

**ALASKA STATE LEGISLATURE
SENATE LABOR AND COMMERCE STANDING COMMITTEE**

April 12, 2023

1:43 p.m.

MEMBERS PRESENT

Senator Jesse Bjorkman, Chair
Senator Elvi Gray-Jackson
Senator Forrest Dunbar

MEMBERS ABSENT

Senator Click Bishop, Vice Chair
Senator Kelly Merrick

COMMITTEE CALENDAR

SENATE BILL NO. 73

"An Act relating to registered interior designers and interior design; establishing requirements for the practice of registered interior design; renaming the State Board of Registration for Architects, Engineers, and Land Surveyors the State Board of Registration for Design Professionals; relating to the State Board of Registration for Design Professionals; relating to liens for labor or materials furnished; relating to the procurement of interior design services; and providing for an effective date."

- HEARD & HELD

SENATE BILL NO. 126

"An Act relating to the State Board of Registration for Architects, Engineers, and Land Surveyors; relating to architects, engineers, land surveyors, and landscape architects; and providing for an effective date."

- HEARD & HELD

SENATE BILL NO. 94

"An Act relating to the Board of Pharmacy; relating to the practice of pharmacy; relating to pharmacies; relating to prescription drug manufacturers; relating to prescriptions for epinephrine; relating to the administration of epinephrine; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

SENATE BILL NO. 83

"An Act relating to professional licensing; relating to temporary licenses for some professions; and providing for an effective date."

- BILL HEARING CANCELED

PREVIOUS COMMITTEE ACTION

BILL: SB 73

SHORT TITLE: REGISTER INTERIOR DESIGNERS

SPONSOR(s): CLAMAN

02/17/23	(S)	READ THE FIRST TIME - REFERRALS
02/17/23	(S)	L&C, FIN
04/10/23	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)
04/10/23	(S)	<Bill Hearing Canceled>
04/12/23	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)

BILL: SB 126

SHORT TITLE: ARCHITECT/ENGINEER REGISTRATION BOARD

SPONSOR(s): LABOR & COMMERCE

04/11/23	(S)	READ THE FIRST TIME - REFERRALS
04/11/23	(S)	L&C, FIN
04/12/23	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

SENATOR MATT CLAMAN, District H
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of SB 73.

BREANNA KAKARUK, Staff
Senator Matt Claman
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the sectional analysis for SB 73.

CASEY KEE, Interior Designer
MCG Explore Design
Anchorage, Alaska

POSITION STATEMENT: Gave invited testimony in support of SB 73.

DANA NUNN, Interior Design Director,
Bettisworth North Architects and Planners, Inc.;
Member, American Society of Interior Designers
Anchorage, Alaska

POSITION STATEMENT: Gave invited testimony in support of SB 73.

COLIN MAYNARD, representing self
Anchorage, Alaska

POSITION STATEMENT: Gave invited testimony in support of SB 73.

CHARLES BETTISWORTH, Senior Architect and President
Bettisworth North Architects and Planners, Inc.
Fairbanks, Alaska

POSITION STATEMENT: Gave invited testimony in support of SB 73.

CATHERINE FRITZ, Chair
State Board of Registration for Architects, Engineers, and Land
Surveyors (AELS)
Department of Commerce, Community and Economic Development
Juneau, Alaska

POSITION STATEMENT: Gave invited testimony on SB 73.

CARA RUDE, Principal and Owner
MCG Explore Design
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 73.

JESSICA CEDERBERG, President-Elect
American Institute of Architects - Alaska Chapter (AIA Alaska)
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to SB 73 in its
current form.

WILL WEBB, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 73.

JAMES BIBB, Board Member
American Institute of Architects - Alaska Chapter (AIA Alaska)
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to SB 73 in its
current form.

RAMONA SCHIMSCHEIMER, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to SB 73 in its
current form.

BARBARA CASH, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 73.

LARRY CASH, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 73.

MATTHEW BARUSCH, Government Relations and Advocacy Manager
Council for Interior Design Qualification (CIDQ)
Arlington Virginia

POSITION STATEMENT: Testified in support of SB 73.

JASON FLOYD, representing self
Soldotna, Alaska

POSITION STATEMENT: Testified in opposition to SB 73 in its current form.

JASON SWIFT, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 73.

CAITLIN CUNNINGHAM, Board Member
American Society of Interior Designers (ASID) - Alaska Chapter
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 73.

ELIZABETH JOHNSTON, Chief Electrical Engineer
Design Alaska
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 73.

RYAN MORSE, representing self
Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition to SB 73 in its current form.

THOMAS LIVINGSTON, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to SB 73 in its current form.

BRIAN MEISSNER, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 73.

ELIZABETH GOEBEL, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 73.

LAURA ACHEE, Staff
Senator Jesse Bjorkman
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Introduced SB 126 on behalf of the Senate Labor and Commerce Committee.

LOREN LEMAN, Former Lieutenant Governor
State of Alaska;
Board Member, State Board of Registration for Architects,
Engineers, and Land Surveyors (AELS)
Anchorage, Alaska

POSITION STATEMENT: Presented the sponsor statement and summarized the sectional analysis for SB 126.

ACTION NARRATIVE

1:43:36 PM

CHAIR JESSE BJORKMAN called the Senate Labor and Commerce Standing Committee meeting to order at 1:43 p.m. Present at the call to order were Senators Gray-Jackson, Dunbar, and Chair Bjorkman.

SB 73-REGISTER INTERIOR DESIGNERS

1:44:49 PM

CHAIR BJORKMAN announced the consideration of SENATE BILL NO. 73 "An Act relating to registered interior designers and interior design; establishing requirements for the practice of registered interior design; renaming the State Board of Registration for Architects, Engineers, and Land Surveyors the State Board of Registration for Design Professionals; relating to the State Board of Registration for Design Professionals; relating to liens for labor or materials furnished; relating to the procurement of interior design services; and providing for an effective date."

CHAIR BJORKMAN invited the sponsor to introduce the bill.

1:45:16 PM

SENATOR MATT CLAMAN, District H, Alaska State Legislature, Juneau, Alaska, sponsor of SB 73, introduced the bill, reading from the following prepared statement:

[Original punctuation provided.]

Senate Bill 73 makes important changes to our professional licensing statute to recognize the expertise of commercial interior designers and grant them the corresponding privileges.

Every day, we work to make Alaska open and ready for business. The timeliness of this legislation to make Alaska open and ready for business is highlighted by the January 31, 2023 Request for Proposals from the US Army Corps of Engineers for the new Joint Integrated Test and Training Center at Joint Base Elmendorf Richardson. The construction cost for this project is estimated by the Corps of Engineers to be between 100 million and 250 million dollars. The RFP lists the primary selection criteria and the professional qualifications for the design work, and they include:

1. Architects & Registered Communications Designers
2. A registered fire protection engineer
3. A registered interior designer
4. A registered mechanical engineer
5. A registered electrical engineer

There are 13 professionals on the list.

[1:46:37 PM](#)

SENATOR CLAMAN read the sponsor statement for SB 73:

[Original punctuation provided.]

This legislation will make it possible for an interior designer registered in Alaska to work on this important project for Alaska's infrastructure and our nation's defense. Without this legislation, responsive bids would have to contract with an interior designer who is registered in another state. The legislation provides better work opportunities for Alaskans. The requirements of this RFP reflect the direction for commercial design services in modern times.

As a diverse profession, there are several different specialties under the title of Interior Designer. Among the most knowledgeable and highly trained are those who earn the National Council of Interior Design Qualification.

The NCIDQ is a three-part, 11-hour examination that was established to identify interior design professionals with the skills and experience to take on additional responsibility. This test is designed to assess the competency of candidates to protect the public through the practice of interior design, and covers subjects such as fire safety, ADA compliance, emergency egress, and material flammability. A candidate unable to prove their understanding of life safety, codes, and standards would be unlikely to pass the exam.

[1:47:55 PM](#)

SENATOR CLAMAN continued the sponsor statement for SB 73:

[Original punctuation provided.]

The goal is not to measure Interior Designers by the standards used by architects. While there are shared skillsets between architects and interior designers, interior designers focus on a narrower scope of work. By comparison, there are different licensing requirements for physician assistants and doctors, even though they sometimes perform similar activities.

The NCIDQ is rigorous and requires, at a minimum, 60 semester credit hours of post-secondary interior design coursework that encompasses a certificate, degree, or diploma from an accredited institution to sit for the exam.

Currently, there is no state licensing of the interior design profession in Alaska. One consequence of this licensing gap is that Commercial Interior designers do not have access to a construction stamp that would allow them to submit their work for permitting.

SB 73 will allow Alaska to join other forward-looking states that have permitted certified Commercial Interior Designers to have a construction stamp, valid

only for projects within their limited professional qualifications.

1:49:01 PM

SENATOR CLAMAN continued the sponsor statement for SB 73:

[Original punctuation provided.]

SB 73 describes what commercial interior designers will be able to produce and stamp independent of an architect or engineer. The practice of commercial interior design described in SB 73 is specific and limited to non-load bearing interior design elements, such as interior planning for occupant spaces, exiting, and specification of code-compliant interior finishes, furnishings, and fixtures. The scope of commercial interior design practice described in SB 73 is well within the competencies of interior designers as determined by their education, training, and examination.

SB 73 will bring economic benefits by increasing professional employment opportunities, providing incentives to hire Alaskans for certified interior design, attracting high-quality design talent to the state, encouraging small business and unrestrained trade, and expanding consumer choices for qualified design professionals. SB 73 does not restrict the requirements or daily practice for any other professional in design or construction including architects, engineers, contractors, trades people, decorators, or residential designers.

SB 73 is intended to be cost neutral to the State, as it is self-funded within the AELS Registration Board through application, registration, and renewal fees. As shown in the attached fiscal note, the passage of this bill would enable the AELS Registration Board to hire a much-needed additional Occupational Licensee Examiner, and the cost per licensee would only be an additional \$50 every two years.

With the passage of the Infrastructure Investment and Jobs Act, there will be \$1.2 trillion dollars bringing opportunities for design professionals to work on public facility projects. The Infrastructure

Investment and Jobs Act will help provide many opportunities to rebuild our economy and strengthen the construction industry, and this bill will help get projects ready-to-build by having more professionals licensed in their field.

We often talk of making Alaska open and ready for business. This bill turns those words into action and will make Alaska a better place to do business. Please join me in supporting SB 73.

[1:51:15 PM](#)

SENATOR CLAMAN deferred to his staff Ms. Kakaruk to present the sectional analysis.

[1:51:31 PM](#)

BREANNA KAKARUK, Staff, Senator Matt Claman, Alaska State Legislature, Juneau, Alaska, presented the following summary of the sectional analysis for SB 73:

[Original punctuation provided.]

Sections 1-4 relate to establishing the new terms in the AELS Licensing Board.

Section 5 would add two seats to the board, one for a commercial interior designer and an additional engineering seat, creating separate seats for electrical and mechanical engineering, which currently share a seat.

Sections 6-9 would establish commercial interior design as a certification tracked by the State of Alaska.

Sections 8-14 would establish the examination requirements for registration as a commercial interior designer.

Section 15 would establish commercial interior design as a seal that can be obtained and that is to be affixed to certain construction plans.

Sections 16-22 would establish commercial interior design terminology in relation to the registration of corporations, limited liability partnerships, and limited liability companies.

Sections 23-28 would protect the term "commercial interior design" from use by those not registered.

Section 29 would relate to exemptions and add commercial interior design to the list of necessary exemptions.

Sections 30-32 would establish definitions for terms used in the statute.

Sections 33-42 would establish "commercial interior design" as a term in legal context relating to statute.

And Sections 43-46 would establish the effective date and grace period for registration.

[The full sectional analysis can be found at the akleg.gov page for this meeting.]

CHAIR BJORKMAN asked the committee if there were any questions for the bill sponsor. Finding none, he announced invited testimony and invited Ms. Kee to present.

1:54:06 PM

CASEY KEE, Interior Designer, MCG Explore Design, Anchorage, Alaska, gave invited testimony in support of SB 73. She said that this bill will allow qualified interior designers to practice independently, supporting small businesses and encouraging young designers to practice in Alaska. Many interior designers are already independently practicing the profession in 30 US jurisdictions. In Alaska, non-structural interior design work currently must be performed by architects at an extra cost to the consumer for a service that otherwise could be performed by trained, competent interior designers. She commented that competition is good for the marketplace and the design community in Alaska. SB 73 will incentivize students and young professionals to view the Alaska design community as a viable place to practice and advance a stronger professional workforce.

1:56:32 PM

CHAIR BJORKMAN asked whether interior designers receive training on health and safety aspects of design and if she thinks SB 73 will empower interior designers to sign off on plans that are less safe than those an architect would approve.

MS. KEE replied that interior designers undergo four years of higher level education. Architects take five tests in regard to the entirety of the building and only one of those tests is on interior design. To become certified, interior designers take three tests focused on interior design, so more time is spent learning how to create plans that adhere to international building codes, ADA certifications, and overall life and health safety.

CHAIR BJORKMAN sought confirmation that interior designers are required to take three tests, including health and safety of the space being created, whereas architects only take one test that pertains to the same topic.

MS. KEE answered that is correct.

1:59:04 PM

DANA NUNN, Interior Design Director, Bettisworth North Architects & Planners, Inc; member, American Society of Interior Designers, Anchorage, Alaska, gave invited testimony in support of SB 73, reading from the following prepared statement:

[Original punctuation provided.]

I am a nearly 20-year Anchorage resident and an NCIDQ-certified interior designer.

The purpose of state oversight of licensed professions is to protect public health, safety, and welfare. SB 73 does exactly that. This bill will protect the public by allowing qualified practitioners who have been educated on codes, have passed the three-part credentialing exam, and who possess experience in space planning and design to practice to our fullest professional abilities.

For far too long, interior design has been misconstrued and mischaracterized as something other than the technical, complex, and human-centered practice of creating safe, sustainable, accessible, and efficient interior environments in compliance with law. Registered interior designers are qualified, competent practitioners, who just want to take responsibility for the work that we are trained and tested on - in order to fully participate in the workplace and advance the well-being of building occupants and the public.

Opponents to interior design oversight may claim that, because of the similar competencies between architects and interior designers, the interior design services outlined in SB 73 are for registered architects' exclusive practice and that interior designers are not qualified to provide such services without architect oversight. The truth is that interior designers are qualified through education, experience, and examination to practice in the limited scope of interior design defined by SB 73. Interior designers, including myself, should not be precluded from practicing to their fullest abilities due to overlapping scope.

SB 73 provides public safety protection and risk-mitigation in Alaska's buildings, expands consumer choice of qualified design professionals, increases professional employment opportunities, attracts high-quality design talent to Alaska, and encourages Alaskan students to return home for career opportunities. We ask you to act now to protect Alaskans and bolster Alaska's economy by keeping our workforce strong and competitive. I urge you to please support SB 73.

[2:01:39 PM](#)

SENATOR GRAY-JACKSON read the following suggestion from a constituent's email, "limit interior design's scope of practice to non-life safety elements." She asked Ms. Nunn for her thoughts on the statement.

MS. NUNN replied that the constituent's suggestion blocks the possibility of practicing everything she has been trained to do and eliminates a massive amount of work that would contribute to her livelihood. She noted that she currently performs those duties, but not independently because the current law requires oversight from an architect. However, registered interior designers in other states can provide these services independently without oversight.

[2:02:58 PM](#)

SENATOR GRAY-JACKSON read another suggestion that the cost of developing interior design regulations should not be passed on to existing AELS board licensees; the cost should be borne by the affected interior design licensees.

MS. NUNN replied that her understanding of the fiscal note is that a large portion is related to an additional examiner that the board needs to fulfill its duties, and that position is needed whether interior designers join the board or not. This bill is a vehicle for the board to obtain funds for that expense. She posited that perhaps that expense should be borne by everyone that is served by the board because those examiners helped to alleviate the load of the current examiners and allows them to process applications more efficiently and do other work the board and the department are required to accomplish.

[2:04:34 PM](#)

COLIN MAYNARD, representing self, Anchorage, Alaska, gave invited testimony in support of SB 73. He said he is a licensed civil and structural engineer with over 40 years of experience and he served eight years on State Board of Registration for Architects, Engineers, and Land Surveyors (AELS). The only legitimate reason for state recognized licensure is protecting the public's health, safety, and welfare; it is not for term protection or to eliminate entry into a field. Many issues affect public safety and design projects, regardless of the professionals who handle them. He said that SB 73 would instill protection of the public through the three tiers of education, experience, and examination. He made a case for establishing an interior designer seat on the AELS board.

[2:07:21 PM](#)

CHARLES BETTISWORTH, Senior Architect and President, Bettisworth North Architects and Planners, Inc., Fairbanks, Alaska, gave invited testimony in support of SB 73. He is a member of the Alaska Chapter of American Institute of Architects (AIA) and serves as an advisor to the AIA Board of Directors. He founded Bettisworth North Architects and Planners, Inc. 45 years ago. He said this legislation is long overdue and serves the public interest. He recognizes the value of interior designers who possess NCIDQ certification. He said that much interior design work involves renovation and reconfiguration of public space. These services are often contracted by owners and lessees without engaging architects and they do not understand the potential life safety issues. These owners and lessees often hire interior designers who do not have NCIDQ certification or knowledge of or experience with the applicable and necessary life safety codes. SB 73 will provide a way for those interior designers to become certified to complete this work in a manner aligned with public safety. He said that the bill will not displace architects. SB 73 will protect the public, expand consumer choice and encourage small business.

2:12:39 PM

SENATOR CLAMAN said one of the weaknesses of being a lawyer is the tendency to consider hypothetical situations. He offered an example of a design project that requires the expertise of both architects and interior designers; he pointed out that for a weight lifting gym on a second floor structure, the matter of designing a floor sturdy enough to hold large weights being dropped is exclusively for engineers and architects, because interior designers are not trained to figure out the structural load in such a scenario. Configuring where the weights go so that weightlifters do not get injured when walking around, choosing a finish for the wall that prevents negative health impacts from the paint when the weightlifters are sweating, and positioning weightlifting apparatuses will be done by interior designers. Some safety matters are dealt with by architects and engineers, whereas other safety matters are dealt with by interior designers.

2:14:50 PM

CATHERINE FRITZ, Chair, State Board of Registration for Architects, Engineers, and Land Surveyors (AELS), Department of Commerce, Community and Economic Development, Juneau, Alaska, gave invited testimony on SB 73, paraphrasing from the following prepared statement:

[Original punctuation provided.]

My name is Catherine Fritz, and I serve as Chair of the Alaska Board of Registration for Architects, Engineers, and Land Surveyors (AELS). I am an architect by profession and I live in Juneau.

Thank you for the opportunity to share thoughts about SB73 on behalf of the AELS Board.

SB 73 proposes to add a new design profession, interior design, to AS 08.48, the statute that authorizes the AELS Board. This bill is substantially similar to former HB61 from the 32nd Alaska Legislature. Since 2021, the AELS Board has reviewed and raised concerns on both bills that propose to regulate the practice of interior design through the registration of interior designers.

A letter that outlines six issues of concern of SB73 was submitted to the Senate Labor & Commerce Committee

on February 24. The AELS Board recently held two special meetings to review this bill and address the overall topic of interior design regulation.

The Board has not yet taken an official position in support or opposition of SB73. Rather, it has been encouraging dialog with the group of interior designers who have been promoting the bill and their colleagues, Alaska's architects, most of whom oppose interior design registration as proposed. The hope has been that the people who are most affected by the interior design industry could work together to develop mutually agreeable legislation that may be established within the AELS Board or elsewhere in state statute. At the same time, the Board has been reluctant to take a position on SB73 because it did not draft the bill. The Board respects the legislature's role to consider, and perhaps even pass legislation it sees as appropriate while the Board's job is to regulate professions authorized under enacted legislation.

At the most recent special meeting on March 16 the Board heard from the Interior Design Working Group that was established in July, 2022 to collaborate on interior design regulation issues. There was optimism among Working Group members that amendments to SB73 might be developed that would provide the AELS Board more information so that it could then consider action. A meeting of the Working Group was held on March 31. In fact, to fully disclose to this Committee, I attended this virtual meeting. As a registered architect and long time member of the American Institute of Architects (AIA), I serve as a member of the Working Group. I do [not] represent the AELS Board when attending these meetings. The AELS Board has not yet received a report of the March 31 meeting. However I have scheduled time on our upcoming regular AELS Board meeting agenda on May 10-11to receive updated information and discuss SB73 so the Board can then decide how it would like to proceed. I can request an additional special meeting of the AELS Board if you believe our additional input on the bill is valuable before May 11.

[2:18:13 PM](#)

MS. FRITZ added that there were some suggested amendments that both parties agreed to during the March 31st meeting.

[2:18:50 PM](#)

At ease.

[2:20:24 PM](#)

CHAIR BJORKMAN reconvened the meeting and opened public testimony on SB 73. He said written testimony can be submitted to slac@akleg.gov.

[2:22:03 PM](#)

CARA RUDE, Principal and Owner, MCG Explore Design, Anchorage, Alaska, testified in support of SB 73 so that policy can catch up with practice, so the state infrastructure is designed by Alaskans, and so there are professionals she can sell her practice to in the future. She said that she has designed technical infrastructure across the state with the only authorship of her work being through federal projects. MCG is one of the oldest and largest architectural practices in the state. Two of the firm owners are interior designers. She said that she and her colleagues are technical professionals and SB 73 will lead to authentic authorship of their practice.

[2:24:34 PM](#)

JESSICA CEDERBERG, President-Elect, American Institute of Architects-Alaska Chapter (AIA Alaska), Anchorage, Alaska, testified in opposition to SB 73 in its current form. She offered a correction to the position paper from AIA Alaska, stating that the version in the committee members' folders is the final and correct version. She clarified that the educational and testing requirements to become an architect include obtaining a five-year bachelor's degree or six-year master's degree, a six-part exam including a 4.5 hour test on life safety codes for the public. AIA Alaska has over 200 members in its chapter plus the support of AIA National in opposing this bill as it is currently written. SB 73 will increase statewide labor shortages by restricting work to only interior designers with NCIDQ qualifications; there are fewer than 25 qualified designers in the state. She said the AIA is requesting more time to collaborate with the committee on rewriting the legislation.

[2:26:48 PM](#)

WILL WEBB, representing self, Anchorage, Alaska, testified in support of SB 73. He said he is a licensed civil engineer and his testimony represents his own opinions, but he is also a

current board member of the Alaska Professional Design Council, which is in support of this bill. Passing SB 73 will pave the way for qualified interior designers to take responsibility for their designs, ensuring compliance with public safety guidelines, and broaden the pool of available commercial interior professionals in Alaska.

[2:28:10 PM](#)

JAMES BIBB, Board Member, American Institute of Architects-Alaska Chapter (AIA Alaska), Juneau, Alaska, testified in opposition to SB 73 as it is currently written. He stated that he is a practicing architect. He expressed his belief that there are certain subtleties about who is allowed to perform creative work under this bill and that it is not yet in its final form. He supports timely progress but would like collaboration between AIA and the legislature to finalize SB 73.

[2:30:34 PM](#)

RAMONA SCHIMSCHEIMER, representing self, Anchorage, Alaska, testified in opposition to SB 73 in its current form. She said that she is a registered architect in the state of Alaska and an AIA member. She stated that SB 73 will increase statewide labor shortages by restricting work to only NCIDQ qualified interior designers, of which there are fewer than 25 in the state, while 300 professionals currently provide various types of interior design services, according to the Alaska Department of Professional Licensing. She expressed her support for limiting the interior design scope of practice to non-safety design elements. She expressed her support for the cost of deducting interior design regulations being borne by the affected interior design licensees. She requested more time for collaboration of all parties to write a cohesive bill that everyone can live with.

[2:32:40 PM](#)

BARBARA CASH, representing self, Anchorage, Alaska, testified in support of SB 73. She said she is a credentialed 40-year interior designer. SB 73 registration and practice registration is limited to interior work within Alaska's public and private buildings which impacts public health safety and welfare. The bill recognizes that not all interior designers will want to pursue registration and may still work in the field under a registered individual, while providing non-registered interior designers the opportunity to continue working while working towards registration. She referenced Ms. Schimscheimer's statement that over 300 interior designer listings are in the

Anchorage area, yet the term "interior designer" is not regulated so it might be used by anyone.

[2:35:20 PM](#)

LARRY CASH, representing self, Anchorage, Alaska, stated that as a Fellow of the AIA (FAIA), he is compelled to voice his emphatic support for SB 73. The bill will enhance, not diminish the service or authority of architects. He endorses including registered professional interior designers in Alaska as integrated members of professional design teams for Alaska projects. The federal government, the Department of Defense, and the US Army Corps of Engineers require professional interior designers and Alaska should too. Passing SB 73 will support making Alaska buildings as safe as possible inside and out.

[2:37:12 PM](#)

MATTHEW BARUSCH, Government Relations and Advocacy Manager, Council for Interior Design Qualification (CIDQ), Arlington Virginia, testified in support of SB 73. He said that legal recognition of interior designers is needed to protect the public from incompetent practice. He provided an example of an instance in which a tragic fire could have been averted if a qualified interior designer had been employed to design the building.

[2:39:41 PM](#)

JASON FLOYD, representing self, Soldotna, Alaska, testified in opposition to SB 73 in its current form. He said he is an independent contractor and that his business provides consultation to help clients move their viable projects forward. Services his business provides include project proposal, concept development, design marketing, and referrals of qualified and regulated professionals in architecture and engineering. He pointed out that the field of design is broad and diverse and professionals in the field are likely to inappropriately fall under the regulation of SB 73 if it is passed in its current form. Not all design projects require the alteration of structure and in many cases only require conceptual design and planning for the application of materials, fixtures, and finishes to new or existing structures. Designers help inform the planning process and in some instances assist with concept development prior to, during, and following completion; interior designers bring much needed added value to the industry. He posited that interior designers are unjustifiably targeted under the practice definition offered in SB 73. Law and regulation should not be created to benefit a small group of people; it must serve the public interest, be specific and well-defined.

Poorly crafted, over-reaching regulation will lead to artificial restriction in vendor supply, stifle creativity, and increase industry and consumer costs. Alaska needs more designers, not fewer. He had not heard or seen any documentation of public harm that has resulted from the work of an interior designer in Alaska. He reiterated his opposition to SB 73.

[2:42:29 PM](#)

JASON SWIFT, representing self, Anchorage, Alaska, testified in support of SB 73. He said he is an Alaskan architect. The expertise that interior designers bring to the community is invaluable and needed. This bill would make Alaska one of the most enticing places to practice for interior designers. He said that his firm would be the first in line to start hiring interior designers if SB 73 were to pass.

[2:43:15 PM](#)

CAITLIN CUNNINGHAM, Board Member, American Society of Interior Designers (ASID)-Alaska Chapter, Anchorage, Alaska, testified in support of SB 73. She said this bill will allow commercial designers to continue working under credentialed designers or architects while providing career opportunities by allowing the option to become a registered NCIDQ certified interior designer in Alaska.

[2:44:08 PM](#)

ELIZABETH JOHNSTON, Chief Electrical Engineer, Design Alaska, Fairbanks, Alaska, testified in support of SB 73. She said she is a registered fire protection and electrical engineer. She expressed that she does not speak for AELS though she has served on the board since 2017. She agrees with the provisions in SB 73 to have a separate mechanical and electrical engineer seat on the board. Professions serving on the board must represent all of the practice areas collectively to ensure diversity of industry perspectives. The role of the board is to protect the public by ensuring that minimum competency standards are met. She opined that overlap is not a problem. SB 73 is pro-consumer and pro-competition. She expressed concern over a section of the bill that implies that there is no need for licensed practice when the work does not cover issues of public safety. She said that fire protection engineers will overlap with interior designers in certain situations, and that the work of both will contribute to increasing life safety. SB 73 will allow consumers to choose from a greater list of qualified professionals.

[2:46:55 PM](#)

RYAN MORSE, representing self, Fairbanks, Alaska, testified in opposition to SB 73 in its current form. He is an architect with Design Alaska, a former president of AIA Alaska, and currently serves as the Alaska representative to the AIA National Strategic Council. He stated that he opposes the bill in its current form, but not the recognition of interior designers. The bill does not provide an allowance for temporary board members. The council is concerned with only allowing a licensed interior designer in a board seat. He noted that there is far more agreement than disagreement on the bill. More discussion is needed before the bill moves forward.

[2:49:34 PM](#)

THOMAS LIVINGSTON, representing self, Anchorage, Alaska, testified in opposition to SB 73 as it is written. He has been an architect in Alaska since 1976 and designed hundreds of buildings across the state. He is familiar with the role that interior designers play within a design team. He said this bill seems to be a solution to a problem that does not exist and it will create added regulatory and project costs. Duplication of licensed professionals creates confusion among clients and the public. After nearly 50 years of practice, he's seen no other practice where disciplines overlap in this way.

[2:52:20 PM](#)

BRIAN MEISSNER, representing self, Anchorage, Alaska, testified in support of SB 73. He expressed his enthusiasm for recognizing interior designers for what they are capable of. He works with ECI, one of the oldest architecture firms in Alaska. He said he just moved into a new home that was entirely designed by ECI's lead interior designer, who handled all life safety issues, coordinated with the engineers and code officials to obtain a building permit. This bill is good for Alaska.

[2:53:04 PM](#)

ELIZABETH GOEBEL, representing self, Anchorage, Alaska, testified in support of SB 73. She said she is an entry level interior designer working towards a NCIDQ certification in Alaska. As a young designer, she hopes to grow and advance the industry without limitations. She encouraged support for SB 73.

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CHAIR BJORKMAN held SB 73 in committee with public testimony open.

[2:53:54 PM](#)At ease.

SB 126-ARCHITECT/ENGINEER REGISTRATION BOARD

[2:54:56 PM](#)

CHAIR BJORKMAN reconvened the meeting and announced the consideration of SENATE BILL NO. 126 "An Act relating to the State Board of Registration for Architects, Engineers, and Land Surveyors; relating to architects, engineers, land surveyors, and landscape architects; and providing for an effective date."

CHAIR BJORKMAN announced that his staff will present the bill.

[2:55:32 PM](#)

LAURA ACHEE, Staff, Senator Jesse Bjorkman, Alaska State Legislature, Juneau, Alaska, introduced SB 126 on behalf of the committee, reading from the following prepared statement:

[Original punctuation provided.]

SB 126 was introduced by the Senate Labor and Commerce Committee at the request of the State Board of Registration for Architects, Engineers, and Land Surveyors.

For the most part, the changes in this bill modernize and cleanup the Board's statutes. However there are two sections that address vague language which have been interpreted in a way that is not consistent with best operation of the Board or of the regulated professions.

MS. ACHEE deferred to Mr. Leman for an explanation of the two material changes this bill makes to the board and the reason the board wanted SB 126 to be introduced.

[2:56:41 PM](#)

LOREN LEMAN, Former Lieutenant Governor, Board Member, State Board of Registration for Architects, Engineers, and Land Surveyors (AELS), Anchorage, Alaska, presented the sponsor statement and summarized the sectional analysis for SB 126. He reviewed the following sponsor statement:

Senate Bill 126 is legislation requested by the State Board of Registration for Architects, Engineers, and Land Surveyors (AELS Board). In many respects it is like a "Revisor's Bill."

One of its more substantive changes is to clarify that an electrical and a mechanical engineer may serve on

the Board at the same time. This could be helpful as these two disciplines of engineering have the second and third most registrants in Alaska (civil engineering has the largest number). The Board believes this is what the Legislature intended when it called out that one of the 11 seats must be filled by a mechanical or electrical engineer and another seat is to be filled by another discipline not already represented. However, the Department of Law advises that the current language may not allow this. Clarifying this will reduce the potential for conflict over eligibility to serve and may better serve the professions.

Another change is to clarify that a registrant who seals and signs a document must do the work or be in responsible charge of it and the work must be in the registrant's field of practice. An attorney in the Department of Law recently opined that the way the sentence is currently written could be interpreted as "or," meaning either condition alone is sufficient. This is not how the professions have long practiced this, nor how regulations are written. So the Board requests this clarification to reduce potential conflict between statute and regulation, as well as guard the professions.

The bill provides numerous updates to the statutes, acknowledges that documents are now transmitted electronically, and adds limited partnerships to the corporate structures that can be issued certification for professional practice.

MR. LEMAN summarized the sectional analysis that read as follows:

[Original punctuation provided.]

**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.

[3:06:06 PM](#)

CHAIR BJORKMAN opened public testimony on SB 126. Finding no testifiers, he held SB 126 in committee with public testimony open.

[3:07:01 PM](#)

There being no further business to come before the committee, Chair Bjorkman adjourned the Senate Labor and Commerce Standing Committee meeting at 3:07 p.m.