



THE STATE  
*of* **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## Department of Commerce, Community, and Economic Development

BOARD OF REGISTRATION FOR ARCHITECTS,  
ENGINEERS, AND LAND SURVEYORS

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April 14, 2023

The Honorable Jesse Sumner, Chair  
House Labor & Commerce Committee  
Alaska State Capitol, Room 421  
Juneau, Alaska 99801  
Sent via email to [House.Labor.And.Commerce@akleg.gov](mailto:House.Labor.And.Commerce@akleg.gov)

Dear Chair Sumner,

The Board of Registration of Architects, Engineers, and Land Surveyors (AELS) is providing this initial response to House Bill 159, "An Act relating to registered interior designers and interior design..." for your consideration in the House Labor & Commerce Committee. The bill adds the new profession of interior design to the responsibilities of the AELS Board.

Our Board met for a Special Meeting on February 24, 2023, to discuss our response to SB 73. SB 73 is identical to HB 159, so the discussion herein applies to HB 159 as well. Interior design registration has been a topic discussed by the Board for several years, especially the past two years with former HB 61.

We have also been monitoring the work of the Interior Design Working Group that began meeting in July 2022. This working group is comprised of four Alaskan architects and four interior designers who met five times to collaboratively address issues related to professional registration of interior designers. We understand that its work has not yet been completed, but as we explain in our attached commentary, its work product may be valuable for resolving at least some of the issues we raise. The AELS Board is currently polling its members to schedule another meeting soon to review findings of the Working Group to help us and you in considering HB 159.

We recognize your role is to develop the broader public policy positions and ours is to implement any legislation that is passed. However, we want to share our concerns with the Legislature and solve challenges together whenever possible. We continue to be dedicated to protecting the health, safety, and welfare of Alaskans through the design and construction of our built environments.

Thank you very much for your consideration.

Respectfully,

A handwritten signature in black ink that reads "Catherine Fritz".

Catherine Fritz, Chair  
AELS Board

## **AELS Board**

### **SB 73/HB 159 Issues of Concern**

The AELS Board has reviewed SB 73 (which is identical to HB 159), compared it to legislation proposed in the previous Legislature, discussed its impacts at a special meeting on February 24, 2023, and offers these comments:

1. The definitions related to Scope of Practice in Sec. 32 (AS 08.48.341) seem excessively broad and detailed. Parts of this section include activities that are outside of normal Health, Safety, and Welfare of the public. Our Board's main purpose is to protect these. Definitions and responsibilities need to be clear for the specific practice of interior design as a profession that is separate from architecture and engineering. This will minimize conflict and reduce enforcement issues. Instead of much of this detail appearing in statute, we believe it more appropriately belongs in regulation and policy. Similar matters are dealt with in our Guidance Manual.
2. Many passages in the bill are not aligned with existing statutory language for other design disciplines. The Board has worked very hard to build consistency, and requests that interior design language be similarly integrated.
3. We are aware of the workload and other impacts of adding a new design discipline and two members to our Board. We have had extensive staff turnover during the past three years, both in operations and enforcement. The complexities of our multi-discipline board are substantial, and we are concerned about adding a new discipline without thoroughly understanding its impacts. Interior designers may be better served through another regulatory framework.
4. SB 73/HB159 relies on The Council for Interior Design Qualification (CIDQ) to determine the adequacy of a candidate's Education, Experience, and Examination. The Board currently has three national organizations it relies on to assess the adequacy of this 3-legged stool. Each has robust systems in place that include writing and administering exams, developing standards for practice, and evaluating educational adequacy. CIDQ would become a fourth. Does CIDQ appropriately align with Alaska regulations, and is it similarly rigorous and collaborative? An example of potential concern is exam eligibility. AELS regulations require the Board to review and approve candidates before examination. We understand that CIDQ's approval for a candidate's exam is granted without regard to the Board's actions. CIDQ has verbally indicated it could work with Alaska to satisfy this requirement, but we have not yet seen its formal proposed solution.
5. It is important to understand that SB 73/HB 159 establishes licensure for selected interior designers, referred to as "registered" through what is known as a "practice act,"<sup>-</sup>requiring that, unless exempted, anyone practicing interior design would be required to comply with statute and regulation, including education, examination, and experience. The more common framework for regulating interior design in the U.S. is through voluntary certification (approximately 27 states) while four jurisdictions regulate it through practice

acts (Nevada, Louisiana, Puerto Rico, and the District of Columbia). There are significant differences in regulated responsibility and authority in each jurisdiction, making it difficult to compare SB 73/HB 159 to the laws elsewhere. If SB 73/HB 159 were amended to certify interior designers through what is known as a “title act,” individuals who wish to use the title Interior Designer could be recognized through a voluntary process without being charged with health, safety, and welfare responsibilities in AELS statute and regulations. Although the AELS Board is not the body making public policy decisions like this, we suggest this might be an easier “first step” by proponents of the legislation.

6. At our May 2022 regular Board meeting, our chair recommended creating an Interior Design Working Group of architects and interior designers to meet to try to resolve these issues and produce recommendations. With leadership by interior designers, this group was formed, and we understand it met five times between mid-July and mid-November 2022, with more than 16 hours of discussion. However, we haven’t yet seen its work product and it appears it has not yet been incorporated into SB 73/HB 159. That work may answer many of the questions and concerns we have.