

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. 	
Motion: Agenda	<p>In a Motion made by Elizabeth Beckett Johnston, seconded by Colin Maynard and approved unanimously, it was:</p> <p><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 	
Motion: Title of Architectural Engineer	<p>In a Motion made by Sterling Strait, seconded by Ed Leonetti and approved via roll call vote, it was:</p> <p><i>RESOLVED to approve changing the title of Building Systems Engineer to Architectural Engineer and all associated architectural engineer regulations in this project.</i></p> <p>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” 	
7. Break	
8. Public Comment	
<p>Erin Clay – She asked that the board consider adding environmental engineering degrees as alternate degrees to civil engineering.</p> <p>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"> 1. 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) 2. Lapsed COA’s – the committee will continue working on this. 3. 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"> 1. 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 2. 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"> 1. 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