



Alaska Professional Design Council

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MEMBER SOCIETIES

Alaska Society of Professional Engineers (ASPE)

Alaska Society of Professional Land Surveyors (ASPLS)

American Society of Civil Engineers, Alaska Section (ASCE)

American Society of Landscape Architects, Alaska Chapter (ASLA)

American Society of Interior Designers, Alaska Chapter (ASID)

Institute of Transportation Engineers, Alaska Section (ITE)

Structural Engineers Association of Alaska (SEAAK)

2023 Legislative Session Position Statements

The Alaska Professional Design Council (APDC) is a non-profit corporation that represents the common interests of Alaska’s design professionals. Our member associations include engineers, land surveyors, landscape architects, and interior designers that live and work throughout the state of Alaska. APDC represents over 1150 design professionals. The following are our positions on issues before the Alaska State Legislature this year.

SB 40/HB 39 Operating Budget

The State of Alaska owns and operates over 2400 facilities throughout the state. The regular maintenance of these facilities prevents deferred maintenance expenses and allows the State to operate and maintain our most critical infrastructure, including snow and ice removal, ability to respond in emergencies, office facilities for staff in over 15 state agencies and providing adequate preventative maintenance. In the January 27, 2023 Senate Finance Committee meeting it was noted that to prevent deferred maintenance, the annual maintenance funding should be in a range of 2-4% of the total infrastructure replacement cost. The Governor’s proposed 2024 budget is \$112.4 Million. This proposed budget is just below 1.5% of the estimated projected infrastructure replacement cost of \$7.7 Billion. APDC recommends supporting a Maintenance Budget which falls closer to 3% to prevent deferred maintenance costs in the future. Properly maintained infrastructure is vital to our Alaskan economy.

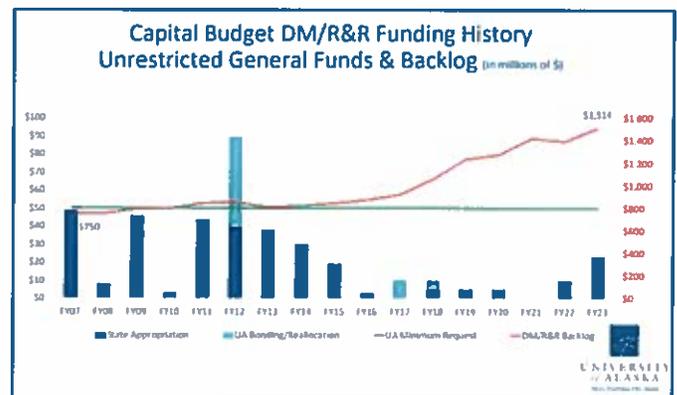


Figure 1: Graph provided by UA during 1/27/23 Senate Finance Meeting.

Sustainable Operating Budget:

APDC supports the legislative development of a sustainable operating budget that includes additional revenue generation applied across the breadth of the population. The revenue method should vest all citizens of Alaska in responsible state government. A Statewide income tax, permanent fund formula change, and statewide sales tax are all potential sources of revenue. In addition, responsible budget cuts should also be considered. This may require elimination of some programs, which were justifiable when the State had sufficient revenue, but are now unsustainable.

Education Funding:

In the design fields, STEM and Arts education is critical to grow and develop professionals in our state. Schools need predictable and reliable funding to meet the rising costs of living and doing business in Alaska. Additional funding for summer and after school programs such as Teaching Through Technology, Lego Robotics, and Science Olympiad is critical to the infrastructure design workforce in Alaska. House Bill 65 and Senate Bill 52 currently address education funding. APDC supports raising the Base Student Allocation.

Corporations, Business and Professional Licensing- Professional Licensing Stabilization:

APDC supports the efforts of the Division of Corporations, Business and Professional Licensing to stabilize the fee structure for licensees by including the costs of appeals and investigations as proposed in the governors FY2024 operating budget. This action will decrease registration fee volatility to licensees and target fee relief for industries and occupations with a high need and a corresponding high cost of entry. This proposed remedy is in response to legislative intent language included in the FY2023 operating budget.

SB 41/HB 40 Capital Budget

APDC recommends a minimum annual total capital budget of \$2.1 billion. The capital budget is intended to help avoid closures of maintenance stations and to ensure that existing infrastructure can be maintained in a good state of repair. The Alaska Section of the American Society of Civil Engineers (ASCE) released a 2021 Report Card that graded the condition of Alaska's public infrastructure. This report shows that Alaska's public infrastructure requires additional capital investment to decrease the costs of deferred maintenance, avoid further deterioration, upgrade facility operations, and improve public health and safety. Since 2014, the State's capital budget has been inadequate. The longer we delay funding, the more it will cost to catch up with the deterioration of our infrastructure. Additional capital investment will protect our infrastructure as well as stimulate the economy. APDC recommends the State take advantage of matching federal spending when able to maximize our capture of federal infrastructure funding. ASCE's report card can be found at: <https://infrastructurereportcard.org/state-item/alaska/>

SB 73 – Registration for Interior Designers

APDC supports registration for Interior Designers. These professionals design new, and modify existing, interior spaces in public or private buildings. Their work includes non-structural design elements often involving components affecting life safety, whether it be accessibility, exiting access components, fire ratings of walls, or fire ratings of finishes. To protect public safety through licensure, registered Interior Designers will ensure that those responsible for this work are qualified based on education, experience, and national examination (or are under direct supervision of qualified individual), as are other design professionals. It is becoming more common for Department of Defense projects to require a registered interior designer. Alaskans are unable to be registered in our state which necessitates registration in another state to work on Military projects. SB 73 will allow registered Interior Designers to stamp their own interior construction documents for permit within their scope of practice, as are other disciplines, and take responsibility for their own work.

AELS AS 08.48 Statute Changes – Yet to Be Introduced

APDC supports the proposed changes to the AS 08.48 statutes requested by the Alaska Board of Architects, Engineers, and Land Surveyors. The revisions provided clarifications, correct errors, and remove commonly misunderstood sections from the statutes. APDC also supports funding travel for in-person AELS Board Meetings four times per year. There are many significant benefits of in-person meetings in the major population centers of Anchorage, Fairbanks, and Juneau including in-person testimony from Alaskan design professionals and the public across the state. There is tremendous benefit when practicing professionals invest and participate in the regulation process.

Statewide Earthquake Preparedness

The 2018 earthquake was a reminder that Alaska is a high-seismic region. This mid-level earthquake resulted in years of community disturbance, a national emergency declaration, \$1.6M in state individual assistance grants, and well over \$100M in infrastructure repair costs. A repeat of the 1964 Earthquake would have greater consequences for our community. APDC supports the continued efforts of the Alaska Seismic Hazard Safety Commission (ASHSC) to complete screening level and detailed seismic hazard assessments for critical public facilities in Alaska, and specifically supports identification and execution of structural seismic retrofits of schools where engineering analysis reveals the necessity. APDC also supports the ASHSC recommendation to adopt current building codes as soon as practicable and to provide enforcement mechanisms as outlined in their Policy 2020-1.

Colin Maynard, PE, SE
2407 W 32nd Ave
Anchorage, AK 99517

March 22, 2023

Senator Bjorkman, Chair
Senate Labor and Commerce Committee
State Capitol Room 9
Juneau, AK 99801

Re: SB 73 Register Interior Designers

Senator Bjorkman:

I am writing as a civil and structural engineer with over 40 years of experience practicing in the design industry, as a member of the Board of Architects, Engineers, and Land Surveyors (AELS Board) for eight years (including two terms as Chair), and as a member of the Legislative Committee of the Alaska Professional Design Council for over 30 years. I would like to address the concerns expressed by the AELS Board regarding this bill in their letter of February 24th, 2023:

Their first concern was about the definition of interior design. I agree that the definition is too detailed. The definitions of the practices of architecture, engineering, and land surveying are all much broader:

- (12) "practice of architecture" means professional service or creative work in the design of buildings, the teaching of advanced architectural courses in institutions of higher learning, consultation, investigation, evaluation, planning, design, and professional observation of construction of public or private buildings, works, or projects, and architectural review of drawings and specifications by regulatory agencies; "practice of architecture" may by regulation of the board include mechanical, electrical, or structural design of minor importance;
- (13) "practice of engineering" means professional service or creative work, the adequate performance of which requires the specialized knowledge of applied mathematics and sciences, dealing with the design of structures, machines, equipment, utilities systems, materials, processes, works, or projects, public or private; the teaching of advanced engineering courses in institutions of higher learning; the direction of or the performance of engineering surveys, consultation, investigation, evaluation, planning, and professional observation of construction of public and private structures, works, or projects and engineering review of drawings and specifications by regulatory agencies; "practice of engineering" may by regulation of the board include architectural building design of minor importance, but it does not include comprehensive architectural services;
- (14) "practice of land surveying" means the teaching of land surveying courses at an institution of higher learning, or any service or work the adequate performance of which involves the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the relevant requirements of law for adequate evidence of the act of measuring and locating land, geodetic and cadastral surveys for the location and monumentation of property boundaries, for the platting and planning of land and subdivisions of land, including the topography, alignment, and grades for streets, and for the preparation and perpetuation of maps, record plats, field note records and property descriptions that represent these surveys;

The definition of landscape architecture was more detailed when it was adopted about 25 years ago, primarily to assuage concerns of some architects and civil engineers about overlap of practice. However, the AELS Board has proposed a statute change that would broaden that definition:

- (15) “practice of landscape architecture” means professional services or creative work in **the design of landscape that includes the** [SITE INVESTIGATION, RECONNAISSANCE, RESEARCH, PLANNING, DESIGN, AND PREPARATION SERVICES RELATED TO DRAWINGS AND CONSTRUCTION DOCUMENTS, OBSERVATION OF CONSTRUCTION, AND LOCATION, ARRANGEMENT, AND DESIGN OF INCIDENTAL AND NECESSARY TANGIBLE OBJECTS AND FEATURES FOR THE PURPOSE OF
- (A) PRESERVATION AND ENHANCEMENT OF LAND USES AND NATURAL LAND FEATURES;
 - (B) LOCATION AND CONSTRUCTION OF AESTHETICALLY PLEASING AND FUNCTIONAL APPROACHES FOR STRUCTURES, ROADWAYS, AND WALKWAYS;
 - (C) ESTABLISHING OR MAINTAINING TRAILS, PLANTINGS, LANDSCAPE IRRIGATION, LANDSCAPE LIGHTING, AND LANDSCAPE GRADING; OR
 - (D) GENERALIZED PLANNING OF THE DEVELOPMENT OF LAND AREAS IN A MANNER THAT IS SENSITIVE TO THE AREA'S NATURAL AND CULTURAL RESOURCES;] adequate performance of which requires the specialized knowledge of applied mathematics and physical and social sciences, dealing with consultation, evaluation, planning, and design on landscape architecture projects, public and private; the teaching of advanced landscape architectural courses in institutions of higher learning, consultation and the direction of or the performance of preparing, filing, and administering related plans, drawings, specifications, permits, and other contract documents involving projects that direct, inform or advise on the functional use and preservation of natural and built environments; review of drawings and specifications by regulatory agencies; “practice of landscape architecture” may, by regulation of the board, include architectural or engineering design of minor importance.

The letter from the AELS Board on SB73 did not suggest language that would satisfy their concerns, so I propose the following:

- (24) “practice of registered interior design” means professional service or creative work in the design of building interiors, the teaching of advanced interior design courses in institutions of higher learning, consultation, investigation, evaluation, planning, design, and professional observation of interior construction of public or private buildings, works, or projects, and review of interior design drawings and specifications by regulatory agencies; “practice of registered interior design” may by regulation of the board include architectural, mechanical, electrical, or structural design of minor importance;

This definition follows the form of the current discipline definitions (and the proposed landscape architect definition) and would also preclude the need for the current bill’s definition (24) “interior technical submission” as that term only appears in the current definition of the practice of interior design. It would allow the Board to adopt regulations and policies to further define the discipline and overlaps with other disciplines, where necessary.

I also agree that the interior design profession is separate from the professions of architecture and engineering. The Department of Defense agrees and requires that interior designers and architects who want to do interior design work on their projects have acquired a National Council for Interior Design Qualification (NCIDQ) certification or state licensure. This could explain why three Alaska registered architects living in Alaska also have NCIDQ certification.

Their second concern was that the language of the bill does not follow the form of the other disciplines. They did not supply specifics, so it is impossible to determine which provisions lead to this concern, other than the definition of "registered interior design." With the change of definition suggested above, I believe that this concern is resolved.

However, I would like to note that new exemption 15 in Sec. 29. AS 08.48.33(a) is redundant. It has been added to explicitly assuage the concerns of some residential designers. The new exemption for bath and kitchen remodels in residential buildings duplicates existing exemptions 6(A) and 6(C). Those exempt single family residences designed by the owner or any residence with four units or less with some height limitations. Seeing as those exemptions apply to all design professions, repeating it for one portion of one discipline is merely a public relations ploy and is not required to get to the desired result. Having said that, if it is necessary to prevent opposition by these individuals, it does no harm.

The Board's third concern is the additional workload on the Board and staff. I believe that this concern is unfounded. There are currently 21 NCIDQ certified interior designers residing in the state. As mentioned above, three of them are also professional architects registered in Alaska. There are 2975 active licenses held by people who reside in the State of Alaska and 3535 licenses held by people who live Outside. If we look at active professional architects' licenses, there are 235 in Alaska and 370 Outside. Based on those ratios, we could expect a total of between 46 and 54 registered interior designers. This is less than a 1% increase in the number of registrants. The Board, on the other hand, will get a new mechanical or electrical engineer to relieve the workload on the engineers and an interior designer to handle interior designer applicants and to assist with architectural applicants. Even if the number of interior designers doubled due to an increased interest in licensure, it will not be a significant increase in workload to the staff or the Board after the adoption of the original regulations.

The AELS letter suggests an alternative regulatory framework. During their Board meetings, it was suggested that interior designers be a profession without a Board, as some other professions are handled. There are two problems with this. First, it puts the onus of developing regulations on the profession on bureaucrats who have no knowledge of the profession. Secondly, it could result in conflicts between the regulations promulgated by the AELS Board and those promulgated by the Division for interior designers. One of the strengths of the Alaskan regulatory system for the design professions is that the Board is combined, and different viewpoints can be worked out before adoption of regulations. In other states, with separate architectural and engineering boards, there have been numerous disputes between the boards. Alaska does not have that problem and should not create one by separating interior designers.

The fourth concern is with whether the Council for Interior Designer Qualifications (CIDQ) will work with the AELS Board. I do not see this as a grave concern. CIDQ is already working with the states that have practice acts and those that have title acts. The AELS Board currently works with the National Council of Architectural Registration Boards (NCARB), National Council of Examiners of

Engineers and Surveyors (NCEES), and the Council of Landscape Architecture Boards (CLARB). Each of these organizations does things slightly differently. The AELS Board has dealt with modification of practices and model laws and regulations by these national organizations.

For example, about ten years ago, NCEES started offering its exams as a computer-based test, rather than as a paper and pencil exam. The first exam offered that way was the Fundamentals of Engineering (FE) exam, the first of two leading to engineering licensure. When NCEES started this type of testing, they allowed anyone who certified that they had completed three quarters of the requirements towards an engineering degree to sign up for the exam directly with NCEES. NCEES did not require permission from a state's licensing board. In response, the AELS Board got rid of the FE application and merely required that an applicant for a Professional Engineering exam had already passed the FE exam.

There is no reason to believe that the AELS Board cannot develop regulations that work with the CIDQ processes. The regulations can still allow the Board to verify that the applicants meet the minimum criteria to practice, just like all the other disciplines governed by that Board. They may end up like comity regulations for architects, where an NCARB certificate is taken as evidence that the applicant is qualified. On the other hand, the Board may want to independently verify that the applicant has satisfactory education and experience, in addition to passing the NCIDQ exam. That is one of the reasons the Board exists – to ensure that applicants are minimally competent.

The fifth point is an argument for a title act versus a practice act. I am not aware of any professions in Alaska that have a title act. A title act is a government granted honor with no effect on public health, safety, or welfare (the whole reason for licensure). The title act allows some people to call themselves the protected label (Registered Interior Designer, in this case), but the person across the street can call themselves an Interior Designer (without the Registered) and do the same work. The second individual has not shown their qualifications to anyone and may not be qualified, but they still get to do the same work as the person who has had their qualifications verified. This flies in the face of protecting the public health, safety, and welfare.

One other item in this portion of the letter is their citing the fact that 27 states have title acts, rather than a practice act. They fail to mention that fourteen states grant interior designers the ability to stamp/seal drawings. A number that is increasing.

Besides, Alaska does not always do things the way they do them Outside. Thirty-eight states allow an individual to take any one of the sixteen NCEES engineering exams and then practice any of the other fifteen engineering disciplines, if the individual feels they are qualified. Alaska is a discipline specific state. An individual gets education and experience in one discipline, then takes an exam in that discipline, and is only allowed to practice that discipline. If they want to practice another discipline, they must show additional experience in the second discipline and pass that discipline's exam. The point is to protect the public safety, not grant a title to certain individuals.

In my opinion, this argument is an attempt by architects to protect their turf and require both Registered Interior Designers and Interior Designers to hire an architect if any life safety issues (exiting, fire separation, etc.) are affected by their design. This bill would allow Registered Interior Designers to stamp their own drawings. They have the education, experience, and have been examined on these issues and do not need this additional level of review to ensure the public safety.

SB73 Register Interior Designers

March 22, 2023

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Their final point was that an Interior Designer Working Group has been organized and met five times over last year. The AELS Board, whose chair served on that committee, had not seen the work product of that committee. That is because there was no work product from that committee. When half of the committee has no real desire for the result to be a bill that is acceptable to both sides, it is not surprising that no such bill was produced.

This bill recognizes a design profession that has existed for decades and allows those who show their competence, via their education, experience, and examination, to practice independently. This provides a building owner with an additional group of individuals to hire to do interiors projects where public safety, health, and welfare may be affected. It also ensures that the people doing this work are minimally competent. It does not prevent architects from doing interior designs, nor does it prevent unregistered Interior Designers from working on projects that do not affect the public safety, health, or welfare. I urge passage of this bill with the amendments suggested above.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Colin Maynard', written in a cursive style.

Colin Maynard, PE, SE

Amy K. Mestas, PE, SE
3641 North Point Dr.
Anchorage AK 99502

March 31, 2023

Senator Bjorkman, Chair
Senate Labor and Commerce Committee
State Capitol Room 9
Juneau, AK 99801

Re: SB 73 Register Interior Designers

Senator Bjorkman,

I am writing as a registered civil and structural engineer with 17 years of experience practicing in the design industry, as a Board Member and Legislative Committee Chair of the Alaska Professional Design Council (APDC), as a member of the Structural Engineers Association of Alaska (SEAAK), and as member of the American Society of Civil Engineers (ASCE).

I am in support of registration for Interior Designers. These professionals design new, and modify existing, interior spaces in public or private buildings. Their work includes non-structural design elements often involving components affecting life safety, whether it be accessibility, exiting access components, fire ratings of walls, or fire ratings of finishes. To protect public safety through licensure, registered Interior Designers will ensure that those responsible for this work are qualified based on education, experience, and national examination (or are under direct supervision of qualified individual), as are other design professionals. It is becoming more common for Military projects to require a registered interior designer. We will be putting our local designers at a disadvantage when compared with outside firms if they are not permitted to obtain a license in Alaska (or require them to get licensed in another state to work in our own back yard). SB 73 will allow registered Interior Designers to stamp their own interior construction documents for permit within their scope of practice, as are other disciplines, and take responsibility for their own work.

This bill recognizes a design profession that has existed in our market for decades and allows those who show competence via their education, experience, and examination, to practice independently. As we are experiencing a shortage of design staff in the state, it would also seem prudent to the economy to license interior designers. There are many interiors projects which deal with life safety which could be designed by a licensed interior designer without the involvement of a registered architect. This would alleviate some of the workforce shortages our design industry is currently facing. It does not prevent architects from doing interior designs, nor does it prevent unregistered Interior Designers from working on projects that do not affect the public safety, health, and welfare.

The American Society of Interior Designers – Alaska Chapter has worked closely with the Alaska American Institute of Architects to adjust the language presented in the bill to be acceptable to both architects and interior designers. I urge you to pass this bill with the amendments ASID will be proposing based on their sincere efforts toward compromise with AIA for the registration of Interior Designers.

Sincerely,

A handwritten signature in blue ink that reads "Amy K. Mestas". The signature is written in a cursive, flowing style.

Amy K. Mestas, PE, SE

Charles Bettisworth, HPHD, FAIA
Architect
204 Front Street
Fairbanks, Alaska, 99701

May 7, 2023

To:
Senate Judiciary
Honorable Senator Claman, Chair

RE: SB 73 Licensure of Registered Interior Designers

Dear Senator Claman,

I am writing to you to urge you to support SB 73, Licensure of Registered Interior Designers.

I am a professional Architect, licensed in the State of Alaska, and have been for over 50 years. I sort of retired in 2014. I am a member of the American Institute of Architects, and an AIA Fellow.

I am the founder of Bettisworth North Architects and Planners, which was founded some 45 years ago. I sold the business to employees in 2014 and have been mentoring this group and working as a Senior Architect managing projects ever since. As noted below Bettisworth North is a multidiscipline design firm with over 40 employees in offices in both Fairbanks and Anchorage.

SB 73, the Registration for Interior Designers is Legislation is long overdue.

I have engaged the services of Interior Design professionals for decades. Through the years, I came to understand the importance of, and value of, Interior Designers who have a CIDQ certification. This understanding led Bettisworth North to become a multidisciplinary firm, providing architecture, interior design and landscape architecture services, all disciplines integral to this firm's practice.

As a Fellow, I am an Advisor to the Alaska Chapter, AIA Board of Directors.

To me this legislation is very much in the public interest. It is important: it will serve to protect the life and safety of the occupants of Alaska's new and renovated buildings.

May 6, 2023

RE: SB 73 Licensure of Registered Interior Designers

For Interior Designers, much of their work involves the renovation and reconfiguration of space. These services often are contracted directly by owners/lessees, or contractors without the engagement of architects. These folks often do not understand the potential life/safety issues that can be encountered when reconfiguring space, and correspondingly hire interior designers who do not have knowledge of or experience with the necessary life safety codes.

This legislation, then, provides a method for ensuring that interior designers meet the rigorous national qualifications, standards, and credentials necessary to independently practice a limited, defined scope of work within public-occupancy buildings.

Further it is important to note that SB 73 will not displace architects. However, it will provide registered interior designers with the ability to stamp-sign-seal their own documents and take responsibility for their own work within the established limited scope.

Over the years, I have actively supported this effort and have engaged with the ASID group and the State of Alaska AIA Chapter in working to develop legislation that meets the concerns of both groups.

Note, as an Alaska AIA member I was asked to respond to a Survey of Alaska AIA Chapter Members regarding SB 73. My response was that this survey was highly biased against SB 73, and in no way represented the facts associated with the legislation, specifically the licensing requirements necessary for registration of interior designers.

There will those who will claim that the National American Institute of Architects does not support licensure of qualified Interior Designers. This is not correct: AIA National has changed this stance, it no longer opposes this licensure, and has left this decision up to the States, therefore SB73, which is before you this session.

Finally, it is worthwhile noting that the US Corps Of Engineers now requires the inclusion of Registered Interior Designers on teams designing its projects. Without SB 73, COE work in Alaska will be left to registered interior designers not residing in Alaska.

May 6, 2023

RE: SB 73 Licensure of Registered Interior Designers

In sum, SB 73 will protect the public, increase professional job opportunities, attract high-quality design talent to Alaska, expand consumer choice of qualified design professionals, and encourage small business. It will encourage those Alaska designers earning interior design degrees "outside" to return home for their professional registration and become a productive part of Alaska's economy.

I therefore encourage you, this Committee and the 32nd Session of the Alaska State Legislature make SB 73 become law.

Thank you and sincerely,



CB Bettisworth, Senior Architect, Retired, HPHD, FAIA.



Dear Senator Claman,

As an Alaska resident and practicing Civil Engineer, I'm writing to ask for your **support of Senate Bill 73: REGISTER INTERIOR DESIGNERS.**

I am passionate about protection of **public health, safety, and welfare** in Alaska, and **SB 73 advances these protections.** It establishes registration for the practice of interior design which will result in safer spaces and interior environments for the public.

SB 73 creates **clear practice definitions and rights** for interior designers, establishing greater **accountability for practitioners** within the built environment. It also **increases the professional workforce and consumer choice** for design services, entices qualified practitioners to work in Alaska, and **expands business opportunities** for small-business interior designers and firms.

To be clear, SB 73 does *not* apply to architects, designers of residential single-family to 4-plex structures, or interior designers working under direct supervision of a registered interior designer or architect.

Qualified interior designers attain a **bachelor's degree or equivalent in interior design** and must complete **supervised experience-based training** before they may sit for the nationally recognized, **11-hour NCIDQ Exam**; an exam that comprehensively tests on whole-building design and **occupant life-safety**. Interior designers are knowledgeable in areas **essential to public safety and protection**, including building codes, fire protection, fire safety and accessibility.

NCIDQ-certified interior designers are qualified and prepared to protect the public through responsible, autonomous interior design practice. The ability for interior designers to independently stamp their work is already allowed in 14 states and 2 federal jurisdictions.

Because this bill will greatly benefit Alaska residents and the state economy, **please support Senate Bill 73.** Thank you!

Sincerely,

David Gamez, P.E.
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