
From: Paul Baril <PBaril@nvisionarch.com>
Sent: Friday, May 03, 2024 9:17 AM
To: House Finance
Cc: dianneblumer@gmail.com
Subject: FW: AIA AK SB73 Revisions
Attachments: SB 73 (CS) AIA revisions 04.30.24.docx

Hello House Finance Committee,

I understand that a meeting has been scheduled for Monday 5/6/24 at 9am that will be covering HB159, and I am hoping to be invited to provide testimony on behalf of the Architects with AIA Alaska Chapter as the Architectural Advocacy Committee Chair. Our lobbyist Dianne Blumer is helping to get this setup. I do appreciate the opportunity to share our voice.

With this said, I wanted to forward you all the email below and the attached revisions to SB73 that I sent to Sen. Matt Claman on behalf of AIA. As you know HB159 is a duplicate to SB73 and on the senate side the finance committee has asked for Sen. Claman to continue working with the opposition (architects) to try and find a compromise. We have been continually trying to work with Sen. Claman and the interior designers' group. The email below and the attachment was our last communication and I wanted to share this with all of you.

If there are any questions leading up to the meeting on Monday, please let me know.

Thanks,

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celebrating **40** years!

From: Paul Baril
Sent: Tuesday, April 30, 2024 5:05 PM
To: Sen. Matt Claman <Sen.Matt.Claman@akleg.gov>
Cc: dianneblumer@gmail.com
Subject: AIA AK SB73 Revisions

Hello Senator Claman,

My Apologies for the delay, I forgot to send this to you last night.

In our opinion, the recent Committee Substitute SB73 doesn't meet the intent we agreed to at all and reads as a full-fledged Practice Act. As we discussed, please find attached AIA AK proposed revisions to SB73 to make it a Title Act with Permitting Privileges as we have discussed and agreed on intent. The attached revisions include an ID to be appointed to

the board in an advisory role (non-voting), but as we also agreed on intent, this could be changed to a voting member seat.

One other thing to note, we aren't sure if Sections 14 thru 20 (Corporate Authorization is relevant to the Certification Title Act) and also if Section 21 & 29 are relevant to the Certification Title Act. This is something that Leg Legal and/or Sylvan Robb should address.

I want to reiterate that AIA AK has come to the table to really try and work with you and the ID group. Before SB73 was introduced, AIA AK and the ID had a working group that was working together to craft a bill that we could all agree upon, but that didn't materialize before the ID group and your office introduced SB73. Where we were not in agreement was as simple as AIA AK not agreeing to anything more than a Title Act and the ID group not agreeing to anything less than a Practice Act. In the last couple of months we have really tried to find a compromise and I believe we have done that with the attached bill language revisions.

Thanks,

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CS FOR SENATE BILL NO. 73(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 5/11/23

Referred: Finance

Sponsor(s): SENATOR CLAMAN

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to **certified** interior designers and interior design; establishing
2 requirements for **use of the title Certified Interior Designer**; relating to the State Board
3 of Registration for Architects, Engineers, and Land Surveyors."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 08.48.011 **(c)** is added:

6 (c) The governor may appoint to the board a certified interior designer who serves as an
advisory, non-voting member.

1 * **Sec. 6.** AS 08.48.111 is amended to read:

2 **Sec. 08.48.111. Power to revoke, suspend, or reissue certificate.** The board
3 may suspend, refuse to renew, or revoke the certificate of or reprimand a registrant,
4 corporation, limited liability company, or limited liability partnership who is found
5 guilty of (1) fraud or deceit in obtaining a certificate; (2) gross negligence,
6 incompetence, or misconduct in the practice of architecture, engineering, land
7 surveying, or landscape architecture; or (3) a violation of
8 this chapter, a regulation adopted under this chapter, or the code of ethics or
9 professional conduct as adopted by the board. The code of ethics or professional

10 conduct shall be distributed in writing to every registrant, **certified interior designer**, and
11 applicant for registration **or certification** under this chapter. This publication and
12 distribution of the code of ethics or professional conduct constitutes due notice to
13 all registrants **and certified interior designers**. The board may revise and amend its code
14 and, upon doing so, shall immediately notify each **registrant and certified interior**
15 **designer interior** in writing of the revisions or amendments. The board may, upon
16 petition of the registrant **or certified interior designer**, corporation, limited liability
17 company, or limited liability partnership, reissue a certificate if a majority of the
18 members of the board vote in favor of the reissuance.

19 * **Sec. 7.** AS 08.48.171 is amended to read:

20 **Sec. 08.48.171. General requirements and qualifications for registration
or certification.**

21 (a) An applicant for registration as an architect, engineer, land surveyor, or
landscape architect, **or application for certification as an interior designer** must be of
good character and reputation and shall submit evidence satisfactory to the board of
the applicant's education, training, and experience.

1 (b) Nothing contained in this Act shall prevent any person from rendering or offering to
render any of the services that constitutes interior design services, provided that such
person shall not be permitted to use or be identified by the title "certified interior
designer" unless licensed in accordance with the provisions of that act or as otherwise
provided by law.

1 * **Sec. 11.** AS 08.48.211 adds (c) to read:

(c) An interior design applicant who fulfills the requirements set out by the board shall
be awarded a certificate as a certified interior designer.

2 * **Sec. 13.** AS 08.48.221(a) is amended to read:

3 (a) Each registrant may obtain a seal of the design authorized by the board,
4 bearing the registrant's name, registration number, and the legend "Registered
5 Professional Architect," "Registered Professional Engineer," "Registered Professional
6 Land Surveyor," "**Certified Interior Designer.**" or "Registered Professional
7 Landscape Architect," as appropriate. When a registrant **or certified interior**
8 **designer** issues final drawings, specifications, surveys, plate, plates, reports, or similar

documents, the registrant shall stamp the documents with the seal and sign the seal. The board shall adopt regulations governing the use of seals by the registrant **and certified interior designer**. An architect, engineer, land surveyor, **certified interior designer**, or landscape architect may not affix or permit a seal and signature to be affixed to an instrument after the expiration of a certificate or for the purpose of aiding or abetting another person to evade or attempt to evade a provision of this chapter. The registrant **or certified interior designer**, by affixing the registrant's **or certified interior designer's** seal to final drawings, specifications, surveys, plats, plates, reports, or similar documents, and by signing the seal certifies that the documents were prepared by or under the registrant's **or certified interior designer's** direct supervision, are within the registrant's **or certified interior** designer's field of practice, or constitute design work of minor importance.

1 * **Sec. 14.** AS 08.48.241(a) is amended to read:

2 (a) This chapter does not prevent a corporation, limited liability company, or
3 limited liability partnership from offering architectural, engineering, land surveying,
4 **certified interior design**, or landscape architectural services; however, the
5 corporation, limited liability company, or limited liability partnership shall file with
6 the board

7 (1) an application for a certificate of authorization **on** [UPON] a form
8 to be prescribed by the board and containing information required to enable the board
9 to determine whether the corporation, limited liability company, or limited liability
10 partnership is qualified in accordance with the provisions of this chapter to offer to
11 practice architecture, engineering, land surveying, **certified interior design**, or
12 landscape architecture in this state;

13 (2) a certified copy of a resolution of the board of directors of the
14 corporation, the managing members or manager of the limited liability company, or
15 the general partners of a limited liability partnership designating persons holding
16 certificates of registration under this chapter as responsible for the practice of
17 architecture, engineering, land surveying, **certified interior design**, or landscape
18 architecture by the corporation, limited liability company, or limited liability
19 partnership in this state and providing that full authority to make all final architectural,
 engineering, land surveying, **certified interior design**, or landscape architectural

1 decisions on behalf of the corporation, limited liability company, or limited liability
2 partnership with respect to work performed by the corporation, limited liability
3 company, or limited liability partnership in this state is granted by the board of
4 directors of the corporation, the managing members or manager of the limited liability
5 company, or the general partners of the limited liability partnership to the persons
6 designated in the resolution; however, the filing of this resolution does not relieve the
7 corporation, limited liability company, or limited liability partnership of any
8 responsibility or liability imposed on [UPON] it by law or by contract;

9 (3) a designation in writing setting out the name of one or more
10 persons holding certificates of registration under this chapter who are in responsible
11 charge of each major branch of the architectural, engineering, land surveying,
12 certified interior design, or landscape architectural activities in which the
13 corporation, limited liability company, or limited liability partnership specializes in
14 this state; if a change is made in the person in responsible charge of a major branch of
15 the architectural, engineering, land surveying, certified interior design, or
16 landscape architectural activities, the change shall be designated in writing and filed
17 with the board within 30 days after the effective date of the change.

18 * **Sec. 15.** AS 08.48.241(b) is amended to read:

19 (b) Upon filing with the board the application for certificate of authorization,
20 certified copy of resolution, affidavit, and designation of persons specified in this
21 section, the board shall, subject to (c) of this section, issue to the corporation, limited
22 liability company, or limited liability partnership a certificate of authorization to
23 practice architecture, engineering, land surveying, certified interior design, or
24 landscape architecture in this state upon a determination by the board that

25 (1) the bylaws of the corporation, the articles of organization or
26 operating agreement of the limited liability company, or the partnership agreement of
27 the limited liability partnership contain provisions that all architectural, engineering,
28 land surveying, certified interior design, or landscape architectural decisions
29 pertaining to architectural, engineering, land surveying, certified interior design, or
30 landscape architectural activities in this state will be made by the specified architect,
31 engineer, land surveyor, certified interior designer, or landscape architect in

1 responsible charge, or other registered architects, engineers, land surveyors,
2 **certified interior designers**, or landscape architects under the direction or
3 supervision of the architect, engineer, land surveyor, **certified interior designer**, or
4 landscape architect in responsible charge;

5 (2) the application for certificate of authorization states the type of
6 architecture, engineering, land surveying, **certified interior design**, or landscape
7 architecture practiced or to be practiced by the corporation, limited liability company,
8 or limited liability partnership;

9 (3) the applicant corporation, limited liability company, or limited
10 liability partnership has the ability to provide architectural, engineering, land
11 surveying, **certified interior design**, or landscape architectural services;

12 (4) the application for certificate of authorization states the professional records of the designated person who is in responsible charge of each
13 major branch of architectural, engineering, land surveying, **certified interior design**,
14 or landscape architectural activities in which the corporation, limited liability
15 company, or limited liability partnership specializes;

16 (5) the application for certificate of authorization states the experience,
17 if any, of the corporation, limited liability company, or limited liability partnership in
18 furnishing architectural, engineering, land surveying, **certified interior design**, or
19 landscape architectural services during the preceding five-year period;

20 (6) the applicant corporation, limited liability company, or limited
21 liability partnership meets other requirements related to professional competence in
22 the furnishing of architectural, engineering, land surveying, **certified Interior**
23 **design**, or landscape architectural services as may be adopted by the board in
24 furtherance of the objectives and provisions of this chapter.

25 * **Sec. 16.** AS 08.48.241(d) is amended to read:

26 (d) The certificate of authorization must specify the major branches of
27 architecture, engineering, land surveying, **certified interior design**, or landscape
28 architecture of which the corporation, limited liability company, or limited liability
29 partnership has designated a person in responsible charge as provided in this section.
30 The certificate of authorization shall be conspicuously displayed in the place of

1 business of the corporation, limited liability company, or limited liability partnership,
2 together with the names of persons designated as being in responsible charge of the
3 professional activities.

4 * **Sec. 17.** AS 08.48.241(e) is amended to read:

5 (e) If a corporation, limited liability company, or limited liability partnership
6 that is organized solely by [EITHER] a group of architects, a group of engineers, a
7 group of land surveyors, **a group of certified interior designers.** or a group of
8 landscape architects, each holding a certificate of registration under this chapter,
9 applies for a certificate of authorization, the board may, in its discretion, grant a
10 certificate of authorization to the corporation, limited liability company, or limited
11 liability partnership based on a review of the professional records of the incorporators
12 of the corporation, organizers of the limited liability company, or partners who formed
13 the limited liability partnership in place of the required qualifications set out in this
14 section. If the ownership of the corporation is altered, the membership of the limited
15 liability company is altered, or the partners of the limited liability partnership change,
16 the corporation, limited liability company, or limited liability partnership shall apply
17 for a revised certificate of authorization, based **on** [UPON] the professional records of
18 the owners of the corporation, the members of the limited liability company, or the
19 partners of the limited liability partnership, if exclusively architects, engineers, land
20 surveyors, **certified interior designers.** or landscape architects, or otherwise under
21 the qualifications required by (b)(1) - (4) of this section.

22 * **Sec. 18.** AS 08.48.241(f) is amended to read:

23 (f) A corporation, limited liability company, or a limited liability partnership
24 authorized to offer architectural, engineering, land surveying, **certified interior**
design. or landscape architectural services under this chapter, together with its
25 directors, officers, managing members, manager, and partners for their own individual
26 acts, is responsible to the same degree as the designated individual registered architect,
27 engineer, land surveyor, **certified interior designer.** or landscape architect, and
28 shall conduct its business without misconduct or malpractice in the practice of
29 architecture, engineering, land surveying, **certified interior design.** or landscape
30 architecture as defined in this chapter.

1 * **Sec. 19.** AS 08.48.241(g) is amended to read:

(g) If the board, after a proper hearing, finds that a corporation, limited liability company, or limited liability partnership holding a certificate of authorization has committed misconduct or malpractice, the board shall suspend or revoke the certificate of authorization. The board shall also suspend or revoke the certificate of registration of any registered individual architect, engineer, land surveyor, **certified interior designer**, or landscape architect who, after a proper hearing, is found by the board to have participated in committing the misconduct or malpractice.

* **Sec. 20.** AS 08.48.251 is amended to read:

Sec. 08.48.251. Certain partnerships. This chapter does not prevent the practice of architecture, engineering, land surveying, certified interior design, or landscape architecture by a partnership if all of the members of the partnership are architects, engineers, land surveyors, certified interior designers, or landscape architects legally registered under this chapter. In this section, "partnership" does not include a limited liability partnership.

* **Sec. 21.** AS 08.48.281(a) is amended to read:

(a) A person may not practice or offer to practice the profession of architecture, engineering, land surveying, **certified interior design**, or landscape architecture in the state, or use in connection with the person's name or otherwise assume or advertise a title or description tending to convey the impression that the person is an architect, [AN] engineer, [A] land surveyor, **certified interior designer**, or [A] landscape architect, unless the person has been registered under the provisions of this chapter or is a person to whom these provisions do not apply, or, in the case of a corporation, limited liability company, or limited liability partnership, unless it has been authorized under this chapter.

* Sec. 24. AS 08.48.295 adds a section (b) to read:

(b) If a person represents themselves as a certified interior designer or provides or offers to provide interior design services as a certified interior designer without being certified the board may enter an order levying a civil penalty.

* **Sec. 29.** AS 08.48.341(4) is amended to read:

(4) "certificate of authorization" means a certificate issued by the board authorizing a corporation, a limited liability company, or a limited liability partnership to provide professional services in architecture, engineering, land

5 surveying, **certified interior design**, or landscape architecture through individuals
6 legally registered by the board;

7 * **Sec. 30.** AS 08.48.341 is amended by adding new paragraphs to read:

8 (24) "Certified Interior Designer" means a person who has been
9 certified by the board to provide interior design services that includes, but is not limited
10 to, the preparation of floor plans, reflected ceiling plans, space planning, creation or
11 alteration of paths of egress and occupancy calculations within a space, provided no
12 increases in occupancy or number of exits is required, selection of furnishings, and the
13 fabrication of nonstructural elements within and surrounding interior spaces of
14 buildings.

15 The type of work excluded includes:

- 16 A. The design of or the responsibility for architectural and engineering work, except as
17 explicitly provided for within this Chapter.
- 18 B. Altering or affecting the structural system of a building, including changing the
building's live or dead load on the structural system.
- 19 C. Changing the exit access system.
- 20 D. Changes of use to occupancy groups.

1 * **Sec. 37. TRANSITION: CURRENT INTERIOR DESIGNERS.** Notwithstanding this Act, a
person working as an interior designer before the effective date of this Act may continue to
provide interior design services in the state until 90 days after the effective date of regulations
established in 12 AAC 36 or 2 years after the effective date of this Act, whichever comes first,
at which time they must be certified to use the title Certified Interior Designer.