

HB

8/4

SPA-490-V
Anchorage, Alaska 99507

March 10, 1976

File

All Senators and Representatives
Pouch V
Juneau, Alaska 99811

Gentlemen:

Reference is made to House Bill No. 814, "An act providing for the licensin. of building designers". I am totally opposed to this legislation as it is not in the best interest of the citizens of our State.

I am a graduate engineer from the University of Alaska and am registered in Alaska as a Professional Engineer. I have for many years been in the position of Contracting Officer's Representative, administrating the design and/or construction of varied building programs. This past year, I supervised an office which administered a \$77 million building construction program. These projects range from several thousand dollars to several million dollars and are located in both urban and rural areas of Alaska.

I believe this qualifies me to have some knowledgeable opinions on the quality of designs that are prepared by Alaskan professionals. We have problems as these designs are prepared by humans but at least we maintain the highest possible standards for registration of professional Engineers and Architects. However, to lower these standards by passage of HB 814 would only serve to increase the problems.

For example, under HB 814, one individual would be permitted to design the foundations, structural system, electrical, mechanical, and all architectural features of a structure four (4) stories high of unlimited square footage and of any type of occupancy. I have never in my career met a man or woman so qualified and I hope I never meet one who thinks he is. Under existing law and practice, an Architect would design such a structure, utilizing the services of professionally registered consultants in the following fields (1) Soils and Foundations (2) Structural Engineering (3) Mechanical Engineering (4) Electrical Engineering. He might also utilize other consultants depending on the program but those listed are the absolute minimum. It is physically impossible for one individual to keep up with all the codes for these various specialized fields. If you disagree and do feel these "building designers" are that good then I say they would have no trouble in passing the examinations for professional registration as Engineers or Architects. So why the need for this bill?

All Senators and Representatives
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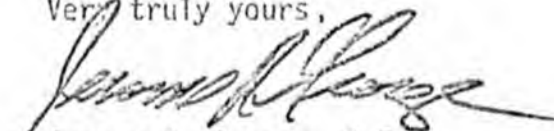
Page 2.

The whole purpose of professional registration is to protect the public by insuring that designers have certain qualifications and are above reproach in the conduct of their responsibilities to their clients. It is a tough job which even at best is plagued with problems. To lower the standards only serves to increase the potential danger to our citizens.

Would you want to be in a four (4) story building designed by a nonprofessional during the next earthquake? Fire?

I urge that this bill not be passed.

Very truly yours,



Jerome R. George, P.E.

cc: Doug Ackley, Chairman
Board of Registration for Architects, Engineers and Land Surveyors



March 12, 1976

Mr. Ted Smith, Representative
Alaska House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Sir:

The question arises as to "why should building designers be registered?".

The answer is:

Building Designers should be registered for the same multitude of reasons that architects, engineers, accountants, physicians, surgeons, etc., are registered. Too many times the public has been subjected to faulty planning and design by irresponsible, inexperienced, uneducated and inept practitioners in various types and forms of human edifices, which soon become eyesores, public nuisances or hazards.

Registration provides the power and authority to eliminate and control shoddy design and construction to the public through its governmental offices. Registered building designers must maintain a higher level of practice standards than designers who are allowed to do as they choose or, as so often happens, as their client demands. Many times clients are so cost conscious that the need for public benefit and protection is lost. When the only consideration by the developer is monetary, safety and social factors are the first to fall by the wayside.

A building designers' board could and would deal swiftly with abuses of the profession through setting of standards which would provide for public protection and benefit within limits established through the profession. The board should have powers to penalize and enforce these standards on practicing professionals.

The instant slums created in so many locations throughout the nation and the world and the failures of shoddily constructed homes, illustrate the fact that many contractors simply do not keep up with the trends. It isn't necessarily true that they don't wish to, it simply points out the fact that trained professionals will have to pay more attention to the details that make the difference and do a more accountable job.

In registering building designers, California acknowledged the need for registration. The California program missed a few important details in its registration law and they are

March 12, 1976

readily apparent to building designers. These errors in California law can and hopefully will be eventually amended. At any rate, the California Registration Act has proven to be satisfactorily enforced and has imposed no great hardships or problems since its initiation in 1964. The most unsatisfactory part of its act is that it is not broad enough in its coverage and should also have included residential design which it neglected to do.

The theory for omitting residential design from the act was that it might infringe on someone's civil rights in preventing them from designing their own home. This did not recognize the fact that the individual who designed his own home might not live in that home. Then, if it were in some way faulty, would it not perhaps infringe on the rights of the occupant or later purchaser? No great cost or effort would be imposed upon individuals who wished to design their own homes. They would simply have to prepare their plan under the supervision of a responsible professional.

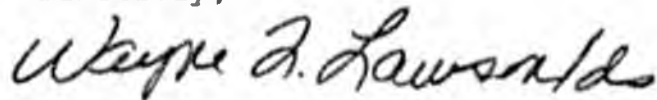
Most people do not live in one place for a lifetime, and so when they sell that "owner designed home", it is probably more difficult to sell due to design errors which other occupants would not appreciate.

Citing further illustrations, consider the buildings damaged by earthquakes, storms and other natural causes. No one will say that many of the buildings lost were not professionally designed. However, if you study the damages and history of these events, you will find that the major losses in life and property were in edifices designed by unregistered people who simply did not specialize in keeping up with the professional practice and responsibility.

In closing, let me say that most building failures, like airplane crashes, are due to pilot error. Register the building designer for the benefit of the public, other professionals, and the designer. Without registration, the designer has to compete against cheap, inefficient, careless and irresponsible competition who cannot be penalized for their erroneous ways. This is the detriment of the public's health and welfare.

Thank you for this opportunity to address you, and I wish you the best and Godspeed.

Sincerely,



Wayne F. Lawson, President
American Institute of Building Design



ALASKA CHAPTER THE AMERICAN INSTITUTE OF ARCHITECTS

March 17, 1976

Representative Bob Bradley
State House
Pouch V
Juneau, AK 99801

Subject: House Bill 814

Dear Representative Bradley:

The Executive Board of the Alaska Chapter of The American Institute of Architects has received copies of the proposed statute. The Board offers the following comments regarding the bill:

1. To the best of our knowledge no element of this bill provides for any protection of health and welfare. It just merely provides exclusive use of the term "Building Designer" to those few individuals who take an examination and pay licensing fees. We seriously doubt whether legislation of this type is of value to the Alaskan public, and therefore, question whether it should become a statute.
2. If the legislature feels that additional protection of public health and welfare is needed beyond that currently provided in the Alaska Statute AS 08.48.011 Chapter 48 regarding Architects, Engineers and Land Surveyors, we feel that such additional protection should be included within the framework of that current statute. The current statute should be amended to include those types of projects not already included such as:
 - a. Commercial buildings less than 500 sq. ft.
 - b. Residential structures of four dwelling units or less.
 - c. Agricultural building or buildings for personal use.

This amended legislation could take two forms:

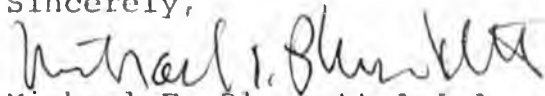
PLEASE REPLY TO: 505 W. Northern Lights Blvd.
Anchorage, AK 99503

Representative Bob Bradley
March 17, 1976
Page Two

It could include the building designer as a professional qualified to provide the services outlined above or could include a requirement for architect/engineer involvement on these project types.

3. Should the legislature elect to enact proposed legislation for building designers, we feel that such legislation would duplicate the existing Statute AS 08.48.011 Chapter 48. We see in the proposed legislation a conflict wherein the designer may perform services on structures of up to four stories without the need to associate with an architect or engineer. This is definitely in conflict with the current Architects, Engineers and Land Surveyors statute.
4. We feel that this legislation would confuse the public since it does not restrain anyone from designing buildings of the types outlined above. It only regulates the title "Building Designer" and makes it difficult for individuals, even if qualified, to call themselves such.

Sincerely,



Michael E. Plunkett A.I.A.
President
Alaska Chapter, A.I.A.

MEP/bc

*The Alaska Society of
Professional Engineers*



March 5, 1976

Honorable Senators and Representatives:

The legislative Committee of the Juneau Chapter, Alaska Society of Professional Engineers, would like to take this opportunity to comment on several pieces of legislation now under consideration. The Committee offers the following comments, inasmuch as the bills listed herein affect the engineering profession:

Senate Bill 537:

This bill adds two "public members" to each of a number of State Boards responsible for registering or licensing various professions, including engineering and land surveying. The stated eligibility for such "public members" is complete unfamiliarity with the particular profession as to qualifications, conduct, professional ethics, or practices of the profession. It is difficult to understand how the presence of someone so completely lacking in specific knowledge could possibly be beneficial in the selection status, and we therefore are not in favor of this bill. It is noted that the legal fraternity has been conspicuously omitted from the list of affected professions.

House Bill 578:

This bill establishes an Alaska Credentialing Review Commission to review the statutes and regulations regarding credentialing for numerous occupations and professions. Members of this commission could have no connection whatsoever, except as consumer, with any person or firm engaged in any of the listed occupations. The ability, of someone so completely remote from these occupations, to evaluate the statutes regulating such occupations, is at best a highly problematical thing. We feel that the individual professions can best govern their own field.

House Bill 646:

This bill would concentrate the selection of consultants for all state agencies in the Department of Public Works. Among its other objectionable features, it would allow a member of the Selection Board to approve award of a consultant contract to his own firm. The requirement that each agency must determine its requirements for professional services a year in advance is totally unrealistic. Under present law, user agencies now give public notice of their intent to utilize such services, and most have adequate regulations concerning the selection thereof. By separating the user agency from the selection process, the lines of communication between consultant and user may be tenuous at best, and non-existent at worst.

It is doubtful if the expenses involved in the operation of this board can be sufficiently beneficial to the State as to be justified.

House Bill 814:

This bill would create a category of "Registered Building Designer", along with a Board to administer the act. Basically, this bill would give authority to design most buildings in the State of Alaska, with no knowledge whatsoever of engineering or architecture. Anyone who represents himself to the public as a "building designer" for a period of three years, prior to enactment of this bill, is entitled to registration without examination. The educational and experience requirements in the bill are utterly meaningless, since such education and/or experience need not be involved with any particular profession or occupation. As now worded, a person who has completed the fourth grade in elementary school could qualify after working one year at most anything. A license for a person of such limited background to design buildings up to four stories in height, including the structural aspects, along with mechanical and electrical systems, is completely contrary to the safety and welfare of the public. We strongly recommend rejection of this bill.

House Bill 773:

This bill would require an environmental impact report for every project by a state agency on state land. Inasmuch as all state activities are now cleared through the State Clearinghouse, the benefits of this additional bureaucratic maze is somewhat questionable, and we feel that this bill is not really necessary.

House Bill 741:

This bill would create a Highway Commission, which would tend to remove the Highway Department from the political arena. About thirty states now have some such an organizational structure and it appears to be satisfactory. We feel that this particular bill could possibly use some editing, but we generally approve of this concept.

Warren E. Wild

Warren E. Wild, P.E.
ASPE, Legislative Committee

Copies to:

Senator Bill Ray
Senator Jalmar M. Kerttula
Representative Mike Miller
Representative Bob Bradley
Representative Bill Parker
Representative Jim Duncan
Representative Nels Anderson
Vern Akin, P.E.
Bill Whitnall, P.E.

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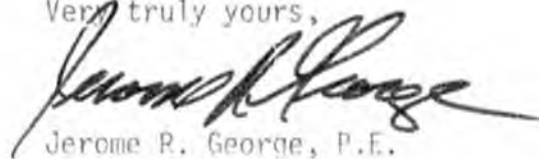
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Very truly yours,

A handwritten signature in cursive script, appearing to read "Jerome R. George".

Jerome R. George, P.E.

cc: Doug Ackley, Chairman
Board of Registration for Architects, Engineers and Land Surveyors