



ALASKA STATE LEGISLATURE

SENATE LABOR & COMMERCE COMMITTEE

SENATOR JESSE BJORKMAN

Chairman
State Capitol, Room 9
Juneau, AK 99801-1182
(907) 465-2828

Sen. Click Bishop, Vice-Chair
Sen. Forrest Dunbar
Sen. Elvi Gray-Jackson
Sen. Kelly Merrick

SB 126 Ver. A: Architect/Engineer Registration Board

Sectional Analysis

Section 1: Amends AS 08.48.011(c) to clarify that an electrical engineer and a mechanical engineer may serve on the Board concurrently. This could help better serve two of the largest disciplines of engineering in Alaska.

Section 2: Amends AS 08.48.021(c) to lower from four to two years the time that a person who has “termed out” must wait before becoming eligible for reappointment to the Board. This would be helpful in filling vacancies that may be difficult to fill.

Section 3: Amends AS 08.48.055(a) to change the statutory title of the main staff person who supports the Board to Executive Administrator, an update to modernize the title and more accurately reflect the scope of duties.

Section 4: Amends AS 08.48.055(b) to change the statutory title to Executive Administrator and adds that the Board may delegate reviews and approvals of comity applications. This delegation is already in regulation for certain limited circumstances, and the Department of Law has advised that the delegation needs to be codified in statute.

Section 5: Amends AS 08.48.071(f) because the Board no longer administers the exams. The testing function is now performed by national professional testing organizations at considerable cost savings to the State.

Section 6: Amends AS 08.48.091 because the Board no longer administers the exams.

Section 7: Amends AS 08.48.101(a) to add statutory authority for the Board to provide guidance on overlapping “border issues” or “gray areas” among the design professions by regulation or policy. The Board is already providing this guidance, this change clarifies the authority in statute.

Section 8: Amends AS 08.48.111 to add limited partnerships to entities that may be issued certificates of authorization. The State of Alaska issues business and professional licenses to limited partnerships.

Section 9: Amends AS 08.48.121 to allow the investigator to be able to dismiss a complaint without having to come to the Board in certain cases.

Section 10: Amends AS 08.48.171 to delete statutory language regarding applications for registration that is better suited to and currently covered by regulation.

Section 11- 13 Amend AS 08.48.191(a),(b) & (d) to update language to provide better certainty regarding when conditions for an application are met, and less a process based on opinion when the Board registers architects in Alaska.

Section 14: Amends AS 08.48.201(a) to allow the Board to set in regulation specific requirements for forms, statements, and references rather than in statute.

Section 15: Amends AS 08.48.211 to modernize statutes and delete repetitive language. Certificates are now issued electronically and the Board no longer places a physical seal on hard copy certificates. Registrants are advised they can print their own certificates from an electronic file.

Section 16: Amends AS 08.48.215(a) to streamline the language.

Section 17: Amends AS 48.08.221 to remove duplicative language and allow the Board to provide requirements for professional seals in regulation. Also responds to a recent Department of Law opinion about potential conflict between statute and regulation by clarifying that work sealed and signed by a registrant must be done by the registrant or under their responsible charge and be in the registrant's field of practice.

Section 18: Amends AS 08.48.231(a) to add limited partnerships and update the language to allow for electronic transmission of documents.

Section 19 - 28: Amends AS 08.48.241(a)–(h), AS 08.48.251, and AS 48.08.281(a) to add limited partnerships.

Section 29: Amends AS 08.48.331(a) to add limited partnerships and update the name for fire protection systems to be consistent with industry.

Section 30: Amends AS 08.48.341(4) to add limited partnerships.

Section 31: Amends AS 08.48.341(7) to make the language consistent with industry practice.

Section 32: Amends AS 08.48.341(16) by revising the definition of landscape architecture to be consistent with the other professional definitions and reflect language used within the profession to describe its work.

Sections 33-36: Amends AS 08.48.341(17-19, 22) to remove unnecessary language.

Section 37: Amends AS 08.48.341 to add new language that provide a definition for “fire protection system” that is consistent with the industry, and defines “limited partnership” and “registrant” as they are used in this section.

Section 38: Repeals AS 08.48.061, removing language regarding travel expenses and appropriations that is more appropriately covered elsewhere in Alaska Statutes.

Section 39: Provides for an immediate effective date.