take effect immediately under AS 01.10.070(c).

9 * **Sec. 39.** Except as provided in sec. 38 of this Act, this Act takes effect July 1, 2025.

SENATE BILL NO. 54

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY SENATOR CLAMAN

Introduced: 1/24/25

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to registered interior designers and interior design; extending the
2 termination date of the State Board of Registration for Architects, Engineers, and Land
3 Surveyors; relating to the State Board of Registration for Architects, Engineers, and
4 Land Surveyors; establishing requirements for the practice of registered interior design;
5 relating to the practice of architecture, engineering, land surveying, landscape
6 architecture, and registered interior design by partnerships; relating to liens for labor or
7 materials furnished; relating to the procurement of landscape architectural and interior
8 design services; and providing for an effective date."

9 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

10 * **Section 1.** AS 08.03.010(c)(3) is amended to read:

11 (3) State Board of Registration for Architects, Engineers, and Land
12 Surveyors (AS 08.48.011) - June 30, 2033 [2025];

1 * **Sec. 2.** AS 08.48.011(b) is amended to read:

2 (b) The board consists of **13** [11] members appointed by the governor having
3 the qualifications as set out in AS 08.48.031. The board consists of

4 **(1)** two civil engineers;

5 **(2)** [,] two land surveyors;

6 **(3)** [,] one mining, **petroleum, or chemical** engineer;

7 **(4)** [,] one electrical **engineer**;

8 **(5)** **one** [OR] mechanical engineer;

9 **(6)** [,] one engineer from another branch of the profession of
10 engineering;

11 **(7)** [,] two architects;

12 **(8)** **one interior designer**;

13 **(9)** [,] one landscape architect; [,] and

14 **(10)** one public member.

15 * **Sec. 3.** AS 08.48.011(b), as amended by sec. 2 of this Act, is amended to read:

16 (b) The board consists of 13 members appointed by the governor having the
17 qualifications as set out in AS 08.48.031. The board consists of

18 (1) two civil engineers;

19 (2) two land surveyors;

20 (3) one mining, petroleum, or chemical engineer;

21 (4) one electrical engineer;

22 (5) one mechanical engineer;

23 (6) one engineer from another branch of the profession of engineering;

24 (7) two architects;

25 (8) one **registered** interior designer;

26 (9) one landscape architect; and

27 (10) one public member.

28 * **Sec. 4.** AS 08.48.071(f) is amended to read:

29 (f) The department shall assemble statistics relating to the performance of its
30 staff and the performance of the board, including

31 (1) the number of architects, engineers, land surveyors, [AND]

1 landscape architects, and registered interior designers registered over a five-year
2 period;

3 (2) the rate of passage of examinations required by the board;

4 (3) the number of applicants for registration over a five-year period;

5 (4) an account of registration fees collected under AS 08.01.065;

6 (5) a measure of the correspondence workload of staff.

7 * **Sec. 5.** AS 08.48.101 is amended by adding a new subsection to read:

8 (c) The board shall adopt regulations establishing a definition of "interior
9 design" for the purposes of this chapter. The definition must include the preparation of
10 documents related to non-load-bearing interior construction, space planning, finish
11 materials, and furnishings.

12 * **Sec. 6.** AS 08.48.111 is amended to read:

13 **Sec. 08.48.111. Power to revoke, suspend, or reissue certificate.** The board
14 may suspend, refuse to renew, or revoke the certificate of or reprimand a registrant,
15 corporation, limited liability company, limited liability partnership, or limited
16 partnership who is found guilty of [(1)] fraud or deceit in obtaining a certificate; [(2)]
17 gross negligence, incompetence, or misconduct in the practice of architecture,
18 engineering, land surveying, [OR] landscape architecture, or registered interior
19 design; or [(3)] a violation of this chapter, a regulation adopted under this chapter, or
20 the code of ethics or professional conduct as adopted by the board. [THE CODE OF
21 ETHICS OR PROFESSIONAL CONDUCT SHALL BE DISTRIBUTED IN
22 WRITING TO EVERY REGISTRANT AND APPLICANT FOR REGISTRATION
23 UNDER THIS CHAPTER. THIS PUBLICATION AND DISTRIBUTION OF THE
24 CODE OF ETHICS OR PROFESSIONAL CONDUCT CONSTITUTES DUE
25 NOTICE TO ALL REGISTRANTS.] The board may revise and amend its code and,
26 upon doing so, shall immediately notify each registrant in writing of the revisions or
27 amendments. The board may, upon petition of the registrant, corporation, limited
28 liability company, limited liability partnership, or limited partnership, reissue a
29 certificate if a majority of the members of the board vote in favor of the reissuance.

30 * **Sec. 7.** AS 08.48.171 is amended to read:

31 **Sec. 08.48.171. General requirements and qualifications for registration.**

1 An applicant for registration as an architect, engineer, land surveyor, [OR] landscape
2 architect, **or registered interior designer** must be of good character and reputation
3 and shall submit evidence satisfactory to the board of the applicant's education,
4 training, and experience.

5 * **Sec. 8.** AS 08.48.181 is amended to read:

6 **Sec. 08.48.181. Registration upon examination.** Except as provided in
7 AS 08.48.191, for registration as a professional architect, professional engineer,
8 professional land surveyor, [OR] professional landscape architect, **or registered**
9 **interior designer**, a person shall be examined in this state in accordance with the
10 regulations of procedure and standards adopted by the board under AS 44.62
11 (Administrative Procedure Act). The procedure and standards shall at least meet the
12 requirements adopted by recognized national examining councils for these
13 professions.

14 * **Sec. 9.** AS 08.48.191 is amended by adding a new subsection to read:

15 (e) A person holding a certificate of registration authorizing the person to
16 practice registered interior design in a state, territory, or possession of the United
17 States, the District of Columbia, or a foreign country that, in the opinion of the board,
18 meets the requirements of this chapter, based on verified evidence, may, upon
19 application, be registered in accordance with the regulations of the board.

20 * **Sec. 10.** AS 08.48.201(a) is amended to read:

21 (a) Application for registration as a professional architect, a professional
22 engineer, a professional land surveyor, [OR] a professional landscape architect, **or a**
23 **registered interior designer** shall be submitted in the manner prescribed by the
24 board.

25 * **Sec. 11.** AS 08.48.211(b) is amended to read:

26 (b) The certificate of registration is prima facie evidence that the person
27 named in it is entitled to all rights and privileges of a professional architect,
28 professional engineer, professional land surveyor, [OR] professional landscape
29 architect, **or registered interior designer** while the certificate remains unrevoked or
30 unexpired.

31 * **Sec. 12.** AS 08.48.215(a) is amended to read:

1 (a) On retiring from practice and payment of an appropriate one-time fee, **an**
 2 **individual who is registered as a professional architect, engineer, land surveyor,**
 3 **or landscape architect and** [A REGISTRANT] in good standing with the board may
 4 apply for the conversion of a certificate of registration to a retired status registration.
 5 The registrant may not practice architecture, engineering, land surveying, or landscape
 6 architecture in the state. A retired status registration is valid for the life of the
 7 registration holder and does not require renewal.

8 * **Sec. 13.** AS 08.48 is amended by adding a new section to read:

9 **Sec. 08.48.218. Untitled practice of interior design.** This chapter does not
 10 prohibit the practice of interior design by a person who is not registered as a registered
 11 interior designer if the person does not use the title "registered interior designer."

12 * **Sec. 14.** AS 08.48.221(a) is amended to read:

13 (a) Each registrant may obtain a seal of the design authorized by the board,
 14 bearing the registrant's name, registration number, and the appropriate legend for
 15 architect, engineer, land surveyor, [OR] landscape architect, **or registered interior**
 16 **designer**. When a registrant issues final drawings, specifications, surveys, plats,
 17 plates, reports, or similar documents, the registrant shall stamp the documents with the
 18 seal and sign the seal. The board shall adopt regulations governing the use of seals by
 19 the registrant. An architect, engineer, land surveyor, [OR] landscape architect, **or**
 20 **registered interior designer** may not affix or permit a seal and signature to be affixed
 21 to an instrument after the expiration of a certificate or for the purpose of aiding or
 22 abetting another person to evade or attempt to evade a provision of this chapter. The
 23 registrant, by sealing and signing the document, certifies that the document was
 24 prepared by or under the registrant's responsible charge and is within the registrant's
 25 field of practice or is design work of minor importance.

26 * **Sec. 15.** AS 08.48.241(a) is amended to read:

27 (a) This chapter does not prevent a corporation, limited liability company,
 28 limited liability partnership, or limited partnership from offering architectural,
 29 engineering, land surveying, [OR] landscape architectural, **or registered interior**
 30 **design** services; however, the corporation, limited liability company, limited liability
 31 partnership, or limited partnership shall file with the board

1 (1) an application for a certificate of authorization on a form to be
2 prescribed by the board and containing information required to enable the board to
3 determine whether the corporation, limited liability company, limited liability
4 partnership, or limited partnership is qualified in accordance with the provisions of
5 this chapter to offer to practice architecture, engineering, land surveying, [OR]
6 landscape architecture, **or registered interior design** in this state;

7 (2) a certified copy of a resolution of the board of directors of the
8 corporation, the managing members or manager of the limited liability company, the
9 general partners of a limited liability partnership, or the general partners of a limited
10 partnership designating persons holding certificates of registration under this chapter
11 as responsible for the practice of architecture, engineering, land surveying, [OR]
12 landscape architecture, **or registered interior design** by the corporation, limited
13 liability company, limited liability partnership, or limited partnership in this state and
14 providing that full authority to make all final architectural, engineering, land
15 surveying, [OR] landscape architectural, **or registered interior design** decisions on
16 behalf of the corporation, limited liability company, limited liability partnership, or
17 limited partnership with respect to work performed by the corporation, limited liability
18 company, limited liability partnership, or limited partnership in this state is granted by
19 the board of directors of the corporation, the managing members or manager of the
20 limited liability company, the general partners of the limited liability partnership, or
21 the general partners of the limited partnership to the persons designated in the
22 resolution; however, the filing of this resolution does not relieve the corporation,
23 limited liability company, limited liability partnership, or limited partnership of any
24 responsibility or liability imposed on it by law or by contract;

25 (3) a designation in writing setting out the name of one or more
26 persons holding certificates of registration under this chapter who are in responsible
27 charge of each major branch of the architectural, engineering, land surveying, [OR]
28 landscape architectural, **or registered interior design** activities in which the
29 corporation, limited liability company, limited liability partnership, or limited
30 partnership specializes in this state; if a change is made in the person in responsible
31 charge of a major branch of the architectural, engineering, land surveying, [OR]

1 landscape architectural, **or registered interior design** activities, the change shall be
 2 designated in writing and filed with the board within 30 days after the effective date of
 3 the change.

4 * **Sec. 16.** AS 08.48.241(b) is amended to read:

5 (b) Upon filing with the board the application for certificate of authorization,
 6 certified copy of resolution, affidavit, and designation of persons specified in this
 7 section, the board shall, subject to (c) of this section, issue to the corporation, limited
 8 liability company, limited liability partnership, or limited partnership a certificate of
 9 authorization to practice architecture, engineering, land surveying, [OR] landscape
 10 architecture, **or registered interior design** in this state upon a determination by the
 11 board that

12 (1) the bylaws of the corporation, the articles of organization or
 13 operating agreement of the limited liability company, the partnership agreement of the
 14 limited liability partnership, or the partnership agreement of the limited partnership
 15 contain provisions that all architectural, engineering, land surveying, [OR] landscape
 16 architectural, **or registered interior design** decisions pertaining to architectural,
 17 engineering, land surveying, [OR] landscape architectural, **or registered interior**
 18 **design** activities in this state will be made by the specified architect, engineer, land
 19 surveyor, [OR] landscape architect, **or registered interior designer** in responsible
 20 charge, or other registered architects, engineers, land surveyors, [OR] landscape
 21 architects, **or registered interior designers** under the direction or supervision of the
 22 architect, engineer, land surveyor, [OR] landscape architect, **or registered interior**
 23 **designer** in responsible charge;

24 (2) the application for certificate of authorization states the type of
 25 architecture, engineering, land surveying, [OR] landscape architecture, **or registered**
 26 **interior design** practiced or to be practiced by the corporation, limited liability
 27 company, limited liability partnership, or limited partnership;

28 (3) the applicant corporation, limited liability company, limited
 29 liability partnership, or limited partnership has the ability to provide architectural,
 30 engineering, land surveying, [OR] landscape architectural, **or registered interior**
 31 **design** services;

1 (4) the application for certificate of authorization states the
 2 professional records of the designated person who is in responsible charge of each
 3 major branch of architectural, engineering, land surveying, [OR] landscape
 4 architectural, **or registered interior design** activities in which the corporation, limited
 5 liability company, limited liability partnership, or limited partnership specializes;

6 (5) the application for certificate of authorization states the experience,
 7 if any, of the corporation, limited liability company, limited liability partnership, or
 8 limited partnership in furnishing architectural, engineering, land surveying, [OR]
 9 landscape architectural, **or registered interior design** services during the preceding
 10 five-year period;

11 (6) the applicant corporation, limited liability company, limited
 12 liability partnership, or limited partnership meets other requirements related to
 13 professional competence in the furnishing of architectural, engineering, land
 14 surveying, [OR] landscape architectural, **or registered interior design** services as
 15 may be adopted by the board in furtherance of the objectives and provisions of this
 16 chapter.

17 * **Sec. 17.** AS 08.48.241(d) is amended to read:

18 (d) The certificate of authorization must specify the major branches of
 19 architecture, engineering, land surveying, [OR] landscape architecture, **or registered**
 20 **interior design** of which the corporation, limited liability company, limited liability
 21 partnership, or limited partnership has designated a person in responsible charge as
 22 provided in this section. The certificate of authorization shall be conspicuously
 23 displayed in the place of business of the corporation, limited liability company, limited
 24 liability partnership, or limited partnership, together with the names of persons
 25 designated as being in responsible charge of the professional activities.

26 * **Sec. 18.** AS 08.48.241(e) is amended to read:

27 (e) If a corporation, limited liability company, limited liability partnership, or
 28 limited partnership that is organized solely by [EITHER] a group of architects, a group
 29 of engineers, a group of land surveyors, [OR] a group of landscape architects, **or a**
 30 **group of registered interior designers**, each holding a certificate of registration
 31 under this chapter, applies for a certificate of authorization, the board may, in its

1 discretion, grant a certificate of authorization to the corporation, limited liability
 2 company, limited liability partnership, or limited partnership based on a review of the
 3 professional records of the incorporators of the corporation, organizers of the limited
 4 liability company, partners who formed the limited liability partnership, or partners
 5 who formed the limited partnership in place of the required qualifications set out in
 6 this section. If the ownership of the corporation is altered, the membership of the
 7 limited liability company is altered, the partners of the limited liability partnership
 8 change, or the general partners of the limited partnership change, the corporation,
 9 limited liability company, limited liability partnership, or limited partnership shall
 10 apply for a revised certificate of authorization, based on the professional records of the
 11 owners of the corporation, the members of the limited liability company, the partners
 12 of the limited liability partnership, or the general partners of the limited partnership, if
 13 exclusively architects, engineers, land surveyors, [OR] landscape architects, or
 14 registered interior designers, or otherwise under the qualifications required by (b)(1)
 15 - (4) of this section.

16 * **Sec. 19.** AS 08.48.241(f) is amended to read:

17 (f) A corporation, limited liability company, limited liability partnership, or
 18 limited partnership authorized to offer architectural, engineering, land surveying, [OR]
 19 landscape architectural, or registered interior design services under this chapter,
 20 together with its directors, officers, managing members, manager, and partners for
 21 their own individual acts, is responsible to the same degree as the designated
 22 individual registrant, and shall conduct its business without misconduct or malpractice
 23 in the practice of architecture, engineering, land surveying, [OR] landscape
 24 architecture, or registered interior design as defined in this chapter.

25 * **Sec. 20.** AS 08.48.251 is amended to read:

26 **Sec. 08.48.251. Certain partnerships.** This chapter does not prevent the
 27 practice of architecture, engineering, land surveying, [OR] landscape architecture, or
 28 registered interior design by a partnership if all of the members of the partnership
 29 are registrants under this chapter. In this section, "partnership" does not include a
 30 limited liability partnership or a limited partnership.

31 * **Sec. 21.** AS 08.48.281 is amended by adding a new subsection to read:

1 (c) A person may not use a title tending to convey the impression that the
 2 person is a "registered interior designer" while offering to practice or practicing
 3 interior design, as defined in regulation by the board, unless the person has been
 4 registered or authorized under this chapter.

5 * **Sec. 22.** AS 08.48.291 is amended to read:

6 **Sec. 08.48.291. Violations and penalties.** A person who practices or offers to
 7 practice architecture, engineering, land surveying, [OR] landscape architecture, or
 8 registered interior design in the state without being registered or authorized to
 9 practice in accordance with the provisions of this chapter, or a person presenting or
 10 attempting to use the certificate or the seal of another, or a person who gives false or
 11 forged evidence of any kind to the board or to a member of the board in obtaining or
 12 attempting to obtain a certificate, or a person who impersonates a registrant, or a
 13 person who uses or attempts to use an expired or revoked or nonexistent certificate,
 14 knowing of the certificate's status, or a person who falsely claims to be registered and
 15 authorized to practice under this chapter, or a person who violates any of the
 16 provisions of this chapter, is guilty of a misdemeanor and upon conviction is
 17 punishable by a fine of not more than \$10,000, or by imprisonment for not more than
 18 one year, or by both.

19 * **Sec. 23.** AS 08.48.295(a) is amended to read:

20 (a) In addition to any other provision of law, if a person practices or offers to
 21 practice architecture, engineering, [OR] land surveying, or registered interior design
 22 in the state without being registered or authorized to practice in accordance with the
 23 provisions of this chapter, the board may enter an order levying a civil penalty.

24 * **Sec. 24.** AS 08.48.311 is amended to read:

25 **Sec. 08.48.311. Rights not transferable.** The right to engage in the practice of
 26 architecture, engineering, land surveying, [OR] landscape architecture, or registered
 27 interior design is considered a personal and individual right, based on the
 28 qualifications of the individual as evidenced by the individual's certificate of
 29 registration, which is not transferable.

30 * **Sec. 25.** AS 08.48.321 is amended by adding a new subsection to read:

31 (b) A person uses a title tending to convey the impression that the person is a

1 "registered interior designer" while offering to practice or practicing interior design if
 2 the person by verbal claim, sign, advertisement, letterhead, card, or other means
 3 represents to be a registered interior designer or through the use of some other title
 4 implies that the person is a registered interior designer when offering to practice or
 5 practicing interior design.

6 * **Sec. 26.** AS 08.48.331(a) is amended to read:

7 (a) This chapter does not apply to

8 (1) a contractor performing work designed by a professional architect,
 9 engineer, or landscape architect or the supervision of the construction of the work as a
 10 supervisor or superintendent for a contractor;

11 (2) workers in building trades crafts, earthwork, grounds keeping, or
 12 nursery operations, and superintendents, supervisors, or inspectors in the performance
 13 of their customary duties;

14 (3) an officer or employee of the United States government practicing
 15 architecture, engineering, land surveying, or landscape architecture as required by the
 16 person's official capacity;

17 (4) an employee or a subordinate of a registrant if the work or service
 18 is done under the direct supervision of a registrant;

19 (5) associates, consultants, or specialists retained by a registrant, [A]
 20 partnership of registered individuals, [A] corporation, [A] limited liability company,
 21 [A] limited liability partnership, or [A] limited partnership authorized to practice
 22 architecture, engineering, land surveying, or landscape architecture under this chapter,
 23 in the performance of professional services if responsible charge of the work remains
 24 with the registrant, the partnership, or a designated representative of the corporation,
 25 limited liability company, limited liability partnership, or limited partnership;

26 (6) a person preparing drawings or specifications for

27 (A) a building for the person's own use and occupancy as a
 28 single family residence and related site work for that building;

29 (B) farm or ranch buildings and their grounds unless the public
 30 health, safety, or welfare is involved;

31 (C) a building that is intended to be used only as a residence by

1 not more than

2 (i) four families and that is not more than two stories
3 high and the grounds of the building; or

4 (ii) two families and that is not more than three stories
5 high and the grounds of the building, if the building is located in a
6 municipality that has adopted a building or residential code that applies
7 to the building and if the building complies with the building or
8 residential code;

9 (D) a garage, workshop, or similar building that contains less
10 than 2,000 square feet of floor space to be used for a private noncommercial
11 purpose and the grounds of the building;

12 (7) a specialty contractor licensed under AS 08.18 while engaged in
13 the business of construction contracting for work designed by an architect, engineer,
14 or landscape architect that is within the specialty to be performed or supervised by the
15 specialty contractor, or a contractor preparing shop or field drawings for work that the
16 specialty contractor has contracted to perform;

17 (8) a person furnishing drawings, specifications, instruments of
18 service, or other data for alterations or repairs to a building or its grounds that do not
19 change or affect the structural system or the safety of the building, or that do not affect
20 the public health, safety, or welfare;

21 (9) a person who is employed by a postsecondary educational
22 institution to teach engineering, architectural, or landscape architectural courses; in
23 this paragraph, "postsecondary educational institution" has the meaning given in
24 AS 14.48.210;

25 (10) an officer or employee of an individual, firm, partnership,
26 association, utility, corporation, limited liability company, limited liability partnership,
27 or limited partnership, who practices engineering, architecture, land surveying, or
28 landscape architecture involved in the operation of the employer's business only [,
29 AND FURTHER] if neither the employee nor the employer offers engineering,
30 architecture, land surveying, or landscape architecture services to the public;
31 exclusions under this paragraph do not apply to buildings or structures whose primary

1 use is public occupancy;

2 (11) a person while involved in revegetation, restoration, reclamation,
3 rehabilitation, or erosion control for disturbed land that the board determines does not
4 affect the public health, safety, or welfare;

5 (12) a person while maintaining or directing the placement of plant
6 material that the board determines does not affect the public health, safety, or welfare;

7 (13) an employee, officer, or agent of a regulatory agency of the state
8 or a municipality when reviewing drawings and specifications for compliance with the
9 building codes of the state or a municipality if the drawings and specifications have
10 been sealed and signed by an architect, engineer, land surveyor, or landscape architect
11 or the preparation of the drawings and specifications is exempt under this section from
12 the requirements of this chapter; in this paragraph, "building codes" includes codes
13 relating to building, mechanical, plumbing, electrical, fire safety standards, and
14 zoning;

15 (14) a person who is designing fire protection systems and is
16 authorized by the Department of Public Safety to design fire protection systems;

17 **(15) a person who is authorized to construct, install, or modify a**
18 **conventional onsite wastewater system by the Department of Environmental**
19 **Conservation under AS 46.03.100; the Department of Environmental**
20 **Conservation may adopt regulations limiting the locations in the state in which**
21 **this paragraph applies.**

22 * **Sec. 27.** AS 08.48.341(4) is amended to read:

23 (4) "certificate of authorization" means a certificate issued by the
24 board authorizing a corporation, a limited liability company, a limited liability
25 partnership, or a limited partnership to provide professional services in architecture,
26 engineering, land surveying, [OR] landscape architecture, **or registered interior**
27 **design** through individuals legally registered by the board;

28 * **Sec. 28.** AS 08.48.341(23) is amended to read:

29 (23) "registrant" means a person registered by the board as a
30 professional architect, **professional** engineer, **professional** land surveyor,
31 **professional** [OR] landscape architect, **or registered interior designer**;

1 * **Sec. 29.** AS 08.48.341 is amended by adding new paragraphs to read:

2 (27) "registered interior design" means the practice of interior design
3 as a registered interior designer;

4 (28) "registered interior designer" means a person who is registered as
5 a registered interior designer by the board and who may use the title "registered
6 interior designer" in the practice of interior design.

7 * **Sec. 30.** AS 23.30.017(c)(1) is amended to read:

8 (1) "design professional" means a person registered under AS 08.48 as
9 an architect, engineer, [OR] land surveyor, landscape architect, or registered
10 interior designer;

11 * **Sec. 31.** AS 34.35.050 is amended to read:

12 **Sec. 34.35.050. Lien for labor or materials furnished.** A person has a lien,
13 only to the extent provided under this chapter, to secure the payment of the contract
14 price if the person

15 (1) performs labor on [UPON] real property at the request of the owner
16 or the agent of the owner for the construction, alteration, or repair of a building or
17 improvement;

18 (2) is a trustee of an employee benefit trust for the benefit of
19 individuals performing labor on the building or improvement and has a direct contract
20 with the owner or the agent of the owner for direct payments into the trust;

21 (3) furnishes materials that are delivered to real property under a
22 contract with the owner or the agent of the owner that are incorporated in the
23 construction, alteration, or repair of a building or improvement;

24 (4) furnishes equipment that is delivered to and used on [UPON] real
25 property under a contract with the owner or the agent of the owner for the
26 construction, alteration, or repair of a building or improvement;

27 (5) performs services under a contract with the owner or the agent of
28 the owner in connection with the preparation of plans, surveys, or architectural, [OR]
29 engineering, landscape architectural, or registered interior design plans or
30 drawings for the construction, alteration, or repair of a building or improvement,
31 whether or not actually implemented on that property; or

1 (6) is a general contractor.

2 * **Sec. 32.** AS 35.15.010(c) is amended to read:

3 (c) In this section, "professional services" means architectural, engineering,
4 [OR] land surveying, landscape architectural, or registered interior design
5 services.

6 * **Sec. 33.** AS 36.30.270(a) is amended to read:

7 (a) Notwithstanding conflicting provisions of AS 36.30.100 - 36.30.260, a
8 procurement officer shall negotiate a contract for an agency with the most qualified
9 and suitable firm or person of demonstrated competence for architectural, engineering,
10 [OR] land surveying, landscape architectural, or registered interior design
11 services. The procurement officer shall award a contract for those services at fair and
12 reasonable compensation as determined by the procurement officer, after
13 consideration of the estimated value of the services to be rendered, and the scope,
14 complexity, and professional nature of the services. When determining the most
15 qualified and suitable firm or person, the procurement officer shall consider the

16 (1) proximity to the project site of the office of the firm or person
17 unless federal law prohibits this factor from being considered in the awarding of the
18 contract; and

19 (2) employment practices of the firm or person with regard to women
20 and minorities.

21 * **Sec. 34.** AS 36.30.270(d) is amended to read:

22 (d) Notwithstanding the other provisions of this section, a procurement officer
23 may include price as an added factor in selecting architectural, engineering, [AND]
24 land surveying, landscape architectural, and registered interior design services
25 when, in the judgment of the procurement officer, the services required are repetitious
26 in nature, and the scope, nature, and amount of services required are thoroughly
27 defined by measurable and objective standards to reasonably enable firms or persons
28 making proposals to compete with a clear understanding and interpretation of the
29 services required. In order to include price as a factor in selection, a majority of the
30 persons involved by the procurement officer in evaluation of the proposals must be
31 registered in the state to perform architectural, engineering, [OR] land surveying,

1 **landscape architectural, or registered interior design** services.

2 * **Sec. 35.** AS 36.90.100 is amended to read:

3 **Sec. 36.90.100. Contracts for architectural, engineering, land surveying,**
 4 **[OR] landscape architectural, or registered interior design services.** The state or a
 5 municipality may not award a contract for architectural, engineering, land surveying,
 6 [OR] landscape architectural, **or registered interior design** services to

7 (1) an individual who is not registered under AS 08.48 to perform the
 8 architectural, engineering, land surveying, [OR] landscape architectural, **or registered**
 9 **interior design** services required by the contract;

10 (2) a partnership, except as provided by (3) of this section, that is not
 11 qualified under AS 08.48.251 to provide the architectural, engineering, land surveying,
 12 [OR] landscape architectural, **or registered interior design** services required by the
 13 contract; or

14 (3) a corporation, limited liability company, or limited liability
 15 partnership that is not authorized under AS 08.48.241 to offer the architectural,
 16 engineering, land surveying, [OR] landscape architectural, **or registered interior**
 17 **design** services required by the contract.

18 * **Sec. 36.** AS 08.48.011(c) is repealed.

19 * **Sec. 37.** The uncodified law of the State of Alaska is amended by adding a new section to
 20 read:

21 TRANSITION: BOARD APPOINTMENT. Notwithstanding AS 08.48.031, an
 22 interior designer appointed to the State Board of Registration for Architects, Engineers, and
 23 Land Surveyors under AS 08.48.011(b), as amended by sec. 2 of this Act, must be certified by
 24 the Council for Interior Design Qualification and have resided in the state for at least two
 25 years immediately preceding appointment. On and after the effective date of sec. 3 of this Act,
 26 an interior designer appointed to the board under AS 08.48.011(b), as amended by sec. 2 of
 27 this Act, may continue to occupy the seat on the board reserved for the registered interior
 28 designer until a registered interior designer is appointed to the seat. An interior designer
 29 appointed to the board under AS 08.48.011(b), as amended by sec. 2 of this Act, is eligible for
 30 reappointment to the board on the effective date of sec. 3 of this Act if the interior designer
 31 meets the requirements of AS 08.48.011(b), as amended by sec. 3 of this Act.

- 1 * **Sec. 38.** Sections 2 and 37 of this Act take effect immediately under AS 01.10.070(c).
- 2 * **Sec. 39.** Except as provided in sec. 38 of this Act, this Act takes effect July 1, 2025.

Senate Bill No. 54 Section Summary and Notes

Section 1. Extend Board Sunset Date
Summary: Extend to 2033
Notes

Section 2 through 4. Board Seats
Summary: <ul style="list-style-type: none">- Changes to 13 seats (adds 2)- Adds Mechanical Engineer- Adds Interior Designer
Notes

08.48.055 EA Salary Not Included

Section 5. Adopt Regulations for Interior Design
Summary: <ul style="list-style-type: none">- Board to adopt regulations for “interior design” including preparation of documents related to non-load bearing interior construction, space planning, finish materials and furnishings.
Notes <ul style="list-style-type: none">- It is understood that one of the intents of this bill is to enable interior designers to perform certain functions that might include practices currently performed by architects. Having certain practices be covered by one profession with a title act and another as a practice act can create a situation where one group is performing the same tasks under a lower legal threshold than the other.- See notes for Section 13, as currently written, these sections could come into conflict unless worded carefully. Section 5 requires the board to include certain practices in their regulations, while Section 13 only prohibits the use of a specific title.

Section 6. Power to Revoke, Suspend, or Reissue Certificate
Summary: <ul style="list-style-type: none">- Adds “registered interior designer”- Removal of “in writing” not included- Removes wording stating code of ethics or professional conduct shall be distributed to every registrant and applicant, etc.

Notes

Section 7. General Requirements and Qualifications for Registration
--

Summary:

- Adds “registered interior designer”

Notes

Section 8. Registration by Exam
--

Summary:

- Adds “registered interior designer” as profession

Notes

Staff Notes- Normal process for a title registration would be the applicant would have taken the exam with NCIDQ and met any other requirements, then we would issue a certificate (license). The process for a practice act includes examinations approved by the board along with any other requirements established which are then to be reviewed through a board approved procedure. Essentially a title act is meeting a pre-determined criteria, essentially a checklist with no variance, allowing someone to use a title; while a practice act is meant to restrict an actual practice to those approved by the board via license.

Section 9. Comity

Summary:

- Adds profession of “registered interior designer” in another jurisdiction

Notes

Staff Notes- Comity is not used in a title act. See notes for Section 8 regarding how registration under a title act normally works. If regulating a practice, then comity would work provided a similar license exists in another jurisdiction.

Section 10. Application

Summary:

- Adds “registered interior designer”

Notes

Section 11. Certificate of Registration
--

Summary:

- Adds “registered interior designer”

Notes

Staff Notes- Certificate of Registration in all other professions listed in this section means one is licensed to practice said profession. What will be the “rights and privileges” of an interior designer (would have to be defined by the board according to Section 5).

What would constitute a certificate being “revoked” or “expired”? Will they have to renew? Renewals are more appropriate to practice acts as they are meant to address continuing education in order to continue the practice. Title acts are typically based on initial examination by a national agency (NCIDQ) and thus there are no continuing requirements beyond the initial registration.

Section 12. Retirement**Summary:**

- Changes “Registrant” to list of professions

Notes**Section 13. Untitled Practice of Interior Design****Summary:**

- Does not prohibit the practice of interior design if the person does not use the title “Registered Interior Designer”.

Notes

Staff Notes- If this section is omitted from the bill, then this becomes a practice act. Use of a title may be regulated under a practice act, however allowing the practice without licensure and only regulating the title is a title act.

Allowing for the practice of a profession while not using certain titles does happen in other industries, however it can make enforcement difficult.

This section will have a direct impact on what the board is able to establish in regulation under Section 5. Currently sections 5 and 13 may conflict if not worded carefully. See notes under Section 5.

Section 14. Seals**Summary:**

- Adds “registered interior designer”

Notes

Staff Notes- Scope of practice would need to be defined i.e. what are they sealing? (sections 5 and 29)

Sections 15 through 21. Corporation, LLC, etc.

Summary:

- Adds “registered interior designer”

Notes

Staff Notes- Section 15#3 could potentially be problematic. This section specifically states that a corporation must keep a person in responsible charge who is licensed (practicing) in whatever field of practice the corporation is offering in Alaska. If this is a title w/permissions act how would this work? “Interior design” would be defined by the board under Section 5. In addition, this will likely cause confusion to corporations who want to offer services for interior design under Section 13.

Section 22 through 24. Violations and Penalties

Summary:

- Adds “registered interior designer”

Notes

Staff Notes- as scope of practice is defined (Section 5) thought should be given to clarity for enforcement.

Section 25. Use of the Title “Registered Interior Designer”

Summary:

- Adds subsection regarding use of title to Evidence of Practice section.

Notes

Staff Notes- section refers to “offering to practice”.

Section 26. Exemptions

Summary:

- Adds natural gas pipelines as given in AS 31.25.390
- Adds wastewater system less than 500 gallons by DEC

Notes

- Natural gas pipeline appears to limit to North Slope to Southcentral major pipelines (see AS 31.25.390).
- Does the wording for wastewater systems work as the board intended?

Section 27. Certificate of Authorization Definition

Summary:

- Adds “registered interior designer”

Notes

Section 28. Registrant Definition

Summary:

- Adds “registered interior designer”

Notes

Section 29. Definitions

Summary:

- Defines “Registered Interior Design”
- Defines “Registered Interior Designer”

Notes

Staff Notes- Definition for Registered Interior Design includes the term “practice”. Section 5 is where the board would define the practice of interior design as it relates to this chapter, however this definition currently refers to “the practice of interior design”. Definition is not clear and could cause enforcement issues. Is the intent of the phrase “practice of interior design” as it is defined by Section 5 or the practice in general? This should be clarified to avoid conflict with Section 13.

Sections 30 through 34.

Summary:

- Adds “landscape architectural, and registered interior design”

Notes

Section 35. Contracts

Summary:

- Adds “registered interior design”

Notes

Section 36. Board Seats

Summary:

- Repeals 08.48.011(c)

Notes

Section 37. Board Appointment

Summary:

- Appointment of Interior Designer to the board.

Notes



Definition of Interior Design

Abbreviated Definition of Interior Design

Interior design encompasses the analysis, planning, design, documentation, and management of interior non-structural/non-seismic construction and alteration projects in compliance with applicable building design and construction, fire, life-safety, and energy codes, standards, regulations, and guidelines for the purpose of obtaining a building permit, as allowed by law. Qualified by means of education, experience, and examination, interior designers have a moral and ethical responsibility to protect consumers and occupants through the design of code-compliant, accessible, and inclusive interior environments that address well-being, while considering the complex physical, mental, and emotional needs of people.

Full Definition of Interior Design

Interior design is a distinct profession with specialized knowledge applied to the planning and design of interior environments that promote health, safety, and welfare while supporting and enhancing the human experience. Founded upon design and human behavior theories and research, interior designers apply evidence-based methodologies to identify, analyze, and synthesize information in generating holistic, technical, creative, and contextually-appropriate design solutions.

Interior design encompasses human-centered strategies that may address cultural, demographic, and political influences on society. Interior designers provide resilient, sustainable, adaptive design and construction solutions focusing on the evolution of technology and innovation within the interior environment. Qualified by means of education, experience, and examination, interior designers have a moral and ethical responsibility to protect consumers and occupants through the design of code-compliant, accessible, and inclusive interior environments that address well-being, while considering the complex physical, mental, and emotional needs of people.

Interior designers contribute to the interior environment with knowledge and skills about space planning; interior building materials and finishes; casework, furniture, furnishings, and equipment; lighting; acoustics; wayfinding; ergonomics and anthropometrics; and human environmental behavior. Interior designers analyze, plan, design, document, and manage interior non-structural/non-seismic construction and alteration projects in compliance with applicable building design and construction, fire, life-safety, and energy codes, standards, regulations, and guidelines for the purpose of obtaining a building permit, as allowed by law.

Interior design includes a scope of services which may include any or all of the following tasks:

Definition of Interior Design

- **Project Management:** Management of project budget, contracts, schedule, consultants, staffing, resources, and general business practices. Establish contractually independent relationships to coordinate with, and/or hire allied design professionals and consultants.
- **Project Goals.** Understand, document, and confirm the client's and stakeholders' goals and objectives, including design outcomes, space needs, project budget, and needs for specific or measurable outcomes.
- **Data Collection:** Collect data from client and stakeholders by engaging in programming, surveys, focus groups, charrette exercises, and benchmarking to maximize design outcomes and occupant satisfaction.
- **Existing Conditions:** Evaluate, assess, and document existing conditions of interior environments.
- **Conceptualization:** Application of creative and innovative thinking that interprets collected project data and translates a unique image or abstract idea as a design concept, the foundation of a design solution. The concept is then described using visualization and communication strategies.
- **Selections and Materiality:** Selection of interior building products, materials, and finishes; furniture, furnishings, equipment, and casework; signage; window treatments, and other non-structural/non-seismic interior elements, components, and assemblies. Selections shall be made based on client and occupant needs, project budget, maintenance and cleaning requirements, lifecycle performance, sustainable attributes, environmental impact, installation methods, and code-compliance.
- **Documentation:** Develop contract documents for the purposes of communicating design intent and obtaining a building permit, as allowed by law. Documentation by phases may include schematic, design development, and construction drawings and specifications. Drawings may consist of floor plans, partition plans, reflected ceiling plans, and finish plans; furniture, furnishings, and equipment plans; wayfinding and signage plans; code plans; coordination plans; and elevations, sections, schedules, and details illustrating the design of non-load-bearing / non-seismic interior construction and/or alterations.
- **Coordination:** Overseeing non-structural/non-seismic interior design scope in concert with the scope of allied design professionals and consultants, including, but not limited to, the work of architects, mechanical, electrical, plumbing, and fire-protection engineers and designers, and acoustical, audio-visual, low-voltage, food service, sustainability, security, technology, and other specialty consultants. Coordination can include, but is not limited to:
 - Placement, style and finish of mechanical, electrical, plumbing, and fire-protection devices, fixtures, and appurtenances (i.e., accessories) with the design of the interior environment.
 - Ceiling materials and heights; interior partition locations.
 - Acoustical appropriateness of spatial arrangements, construction, and finish materials.
 - Working closely with contractors to respect budgetary constraints and contribute to value engineering efforts.
- **Contract Administration:** Administration of the contract as the owner's agent, including the distribution and analysis of construction bids, construction administration, review of contractor

Definition of Interior Design

payment applications, review of shop drawings and submittals, field observation, punch list reports, and project closeout.

- **Pre-Design and/or Post-Design Services:** Tasks intended to measure success of the design solution by implementing various means of data collection, which may include occupant surveys, focus groups, walkthroughs, or stakeholder meetings. Collection and reporting findings can range from casually to scientifically gathered, depending on the project's scope and goals.

Glossary of Terms

Allied design professionals or consultants: persons within related design disciplines (e.g., architects, engineers, landscape architects, and graphic designers) as well as experts from supporting disciplines (e.g., acoustics, communications, technology, security, ergonomics, branding, and food service) who may be part of a multi-disciplinary design team or hired for specific tasks.

Benchmarking: examination of possible design strategies or proposed design solutions relative to best practices and industry standards.

Code-compliant: the planning and design of an interior environment that abides by all applicable codes as they have been adopted by the local jurisdiction. Compliance often also involves meeting requirements from other state/provincial or national/federal entities as interpreted by the local code official or plan review office. This term is broadly applied as referring to meeting standards, regulations, and guidelines, in addition to codes.

Contextually-appropriate design solutions: an approach to design decision-making that involves consideration of environmental, social, cultural, economic, ecological, and political conditions that may influence and be influenced by the design solution.

Contract documents: in addition to documentation of the design scope (refer to Documentation tasks, above), contract documents define administration of bids or contracts as the agent of a client. They identify project scope, timeline, schedule, process, and key parties (i.e., owner, agent, design team, etc.).

Design and human behavior theories and research: theories and/or models that have been established through research and are used as the framework or grounding for design concepts and design decision-making. Design theories (e.g., Color Theory and Gestalt Theory), the elements and principles of design, and human behavior theories (e.g., Meaning of Place Theory, Environmental Preference Theory, and Human Ecosystem Model) are examples. Research includes both qualitative and quantitative evidence

Definition of Interior Design

and data obtained and analyzed from observations, surveys, focus groups, case or precedent studies, and peer-reviewed literature either developed by the interior designer or from a secondary source.

Human experience: influence of the moment-to-moment physical and sensory elements found within the intimate details of interior space that impact an occupant's emotions, health, and overall feeling.

Human-centered strategies: design solutions that result from understanding occupants' needs and behaviors that influence their performance, satisfaction, and well-being, among other personal and social outcomes. Evidence from design and human behavior theories and research, and first-hand information gathered from the occupants and other stakeholders are considered and applied.

Non-structural/non-seismic construction and alteration: interior elements or components that are not load-bearing or do not assist in the seismic design and do not require design computations for a building's structure. It excludes the structural frame supporting a building. Common non-structural elements or components include, but are not limited to, ceiling and partition systems. These elements employ normal and typical bracing conventions and are not part of the structural integrity of the building but may support loads attached to it such as cabinetry, shelving, or grab bars. This relates to a newly constructed interior environment or to the planning and design of an existing interior environment that is to be renovated or remodeled.

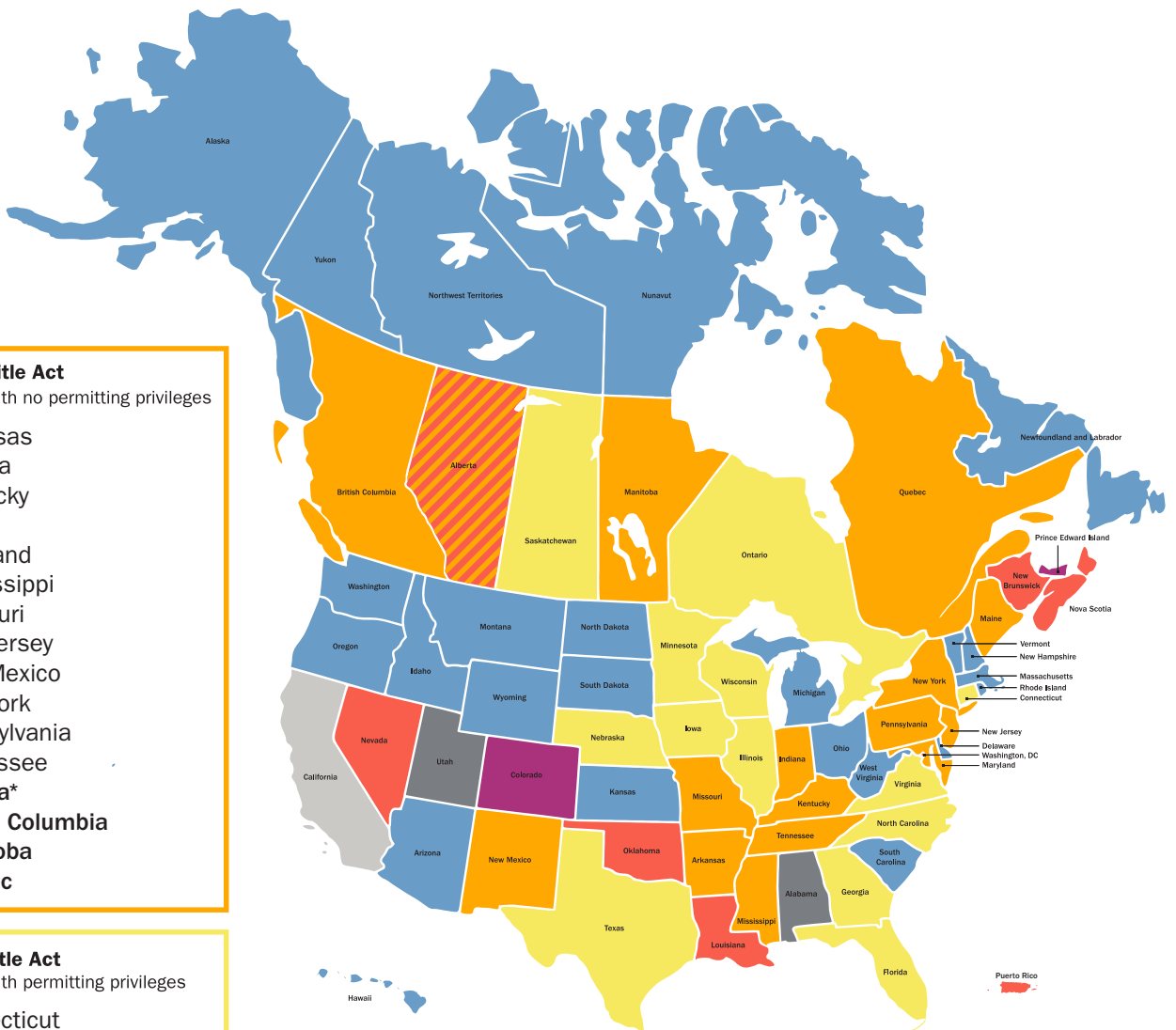
Pre-design and/or post-occupancy evaluation/review: identify what is needed prior to design and/or evaluation of the outcomes of the design solution to determine if it will meet/met the client's goals and occupants' needs, etc. It could involve interviews, focus groups, or surveys among other means.

Resilient: integrate design strategies to an environment that are able to withstand and recover quickly when faced with a natural, manufactured, cyber, or physical disaster.

Sustainable: design that seeks to minimize the negative environmental impact of the interior environment through efficiency and moderation in the use of materials, energy, and reuse of space.

Visualization and communication strategies: the visual communication of concepts, ideas, and solution utilizing 2-dimensional or 3-dimensional drawings, graphic imagery, verbal, and written communication. Communication can be executed digitally or by hand and presented virtually or as hard copies.

Wayfinding: the design strategy used to influence building occupants to navigate in unfamiliar surroundings and may include signage (i.e., wall or ceiling mounted plaques or banners that include directional instructions and names/numbers that identify a space or direction), landmarks (e.g., a fountain, staircase), or use of interior elements (i.e., space, light, and color) to guide them.



- Title Act**
with no permitting privileges
- Arkansas
 - Indiana
 - Kentucky
 - Maine
 - Maryland
 - Mississippi
 - Missouri
 - New Jersey
 - New Mexico
 - New York
 - Pennsylvania
 - Tennessee
 - Alberta***
 - British Columbia**
 - Manitoba**
 - Quebec**

- Title Act**
with permitting privileges
- Connecticut
 - Florida
 - Georgia
 - Illinois
 - Iowa
 - Minnesota
 - Nebraska
 - North Carolina
 - Texas
 - Virginia
 - Wisconsin
 - Ontario
 - Saskatchewan

- Title Act**
with state-specific credential
- California

- No Legislation**
no permitting privileges
- Alaska
 - Arizona
 - Delaware
 - Hawaii
 - Idaho
 - Kansas
 - Massachusetts
 - Michigan
 - Montana
 - New Hampshire
 - North Dakota
 - Ohio
 - Oregon
 - Rhode Island
 - South Carolina
 - South Dakota
 - Vermont
 - Washington
 - West Virginia
 - Wyoming
 - Newfoundland & Labrador**
 - Northwest Territories**
 - Nunavut**
 - Yukon**

- No Legislation**
with permitting privileges
- Colorado
 - Prince Edward Island

- Practice Act**
with permitting privileges
- Louisiana
 - Nevada
 - Oklahoma
 - Washington, DC
 - Puerto Rico
 - Alberta***
 - New Brunswick**
 - Nova Scotia**

- Commercial Interior Design: Certification Act**
with permitting privileges
- Alabama
 - Utah

*Interior design is regulated in Alberta by both practice and title acts. More information can be found on the Jurisdictional Requirements page.

Centralized Licensing Statutes

October 2024



DEPARTMENT OF COMMERCE, COMMUNITY,
AND ECONOMIC DEVELOPMENT

***DIVISION OF CORPORATIONS, BUSINESS
AND PROFESSIONAL LICENSING***

NOTE: The official version of the statutes in this document is printed in the Alaska Statutes, copyrighted by the State of Alaska. The official version of the regulations in this document is published in the Alaska Administrative Code, copyrighted by the State of Alaska. If any discrepancies are found between this document and the official versions, the official versions will apply.

(3) a report made in good faith to a public agency by the person, or participation by the person in an investigation by a public agency or a judicial or administrative proceeding relating to the report, if the report relates to the abuse of alcohol, other drugs, or other substances by a person licensed by a board listed in AS 08.01.050(d).

Sec. 08.02.025. Compliance with student loan requirements. *[Repealed, Sec. 18 ch 54 SLA 1997.]*

**ARTICLE 2.
MISCELLANEOUS PROFESSIONS, OCCUPATIONS, AND ACTIVITIES REGULATED DIRECTLY BY
THE DEPARTMENT**

Section

- 50. Permits for use of drugs to euthanize domestic animals**
- 60. Professional geologist**

Sec. 08.02.050. Permits for use of drugs to euthanize domestic animals. (a) A qualified agency may apply to the department and obtain a permit that authorizes the purchase, possession, and use by the agency of sodium pentobarbital, sodium pentobarbital with lidocaine, and other drugs authorized in regulations adopted by the department for the purpose of euthanizing injured, sick, or abandoned domestic animals in the lawful possession of the agency. To qualify to obtain the permit, the agency shall certify that it will

- (1) comply with applicable federal laws related to the use of the drugs; and
 - (2) not permit an employee to administer the drugs unless the employee has successfully completed a euthanasia technician certification course approved by the National Animal Control Association, the American Humane Association, or the Humane Society of the United States.
- (b) The department may revoke or suspend a permit or take another disciplinary action under AS 08.01.075 if it determines that the agency or an employee of the agency
- (1) improperly used sodium pentobarbital, sodium pentobarbital with lidocaine, or another drug authorized for use under this section;
 - (2) failed to follow federal or state laws regarding proper storage and handling of the drugs;
 - (3) allowed an employee to administer the drugs before the employee successfully completed the certification course described in (a)(2) of this section; or
 - (4) violated this title or a regulation adopted under this title.
- (c) In this section, "agency" means an animal control agency of a municipality or recognized governmental entity or an entity that has contracted with a municipality or recognized governmental entity to perform animal control or animal euthanasia services.
- (d) The department may adopt regulations to implement this section.

Sec. 08.02.060. Professional geologist. The commissioner of commerce, community, and economic development shall certify an applicant as a professional geologist if the applicant is certified as a professional geologist by the American Institute of Professional Geologists.

**ARTICLE 3.
SPECIAL PROVISIONS RELATING TO HEALTH CARE PROVIDERS**

Section

- 110. Professional designation requirements**
- 120. Access to certain mental health information and records by the state**
- 130. Telehealth**
- 135. Grounds for imposition of disciplinary sanctions of out-of state multidisciplinary care team members**
- 140. Disciplinary sanctions for an out-of-state multidisciplinary care team member**

Sec. 08.02.110. Professional designation requirements. (a) An acupuncturist licensed under AS 08.06, an audiologist or speech-language pathologist licensed under AS 08.11, a behavior analyst licensed under AS 08.15, a person licensed in the state as a chiropractor under AS 08.20, a professional counselor licensed under AS 08.29, a dentist under AS 08.36, a dietitian or nutritionist licensed under AS 08.38, a massage therapist licensed under AS 08.61, a marital and family therapist licensed under AS 08.63, a medical practitioner or osteopath under AS 08.64, a direct-entry midwife certified under AS 08.65, a registered or advanced practice registered nurse under AS 08.68, an optometrist under AS 08.72, a licensed pharmacist under AS 08.80, a physical therapist or occupational therapist licensed under AS 08.84, a psychologist under AS 08.86, or a clinical social worker licensed under AS 08.95, shall use as professional identification appropriate letters or a title after that person's name that represents the person's specific field of practice. The letters or title shall appear on all signs, stationery, or other advertising in which the person offers or displays personal professional services to the public. In addition, a person engaged in the practice of

An Act extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors; modifying the composition of the State Board of Registration for Architects, Engineers, and Land Surveyors; relating to indemnity against suits against design professionals; relating to liens for labor or materials furnished; relating to procurement of professional landscape architectural design services; and providing for an effective date.

* **Section 01** 1. [AS 08.03.010](#)(c)(3) is amended to read:

(3) State Board of Registration for Architects, Engineers, and Land Surveyors ([AS 08.48.011](#)) - June 30, **2033** [2025];

* **Sec. 02.** [AS 08.48.011](#) is amended to read:

Sec. 08.48.011. Board created. (a) There is created the State Board of Registration for Architects, Engineers, and Land Surveyors. The board shall administer the provisions of this chapter and comply with AS 44.62 (Administrative Procedure Act).

(b) The board consists of **12** [11] members appointed by the governor having the qualifications as set out in AS 08.48.031. The board consists of two civil engineers, two land surveyors, one mining **or petroleum or chemical** engineer, one electrical **engineer**, [OR] **one** mechanical engineer, one engineer from another branch of the profession of engineering, two architects, one landscape architect, and one public member.

(C) [NOTWITHSTANDING (B) OF THIS SECTION,

(1) IF A MINING ENGINEER WHO QUALIFIES FOR APPOINTMENT TO THE BOARD AND IS INTERESTED IN SERVING ON THE BOARD IS NOT AVAILABLE, THE GOVERNOR MAY APPOINT A PETROLEUM OR CHEMICAL ENGINEER TO THE SEAT DESIGNATED FOR A MINING ENGINEER.

(2) IF AN ELECTRICAL ENGINEER OCCUPIES THE DESIGNATED FOR AN ELECTRICAL OR MECHANICAL ENGINEER, THE GOVERNOR MAY APOINT A MECHANICAL ENGINEER TO THE SEAT DESIGNATED FOR AN ENGINEER FROM ANOTHER BRANCH OF THE PROFESSION OF ENGINEERING; OR

(3) IF A MECHANICAL ENGINEER OCCUPIES THE DESIGNATED FOR AN ELECTRICAL OR MECHANICAL ENGINEER, THE GOVERNOR MAY APOINT AN ELECTRICAL ENGINEER TO THE SEAT DESIGNATED FOR AN ENGINEER FROM ANOTHER BRANCH OF THE PROFESSION OF ENGINEERING.]

Sec. 03 [AS 08.48.055](#) is amended to read:

Sec. 08.48.055. Executive administrator [SECRETARY] of the Board; Investigator. (a) The department, in consultation with the board, shall employ two persons who are not members of the board. One shall serve as the executive administrator of the board. The other shall serve as investigator for the board. The executive administrator is the principal executive officer of the board and is in the partially exempt service **and entitled to receive a monthly salary equal to a step in Range 23 on the salary schedule** under [AS 39.27.011](#) [AS 39.25.120].

(b) The executive administrator of the board shall perform duties as prescribed by the board.

(c) The investigator employed under (a) of this section

(1) shall conduct investigations into alleged violations of this chapter and into alleged violations of regulations and orders of the board;

(2) shall, at the request of the board, conduct investigations based on complaints filed with the department or with the board; and

(3) is directly responsible and accountable to the board, except that only the department has authority to terminate the investigator's employment, and the department shall provide day-to-day and administrative supervision of the investigator.

* **Sec 04.** AS 08.48.111 Is amended to read

Sec. 08.48.111. Power to revoke, suspend, or reissue certificate. The board may suspend, refuse to renew, or revoke the certificate of or reprimand a registrant, corporation, limited liability company, limited liability partnership, or limited partnership who is found guilty of (1) fraud or deceit in obtaining a certificate; (2) gross negligence, incompetence, or misconduct in the practice of architecture, engineering, land surveying, or landscape architecture; or (3) a violation of this chapter, a regulation adopted under this chapter, or the code of ethics or professional conduct as adopted by the board. The code of ethics or professional conduct shall be distributed [IN WRITING] to every registrant and applicant for registration under this chapter. This publication and distribution of the code of ethics or professional conduct constitutes due notice to all registrants. The board may revise and amend its code and, upon doing so, shall immediately notify each registrant [IN WRITING] of the revisions or amendments. The board may, upon petition of the registrant, corporation, limited liability company, limited liability partnership, or limited partnership reissue a certificate if a majority of the members of the board vote in favor of the reissuance.

* **Sec 05.** AS 08.48.331 is amended to read:

Sec. 08.48.331. Exemptions. (a) This chapter does not apply to

(1) a contractor performing work designed by a professional architect, engineer, or landscape architect or the supervision of the construction of the work as a supervisor or superintendent for a contractor;

(2) workers in building trades crafts, earthwork, grounds keeping, or nursery operations, and superintendents, supervisors, or inspectors in the performance of their customary duties;

(3) an officer or employee of the United States government practicing architecture, engineering, land surveying, or landscape architecture as required by the person's official capacity;

(4) an employee or a subordinate of a registrant if the work or service is done under the direct supervision of a registrant;

(5) associates, consultants, or specialists retained by a registrant, a partnership of registered individuals, a corporation, a limited liability company, a limited liability partnership or a limited partnership authorized to practice architecture, engineering, land surveying, or landscape architecture under this chapter, in the performance of professional services if responsible charge of the work remains with the registrant, the partnership, or a designated representative of the corporation, limited liability company, limited liability partnership, or limited partnership;

(6) a person preparing drawings or specifications for

(A) a building for the person's own use and occupancy as a single family residence and related site work for that building;

(B) farm or ranch buildings and their grounds unless the public health, safety, or welfare is involved;

(C) a building that is intended to be used only as a residence by not more than

(i) four families and that is not more than two stories high and the grounds of the building; or

(ii) two families and that is not more than three stories high and the grounds of the building, if the building is located in a municipality that has adopted a building or residential code that applies to the building and if the building complies with the building or residential code;

(D) a garage, workshop, or similar building that contains less than 2,000 square feet of floor space to be used for a private noncommercial purpose and the grounds of the building;

(7) a specialty contractor licensed under AS 08.18 while engaged in the business of construction contracting for work designed by an architect, engineer, or landscape architect that is within the specialty to be performed or supervised by the specialty contractor, or a contractor preparing shop or field drawings for work that the specialty contractor has contracted to perform;

(8) a person furnishing drawings, specifications, instruments of service, or other data for alterations or repairs to a building or its grounds that do not change or affect the structural system or the safety of the building, or that do not affect the public health, safety, or welfare;

(9) a person who is employed by a postsecondary educational institution to teach engineering, architectural, or landscape architectural courses; in this paragraph, "postsecondary educational institution" has the meaning given in AS 14.48.210;

(10) an officer or employee of an individual, firm, partnership, association, utility, corporation, limited liability company, limited liability partnership or limited partnership, who practices engineering, architecture, land surveying, or landscape architecture involved in the operation of the employer's business only, and further if neither the employee nor the employer offers engineering, architecture, land surveying, or landscape architecture services to the public; exclusions under this paragraph do not apply to buildings or structures whose primary use is public occupancy **or to natural gas pipelines**;

(11) a person while involved in revegetation, restoration, reclamation, rehabilitation, or erosion control for disturbed land that the board determines does not affect the public health, safety, or welfare;

(12) a person while maintaining or directing the placement of plant material that the board determines does not affect the public health, safety, or welfare;

(13) an employee, officer, or agent of a regulatory agency of the state or a municipality when reviewing drawings and specifications for compliance with the building codes of the state or a municipality if the drawings and specifications have been sealed and signed by an architect, engineer, land surveyor, or landscape architect or the preparation of the drawings and specifications is exempt under this section from the requirements of this chapter; in this paragraph, "building codes" includes codes relating to building, mechanical, plumbing, electrical, fire safety standards, and zoning;

(14) a person who is designing fire protection systems and is authorized by the Department of Public Safety to design fire protection systems.

(15) **A person certified by the Department of Environmental Conservation to design and install small commercial on-site wastewater systems (with a capacity of 500 gallons per day or less of domestic wastewater) in jurisdictions specified by the agency.**

(b) The requirement to be registered as a landscape architect under this chapter only applies to a person who practices an aspect of landscape architecture that the board has determined affects the public health, safety, or welfare.

* **Sec 06.** AS 23.30.017(c)(1) is amended to read:

(1) “design professional” means a person registered under AS08.48 as an architect, engineer, [OR] land surveyor, **or landscape architect.**

* **Sec 07.** AS 34.35.050 (5) is amended to read:

(5) performs services under a contract with the owner or the agent of the owner in connection with the preparation of plans, surveys, or architectural, [OR] engineering, **or landscape architectural** plans or drawings for the construction, alteration, or repair of a building or improvement, whether or not actually implemented on that property; or

* **Sec. 08.** AS 36.30.270(a) is amended to read:

(a) Notwithstanding conflicting provisions of AS 36.30.100 – 36.30.260, a procurement officer shall negotiate a contract for an agency with the most qualified and suitable firm or person of demonstrated competence for architectural, engineering, [OR] land surveying, **or landscape architectural** services. The procurement officer shall award a contract for those services at fair and reasonable compensation as determined by the procurement officer, after consideration of the estimated value of the services to be rendered, and the scope, complexity, and professional nature of the services. When determining the most qualified and suitable firm or person, the procurement officer shall consider the

- (1) Proximity of the project site of the office of the firm or person unless federal law prohibits this factor from being considered in the awarding of a contract; and
- (2) Employment practices of the firm or person with regard to women and minorities.

* **Sec. 09.** AS 36.30.270(d) is amended to read:

(d) Notwithstanding the other provisions of this section, a procurement officer may include price as an added factor in selecting architectural, engineering, [AND] land surveying, **and landscape architectural** services when, in the judgment of the procurement officer, the services required are repetitious in nature, and the scope, nature, and amount of services required are thoroughly defined by measurable and objective standards to reasonably enable firms or persons making proposals to compete with a clear understanding and interpretation of the services required. In order to include price as a factor in selection, a majority of the persons involved in by the procurement officer in evaluation of the proposals must be registered in the state to perform architectural, engineering, [OR] land surveying, **or landscape architectural** services.

* **Sec. 10.** This act takes effect on July 1, 2025.

AELS Board Committees Roster

Standing Committees

March 2024 (Revised December 2024)

Guidance Manual Committee		Outreach Committee
Randall Rozier (Chair)		Jake Maxwell (Chair)
Brad Rinckey		Randall Rozier
Jake Maxwell		Sterling Strait
		Brad Rinckey
Investigative Advisory Committee		Legislative Liaison Committee
Ed Leonetti (Chair)		Colin Maynard (Chair)
Elizabeth Johnston		Jeff Garness
Jake Maxwell		Ed Leonetti
		Paul Baril
Planning and Implementation		Education Committee
Ed Leonetti (Chair)		Sterling Strait (Chair)
Sterling Strait		Colin Maynard
Jeff Garness		John Barry
		Paul Baril
Emeritus Status		
Elizabeth Johnston (Chair)		
Colin Maynard		
Special Groups		
ADEC – through 12/31/2025		LS Education Working Group
Jeff Garness		Jake Maxwell
John Barry		Brad Rinckey