

HB

414

Date Referred to Committee: March 8, 1996

FURTHER REFERRALS:

Date of Committee Action: 4-17-96

The JUDICIARY Committee considered:

HB 414

HOUSE BILL NO. 414

MANDATORY MEDIATION/DESIGN PROF LAWSUITS

"An Act requiring conciliation panel review in a civil action against an architect, engineer, or land surveyor; and providing for an effective date."

recommends it be replaced with the following committee substitute CSHB 414 (JUD) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) _____

zero fiscal note(s) Commerce 3/8/96

| SIGNING WITH RECOMMENDATIONS | DP | DNP | NR | AM |
|------------------------------|-------------------------------------|-----|-------------------------------------|-------------------------------------|
| <i>Boian Porter</i> | <input checked="" type="checkbox"/> | | | |
| <i>[Signature]</i> | <input checked="" type="checkbox"/> | | | |
| <i>Car Bender</i> | <input checked="" type="checkbox"/> | | | |
| <i>[Signature]</i> | <input checked="" type="checkbox"/> | | | |
| <i>[Signature]</i> | | | <input checked="" type="checkbox"/> | |
| <i>David J. [Signature]</i> | | | | <input checked="" type="checkbox"/> |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

CHAIR'S SIGNATURE Boian Porter

CS FOR HOUSE BILL NO. 414(JUD)
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVE GREEN

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring mediation in a civil action against an architect, engineer, or
2 land surveyor; amending Rule 100, Alaska Rules of Civil Procedure; and
3 providing for an effective date."

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

5 * Section 1. AS 09.55 is amended by adding a new section to read:

6 ARTICLE 9. MALPRACTICE ACTION AGAINST DESIGN PROFESSIONAL.

7 Sec. 09.55.700. MANDATORY MEDIATION. (a) A civil action against a
8 design professional seeking damages resulting from professional negligence shall be
9 submitted to mediation unless all the parties to the civil action agree to waive
10 mediation. The court shall order that mediation be conducted as provided under the
11 Alaska Rules of Civil Procedure, except that if the court requires the costs of
12 mediation be paid by the party defending against the civil action, the provisions of this
13 section may be waived at the election of the party defending against the civil action.
14 If a party to the mediation is determined by the court to be indigent, the court may

1 impose the costs of mediation on another party. If more than one party is defending
2 against the civil action, waiver of mediation is not allowed unless all defending parties
3 agree to the waiver. For purposes of waiver allowed under this subsection, "civil
4 action" does not include a counterclaim, third-party claim, or cross claim.

5 (b) In this section,

6 (1) "design professional" means an architect, engineer, or land surveyor
7 licensed in this state;

8 (2) "professional negligence" means a negligent act or omission by a
9 design professional in providing professional services;

10 (3) "professional services" means services provided by a design
11 professional that are within the scope of the services for which the design professional
12 is licensed.

13 * Sec. 2. AS 09.55.700, enacted by sec. 1 of this Act, has the effect of amending Rule 100,
14 Alaska Rules of Civil Procedure, by requiring the parties to request mediation and the court
15 to order mediation in a civil action against a design professional.

16 * Sec. 3. This Act applies to causes of action that accrue on or after the effective date of
17 this Act.

18 * Sec. 4. This Act takes effect July 1, 1996.

A M E N D M E N T

OFFERED IN THE HOUSE

TO: CSHB 414(), Work Draft 9-LS1508, "R" version

- 1 Page 1, lines 1 - 2:
2 Delete "a civil action against an architect, engineer, or land surveyor"
3 Insert "certain civil actions"
- 4 Page 1, line 2, after "Procedure;":
5 Insert "repealing Rule 72.1, Alaska Rules of Civil Procedure;"
- 6 Page 1, line 6:
7 Delete "AGAINST DESIGN PROFESSIONAL"
- 8 Page 1, lines 7 - 8:
9 Delete "(a) A civil action against a design professional seeking damages resulting
10 from professional"
11 Insert "A civil action seeking damages resulting from"
- 12 Page 1, line 11, through page 2, line 4:
13 Delete all material.
- 14 Page 2, after line 4:
15 Insert new bill sections to read:
16 "* Sec. 2. AS 08.64.326(a)(12); AS 08.68.270(10); AS 09.55.535, 09.55.536, 09.55.560(2),
17 and 09.55.560(3) are repealed.
18 * Sec. 3. Rule 72.1, Alaska Rules of Civil Procedure, is repealed."
- 19 Renumber the following bill sections accordingly.

- 1 Page 2, line 7:
- 2 Delete "against a design professional"
- 3 Insert "seeking damages resulting from negligence"

A M E N D M E N T

OFFERED IN THE HOUSE

TO: CSHB 414(), Work Draft 9-LS1508, "R" version

- 1 Page 1, line 9, following "mediation":
- 2 Insert ", unless all the parties to the civil action agree to waive mediation"

OK

A M E N D M E N T

OFFERED IN THE HOUSE

TO: CSHB 414(), Work Draft 9-LS1508, "R" version

1 Page 1, line 10, following "Procedure":

2 Insert ", except that if the court requires the costs of mediation be paid by the party
3 defending against the civil action, the provisions of this section may be waived at the election
4 of the party defending against the civil action. If more than one party is defending against
5 the civil action, waiver of mediation is not allowed unless all defending parties agree to the
6 waiver. For purposes of waiver allowed under this subsection, "civil action" does not include
7 a counterclaim, third-party claim, or cross claim".

*Conceptual amendment:
If a party indigent, court may order
other party to bear entire costs of
mediation.*

PASSES

WORK DRAFT

WORK DRAFT

WORK DRAFT

9-LS1508VR

Ford

4/2/96

CS FOR HOUSE BILL NO. 414()

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY

Offered:

Referred:

Sponsor(s): REPRESENTATIVE GREEN

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring mediation in a civil action against an architect, engineer, or
2 land surveyor; amending Rule 100, Alaska Rules of Civil Procedure; and
3 providing for an effective date."

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

5 * Section 1. AS 09.55 is amended by adding a new section to read:

6 ARTICLE 9. MALPRACTICE ACTION AGAINST DESIGN PROFESSIONAL.

7 Sec. 09.55.700. MANDATORY MEDIATION. (a) A civil action against a
8 design professional seeking damages resulting from professional negligence shall be
9 submitted to mediation. The court shall order that mediation be conducted as provided
10 under the Alaska Rules of Civil Procedure.

11 (b) In this section,

12 (1) "design professional" means an architect, engineer, or land surveyor
13 licensed in this state;

14 (2) "professional negligence" means a negligent act or omission by a

1 design professional in providing professional services;

2 (3) "professional services" means services provided by a design
3 professional that are within the scope of the services for which the design professional
4 is licensed.

5 * Sec. 2. AS 09 55.700, enacted by sec. 1 of this Act, has the effect of amending Rule 100,
6 Alaska Rules of Civil Procedure, by requiring the parties to request mediation and the court
7 to order mediation in a civil action against a design professional.

8 * Sec. 3. This Act applies to causes of action that accrue on or after the effective date of
9 this Act.

10 * Sec. 4. This Act takes effect July 1, 1996.

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. CSHB 414 (JUD)

Revision Date: _____
Title: Design Professional Mediation

Dept. Affected: Alaska Court System
BRU: Trial Courts

Sponsor: Rep. Green
Requestor: House Judiciary

Component: _____
COMPONENT SERIAL NO. 768

Expenditures/Revenues (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 |
|------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | 3.8 | | | | | |
| CONTRACTUAL | 0.3 | | | | | |
| SUPPLIES | 0.1 | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS & CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 4.2 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | |
|------------------------|--|--|--|--|--|--|

Fund Source (Thousands of Dollars)

| | | | | | | |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | 4.2 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1005 GF/Program Receipts | | | | | | |
| 1037 GF/Mental Health | | | | | | |
| Other | | | | | | |
| TOTAL | 4.2 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY 96) cost: None

Positions

| | | | | | | |
|-----------|--|--|--|--|--|--|
| Full-Time | | | | | | |
| Part-Time | | | | | | |
| Temporary | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

See attached fiscal analysis.

Prepared by: C. S. Christensen III, Staff Counsel
Agency: Alaska Court System

Phone: 264-8228
Date: 04/16/96

Approved by: Arthur H. Snowden, II, Administrative Director
Agency: Alaska Court System

Date: 04/16/96

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Alaska Court System
Fiscal Analysis
CSHB 414 (JUD)

CSHB 414 (JUD) amends the Code of Civil Procedure to require mediation of a civil action alleging professional negligence against an architect, engineer or land surveyor. Mediation must be conducted as provided under the Rules of Civil Procedure.

The court system does not keep statistics on the number of professional negligence claims filed against design professionals each year; based on testimony, it is assumed that only a few dozen such cases are filed each year in superior or district court.

This legislation will require the court system to draft and adopt rules for mediating professional negligence claims, as well as draft new forms and revise existing forms so that these types of cases can be tracked.

Court rules will specify that the costs of the mediation shall be paid by the parties. However, as long as mediation is mandatory, the state will be required to pay the costs of the mediator for any party who is legally indigent. Because of the small number of claims each year and the relatively low costs of mediation, this note assumes that there will be no costs to the state for indigent mediation. This could change dramatically from year to year, however. Several years ago, a school roof collapsed because of snow load. Because the building was empty, no one was injured and only one plaintiff (the school district) had standing to file a claim. If school had been in session, however, scores of children or their estates might have had grounds for filing a civil action. In such an event, there could be a large number of legally indigent plaintiffs ordered to mediation, and the engineers who designed the roof might not be financially able to pay their share of the costs of hundreds of mediation sessions. While the catastrophic failure of buildings or other structures is fortunately rare, the potential exists that the court system would need to return to the legislature for funding of indigent mediation at some time in the future.

Alaska Court System

Fiscal Analysis

CSHB 414 (JUD)

All one-time costs

Travel

This legislation will require the court system to draft new rules and revise forms. These changes will require the court's Mediation Committee to meet twice. The Committee is comprised of private attorneys from across the state and court staff. It is assumed that the meetings will last two days and that the court will pay transportation and per diem for committee members residing outside of Anchorage.

\$3,750

Contractual

Postage for mailing rules and forms

325

Supplies

Paper and printing supplies for forms and reprinting rules

130

\$4,205

Alaska State Legislature

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CO-CHAIR, RESOURCES COMMITTEE
VICE CHAIR, JUDICIARY COMMITTEE
MEMBER, STATE AFFAIRS COMMITTEE

FINANCE SUBCOMMITTEES
DEPT. OF NATURAL RESOURCES
DEPT. OF COMMERCE & ECONOMIC DEVELOPMENT
DEPT. OF ENVIRONMENTAL CONSERVATION

Representative Joe Green
District 10

Sectional Description - HB 414

Conciliation Panel Review for Actions Against Design Professionals

Section 1

Sec. 09.55.700 (a) Requires a plaintiff with a legal claim against a design professional to submit the claim for review by the design professional conciliation panel. (b) Allows the design professional to petition the court that panel review is inappropriate. (c) Lists the reasons why a panel review can be considered inappropriate. (d) Allows the design professional against whom the claim is asserted to waive the proceedings.

Sec. 09.55.710 (a) States that the claim must be submitted to the department in writing, and with the fee. (b) Sets the fee at \$750. (c) Directs the department to form a panel comprised of a mediator, an attorney, and a design professional. (d) Disbands the panel after a decision is reached. (e) Sets compensation for panel members at \$300 per claim. (f) Directs the department to furnish office space and equipment.

Sec. 09.55.720 (a) Directs the panel to notify the defendant that a claim has been filed. (b) Allows the proceedings to be terminated if both parties agree.

Sec. 09.55.730 (a) States that the panel meetings are not open to the public. (b) States that panel hearings shall be informal. (c) Grants the panel and the commissioner the power of subpoena. (d) Establishes what information the panel can consider during the hearing. Limits compensation for expert witnesses to the state rate for per diem and travel expenses. (e) Allows the panel to encourage settlement at any time in the process.

Sec. 09.55.740 Requires the parties to attend panel hearings.

Section Description
HB 414

Sec. 09.55.750 (a) Requires the panel to forward their decision, including the issue of liability, in writing to the commissioner. Prohibits the panel from deciding on the issue of damages. (b) Requires panel members to sign the decision, and allows for dissenting opinion. (c) Allows the panel to forgo the written opinion if the claim is settled before the decision. (d) Directs the panel to make sure enough money has been deposited to cover the costs of the proceedings. Prohibits a panel decision from being released until all costs are covered.

Sec. 09.55.750 (a) Requires the defendant to formally reject the findings of the panel before an action can be filed in the appropriate court. Prohibits a statement made during the conciliation process from being used in court.

Sec. 09.55.770 Holds panel members immune from liability for action taken as a panel member.

Sec. 09.55.780 Stops the clock from running on the statute of limitations during the conciliation process, however, the clock may not stop for more than 12 months.

Sec. 09.55.790 Directs a party to the conciliation process to cooperate, and allows the court to assess penalties if they fail to do so.

Sec. 09.55.800 Directs the department to include information about claims brought before the panel in their annual report.

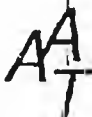
Sec. 09.55.810 Definitions.

Section 2 Amends Alaska Rule of Evidence 402 relating to the admissibility in court of decisions, conclusions, findings, or recommendations made during the panel process.

Section 3 Amends Alaska Rule of Evidence 613 relating to the admissibility in court of statements made during the panel process.

Section 4 Application date.

Section 5 Effective date.



Alaska Action Trust

P.O. Box 107323 • Anchorage, Alaska 99510
Office: 540 "L" Street, Suite 200 • Anchorage, AK 99501
(907) 258-4010 • FAX: (907) 276-7185

FAX TRANSMITTAL

TO: House Labor & Commerce
Attention: George Dozier
FAX #465-2189

FROM: Debra C. Gravo
Executive Director

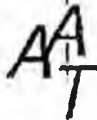
DATE: January 29, 1996

RE: HB 414, Mandatory Mediation/Design Professionals,
Position Paper by the Alaskan trial lawyers

George: What follows is our one-page position paper on HB 414, being heard before the House Labor & Commerce committee Wednesday, January 31st, 3:00 p.m. I would ask that this position paper be made part of the bill file and distributed to committee members prior to the hearing.

Kirsten Tinglum, chair of the Alaska Action Trust, is travelling to Juneau Wednesday, January 31st, to testify before the committee on HB 414. Should there be any changes in the hearing schedule of significance to her appearance, please advise ASAP.

Thank you kindly.



Alaska Action Trust

P.O. Box 102323 • Anchorage, Alaska 99510
Office: 510 "L" Street, Suite 206 • Anchorage, AK 99501
(907) 258-4040 • FAX (907) 276-7185

Analysis of HB 414/SB 119 Mandatory Mediation/Design Professionals

This position paper addresses HB 414 and SB 119, "An Act requiring conciliation panel review in a civil action against an architect, engineer, or land surveyor." This special interest legislation is unwarranted and unwise. It requires another stage of litigation before suit can be brought against architects, engineers, or surveyors for their negligence.

The bill imposes a duty on the plaintiff at the outset of his or her case to submit his or her claims to a design professional conciliation panel. The panel is to be comprised of a mediator, an attorney and a design professional. After a mini-trial, the panel would issue an advisory decision to the court and the parties. If the decision of the panel is rejected by any party, the matter then proceeds to trial in court. The panel's decision would not be admissible at the trial.

In essence, HB 414 and SB 119 require the parties to engage in a mini-trial and forced mediation before discovery. At this early stage, most of the information will be in the hands of the defendant, and the mini-trial will be unfair to the plaintiff.

Mediation makes sense, of course, as a way of resolving litigation. However, the plaintiff should be entitled to discovery before entering into the mediation process.

FISCAL NOTE

DRAFT

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. CSHB 414

Revision Date: _____
 Title: An Act requiring conciliation panel review prior to filing
a civil action against an architect, engineer, or land surveyor...
 Sponsor: Representative Green
 Requestor: Representative Green

Department: Commerce and Economic Development
 BRU: Occupational Licensing
 Component: Operations
 COMPONENT SERIAL NO. 1844

Expenditures/Revenues

(Thousands of Dollars)

| OPERATING EXPENDITURES | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 |
|------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | 9.3 | 9.3 | 9.3 | 9.3 | 9.3 | 9.3 |
| CONTRACTUAL | 1.3 | 1.3 | 1.3 | 1.3 | 1.3 | 1.3 |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 10.6 | 10.6 | 10.6 | 10.6 | 10.6 | 10.6 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|--------------------|------|------|------|------|------|------|
| CHANGE IN REVENUES | 10.6 | 10.6 | 10.6 | 10.6 | 10.6 | 10.6 |
|--------------------|------|------|------|------|------|------|

FUND SOURCE

(Thousands of Dollars)

| | | | | | | |
|--------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 General Fund | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other 1091 Designated PR | 10.6 | 10.6 | 10.6 | 10.6 | 10.6 | 10.6 |
| TOTAL | 10.6 | 10.6 | 10.6 | 10.6 | 10.6 | 10.6 |

Estimate of any current year (FY 96) cost: \$ 0.0

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

CSHB 414 provides a conciliation review process for claims against design professionals. Both the claimant and the design professional(s) whom the claim is against are required to pay \$750.00 each to initiate the process. Starting with a funding source of \$1,500.00, all expenses related to a claim will be paid by the parties involved before the panel decision is released. This fiscal note identifies the costs involved with establishing a conciliation review panel and funding its activities. Attached is a detail of the costs identified above.

Prepared by: Jennife Strickler, Administrative Officer
 Division: Occupational Licensing
 Approved by Commissioner: William L Hensley
 Agency: Commerce and Economic Development

Phone: 465-2144
 Date: February 20, 1996
 Date: 2-20-96

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For further distribution information, call the Governor's Legislative Office

This fiscal note is based on utilizing at least six conciliation review panels each year. Each panel consists of three members. This fiscal note also assumes that each panel will require one day to conduct its business.

Assumptions are made that at least three reviews will be held in the Anchorage area, and three in Juneau or non-Anchorage locations. Each claim will start with a funding source of \$1,500.00 and costs exceeding this amount will be paid by parties involved before the panel decision is released.

TRAVEL

Anchorage: An assumption is made that only one panel member will be entitled to meal allowance payment, a result of commuting beyond the 50 mile radius of the meeting site making the member eligible to claim a meal allowance.

| | | |
|----------|---------------------------------------|-----------------|
| Stipend | \$300.00 x 3 members = | 900.00 |
| Per Diem | \$42.00 meal allowance for 1 member = | 42.00 |
| Travel | | 0.00 |
| | Sub-Total Per Claim (for Anchorage): | 942.00 |
| | x | 3 events |
| | | <u>2,826.00</u> |

Juneau (or other non-Anchorage locations): An assumption is made that at least two panel members will be required to travel.

| | | |
|----------|--|-----------------|
| Stipend | \$300 x 3 members = | 900.00 |
| Per Diem | \$80 hotel + \$42 meals = \$122.00 x 2 = | 244.00 |
| Travel | \$500.00 x 2 members = | 1,000.00 |
| | Sub-Total Per Claim (for Juneau or non-Anchorage): | 2,144.00 |
| | x | 3 events |
| | | <u>6,432.00</u> |

TOTAL TRAVEL: 9,258.00

CONTRACTUAL

If rental of meeting space becomes necessary, space rent is anticipated to cost at least \$125.00 per event x 6 events = \$750.00.

Communication costs for postage, telephones, etc. are anticipated to cost at least \$100.00 per event x 6 events = \$600.00.

TOTAL CONTRACTUAL: 1,350.00

TOTAL COSTS: \$ 10,608.00

SUMMARY:

Staff time involved with selecting a Chairperson for each panel, operating supplies, and equipment costs are anticipated to be absorbed by the division.

Each event in Anchorage can be expected to cost:

| | |
|-------------------------------------|-----------------|
| Travel: | 942.00 |
| Contractual: | 225.00 |
| Total Costs per event in Anchorage: | <u>1,167.00</u> |
| x | 3 events |
| | <u>3,501.00</u> |

Each event in Juneau or non-Anchorage location can be expected to cost:

| | |
|--|-----------------|
| Travel: | 2,144.00 |
| Contractual: | 225.00 |
| Total Costs per event in Juneau or non-Anchorage location: | <u>2,369.00</u> |
| x | 3 events |
| | <u>7,107.00</u> |

This fiscal note does not include travel and per diem costs that may be incurred from consultants whose services are requested by the panel. This and any other costs must also be paid by parties to the claim before the panel decision is released.

FISCAL NOTE

No. 1
 Bill Version: CSHB 414(L&C)
 (H) Publish Date: 3/8/96

STATE OF ALASKA
1996 LEGISLATIVE SESSION

Revision Date: _____ Department: Commerce and Economic Development
 Title: An Act requiring conciliation panel review in a civil BRU: Occupational Licensing
action against an architect, engineer, or land surveyor,.... Component: Operations
 Sponsor: Representative Green
 Requestor: Representative Green COMPONENT SERIAL NO. 1844

| Expenditures/Revenues | (Thousands of Dollars) | | | | | |
|------------------------|------------------------|-------|-------|-------|-------|-------|
| OPERATING EXPENDITURES | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 |
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
| CHANGE IN REVENUES | | | | | | |

| FUND SOURCE | (Thousands of Dollars) | | | | | |
|--------------------------|------------------------|-----|-----|-----|-----|-----|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 General Fund | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other 1091 Designated PR | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY 96) cost: \$ 0.0

| POSITIONS | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS: (Attach a separate page if necessary)
 HB 414 creates malpractice provisions against design professionals. The bill does not affect licensing requirements for architects, engineers, and land surveyors, therefore, funding is not required.

Prepared by: Jennifer Strickler, Administrative Officer Phone: 465-2144
 Division: Occupational Licensing Date: January 16, 1996
 Approved by Commissioner: William L. Hensley Date: 1-19-96
 Agency: Commerce and Economic Development