

**HB**

**35**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

DATE: 4/25/05

FURTHER:

DATE TURNED  
IN TO OFFICE:

REPORTED OUT

MAY 2 2005

SENATE FINANCE  
COMMITTEE

3 May 2005

Finance Committee considered

HOUSE BILL NO. 35

## HB 35 EXTEND BD ARCHITECTS/ENGINEERS/SURVEYORS

"An Act extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors; and providing for an effective date."

and recommends:

- be replaced with S CS HB 35 (FIN)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**CS Senate Bill:**  
 Same Title  
 New Title

**SCS House Bill:**  
 Same Title  
 Technical Title Change  
 New Title w/ SCR # 10

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Ind.	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Ind.	Zero	FN#
Commerce	1/25/05	F407		✓	#1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
Olson <i>[Signature]</i>			✓	
Stedman <i>[Signature]</i>	✓			
Hoffman <i>[Signature]</i>			✓	
Wilken COCHAIR: <i>[Signature]</i>	✓			
Green COCHAIR: <i>[Signature]</i>	✓			

# FISCAL NOTE

REPORTED OUT

MAY 2 2005

SENATE FINANCE  
COMMITTEE

STATE OF ALASKA  
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1  
 Bill Version: HB 35  
 (H) Publish Date: 2/2/05

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Commerce  
 Title Extend Board: RDU Occupational Licensing (117)  
Architects/Engineers/Surveyors Component Occupational Licensing  
 Sponsor Kohring  
 Requester House Labor & Commerce Component No. 2360

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services		254.4	254.4	254.4	254.4	
Travel		50.8	50.8	50.8	50.8	
Contractual		168.2	168.2	168.2	168.2	
Supplies		1.0	1.0	1.0	1.0	
Equipment		0.0	0.0	0.0	0.0	
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>474.4</b>	<b>474.4</b>	<b>474.4</b>	<b>474.4</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( 1156 )</b>	<b>0.0</b>	<b>474.4</b>	<b>474.4</b>	<b>474.4</b>	<b>474.4</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other 1156 - Receipt Supported Services	0.0	474.4	474.4	474.4	474.4	0.0
<b>TOTAL</b>	<b>0.0</b>	<b>474.4</b>	<b>474.4</b>	<b>474.4</b>	<b>474.4</b>	<b>0.0</b>

Estimate of any current year (FY2005) cost: 474.4

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time	0	1	1	1	1	0
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

The bill extends the State Board of Registration for Architects, Engineers, and Land Surveyors to June 30, 2009. In accordance with AS 08.03.020, funding is extended one year following the termination date allowing the Board to conclude its affairs. FY 2006 funding is included in the Operating Budget request. The costs shown for subsequent fiscal years reflect the direct costs included in the FY 2006 budget. The Board supports an Executive Administrator position exclusively assigned to the licensing program. New funds are not required to implement this bill.

Prepared by: Jennifer Strickler, Administrative Manager Phone (907) 465-2144  
 Division Occupational Licensing Date/Time 1/25/05 6:09 PM  
 Approved by: Edgar Blatchford Date 1/25/2005  
 Agency Commerce, Community, and Economic Development

adopted 5/2/05

\*Sec. 2. The uncodified law of the State of Alaska enacted in sec. 31, ch. 47, SLA 1998, is amended to read:

Sec. 31. TEMPORARY BOARD MEMBER. After considering recommendations made by the Alaska chapter of the American Society of Landscape Architects, the governor shall appoint a landscape architect to the Board of Registration for Architects, Engineers, and Land Surveyors. The person appointed under this section

- (1) must have been a resident in the state for three consecutive years immediately preceding appointment;
- (2) serves in an advisory, nonvoting capacity on the board;
- (3) is entitled to receive state money for per diem or travel expenses for work as a board member;
- (4) serves a term that expires June 30, 2009 [2005]; and
- (5) must be registered as a landscape architect under AS 08.48.

\*Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: TEMPORARY BOARD MEMBER. The term of office of a person holding a temporary position on the Board of Registration for Architects, Engineers, and Land Surveyors before July 1, 2005, expires June 30, 2005. The person is eligible for reappointment under sec. 2 of this Act to a term beginning July 1, 2005, so long as the member continues to meet the qualifications set out in sec. 2 of this Act. The temporary member may remain in the position until the governor names a new appointee or reappoints the temporary member.

\*Sec. 4. Section 3 of this Act takes effect immediately under AS 01.10.070(c).

\*Sec. 5. Sections 1 and 2 of this Act take effect July 1, 2005.

circled portion only



Official Business

# Alaska State Senate

## Senate Finance Committee

Mail Stop 3100  
State Capitol  
Juneau, Alaska 99801-1182

### FAX COVER SHEET

DATE: 2 May 2005 TIME: 3:40 pm

TO: Legal Services

NUMBER OF PAGES, INCLUDING COVER SHEET: 2

FROM: MINDY ROWLAND  
SENATE FINANCE COMMITTEE SECRETARY  
PHONE: 465-4935  
FAX: 465-2187

NOTES: Final Please

SCS HB 35 24 LS0273 \ 4

Plus 1 amendment - attached

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# ALASKA STATE LEGISLATURE

*Interim:*

600 East Railroad Avenue  
Wasilla, Alaska 99654  
(907) 373-1842  
Fax (907) 373-4729



*Session:*

State Capitol Building  
Juneau, Alaska 99801-1182  
(907) 465-2186  
Fax (907) 465-3818

## REPRESENTATIVE VIC KOHRING DISTRICT 14

### House Bill 35 Sponsor Statement

#### **Extension of the termination date for the Board of Registration for Architects, Engineers and Land Surveyors**

House Bill 35 extends the termination date for the Board of Registration for Architects, Engineers and Land Surveyors for an additional five years. The current termination date is set for June 30, 2005. If the Legislature takes no action to extend the board, it will go into a one-year phase out to allow the board to conclude its administrative operations, followed by termination.

The board consists of 11 members appointed by the governor. It consists of two civil engineers, two land surveyors, one mining engineer, one electrical or mechanical engineer, one engineer from another branch of the profession of engineering, two architects, one landscape architect, and one public member. The purpose of the board is to adopt regulations, oversee examinations, suspend, revoke or refuse the issuance of new licenses, and issue licenses to practice to architects, engineers, and land surveyors who meet standards of education and training determined to be necessary by the board.

The Legislative Audit Division performed an audit of the board dated November 1, 2004 as required by statute, and recommends that it be extended to June 30, 2009. The Division found the board to be operating in the public interest by effectively regulating the individuals who hold themselves out to the public as registered architects, engineers, land surveyors, and landscape architects. Further, the Division found the board has demonstrated an ability to conduct its business in a satisfactory manner, has been effective in developing regulations, and has ensured that licensees are competent and consistently practice within the requirements and ethical standards of the respective professions.

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101


State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

April 22, 2005

**SUBJECT:** SCS HB 35(L&C) relating to the State Board of Registration for Architects, Engineers, and Land Surveyors (Work Order No. 24-LS0273F)

**TO:** Senator Con Bunde  
Chair of the Senate Labor and Commerce Committee  
Attn: Jane

**FROM:**  Theresa Bannister  
Legislative Counsel

This memo accompanies a final of the bill described above.

This version went out without the transitional uncodified law provision that was intended to be included as bill sec. 3. Section 3 read as follows:

**TRANSITION: TEMPORARY BOARD MEMBER.** The term of office of a person holding a temporary position on the Board of Registration for Architects, Engineers, and Land Surveyors before July 1, 2005, expires June 30, 2005. The person is eligible for reappointment under sec. 2 of this Act to a term beginning July 1, 2005, if the member continues to meet the qualifications set out in sec. 2 of this Act. The temporary member may remain in the position until the governor names a new appointee or reappoints the temporary member.

This missing bill sec. 3 is necessary for the smooth operation of the transition to the new extended term of the temporary board member. Without it, there will be a lapse of one day between the extension under bill sec. 2 (the term presently expires June 30, 2005) and the effective date of sec. 2 (July 1, 2005). In addition, bill sec. 3 allows the governor to take action on the appointment before July 1, 2005, as well as allowing the current temporary member to remain in or be reappointed to the position. Since this bill has passed out of your committee, it would be appreciated if you would pass this memo on to the next committee of record.

If I may be of further assistance, please advise.

TLB:lmb  
05-139.lmb

Enclosure

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES



DIVISION OF OCCUPATIONAL LICENSING

*Frank H. Murkowski, Governor*

February 25, 2005

Senator Gene Therriault, Chair  
Representative Ralph Samuels, Vice-Chair  
Legislative Budget and Audit Committee  
P.O. Box 113300  
Juneau, AK 99811-3300

The Honorable Senator Therriault and Representative Samuels,

I would like to submit a follow-up letter to the Legislative Budget and Audit #08-20028-05, regarding the sunset audit report of the Alaska Board of Registration for Architects, Engineers, and Land Surveyors (AELS). The AELS Board reviewed the sunset audit at its Quarterly AELS Board meeting on February 17-18, 2005.

The former AELS Board Chair, Donald J. Iverson, previously responded to the preliminary audit on December 16, 2004. The AELS Board reviewed and confirmed support for the letter of response from Iverson. (a copy of the letter is contained within the sunset audit report). The AELS Board discussed the sunset audit report and has the following additional comments and actions taken:

**Prior Audit Recommendation No. 1**

The legislature should consider changes to the statutes mandating that BRAELS require continuing professional education of its licensees... We continue to recommend the board either develop appropriate mandatory CE requirements for its professional registrants or the legislature consider making such requirements mandatory by statute.

The AELS Board adopted a draft proposal for mandatory continuing education for land surveyors only. Draft proposed regulations will be public noticed to interested parties and should be available, along with public comment, for the AELS Board to consider adopting at the June 2-3, 2005 Quarterly AELS Board meeting.

At this time, the AELS Board decided to postpone any decision for a mandatory continuing education program for the remaining professions it oversees (architects, engineers, and landscape architects). The AELS Chair assigned a Subgroup, chaired by Boyd Brownfield, P.E. to review the benefits of CE and make recommendations for the AELS Board, and to report back at its June 2005 meeting. The Subgroup has asked for feedback from professional societies to determine support for a regulatory program.

Several organizations have asked the AELS Board to allow them more time to assess support within their membership for mandatory CE program as a requirement for renewal of professional licenses. Among them are the Alaska Section of the Institute of Transportation Engineers (ITE), Mr. Anthony Strupulis, PE, Alaska Section President; and the Institute of Electrical and Electronics Engineers, Inc. (IEEE), Bogdan Hoanca, Vice Chair.

**Audit Recommendation No. 2**

BRAELS should arrange for a comprehensive study regarding the public benefits and related off-setting costs that may be involved with recognizing additional engineering specialties in the State's licensing structure.

At this time, the AELS Board has not taken action to arrange for a comprehensive study with the UA and professional societies. The AELS Board has been reviewing for several years the possibility of the addition of additional engineering disciplines (specialties) including Environmental, Control Systems, Fire Protection, and Geological Engineering. Contact has recently been made to the University of Alaska, Fairbanks to obtain input from the University of Alaska.

The Subgroup chaired by Robert Gilfilian, P.E. will continue to work with professional societies, including the Alaska Professional Design Council, to determine the public benefits of recognizing additional engineering specialties in Alaska.

**Audit Recommendation No. 3**

The legislature should consider making the landscape architect representative to BRAELS a full, voting member.

The AELS Board discussed this recommendation at its February 17-18, 2005 meeting. The majority of the AELS Board voted to support the recommendation to make the landscape architect representative a permanent, voting member.

**Other Issues****Mining Engineer Board member**

The AELS Board recommends the "mining engineer" Board member position be expanded to include "geological" and "petroleum" engineer. The current number of licensed mining engineers is very small (33) and it would benefit the Board to include petroleum engineers. At this time the Board is considering expanding disciplines to include "geological" engineering and would like the flexibility in statute to allow the related engineering field to be represented.

**Staggered Terms**

The AELS Board remains concerned that its member terms are no longer staggered. This changed when two Board members' terms expired in July 2003, and they were not replaced until 2004 (after the legislative session had reconvened).

Those two AELS Board member term dates were not updated to comport with the 1997 statutory changes for board member terms. Currently, 3 board member terms will expire March 2005, 2 terms will expire March 2006, zero terms expire March 2007, and 5 board member terms are scheduled to end in 2008.

The AELS Board believes this will create a burden to the Board to have nearly half of its board members replaced at one time. The overall AELS Board no longer has uniform staggered terms, as it had in the past. The AELS Board respectfully asks the AELS Board member terms be adjusted so 5 board member terms do not expire in 2008.

The AELS Board respectfully requests you consider and share its comments with your committees as you deliberate on HB 35, "An Act extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors; and providing for an effective date."

Sincerely,



Kenneth D. Maynard, FAIA, Chair

cc: House Finance Co-Chairs: Rep. Mike Chenault; Rep. Kevin Meyer  
Rep. Vic Kohring



Alaska Professional Design Council • PO Box 100515 • Anchorage AK 99501-0515

MEMBER SOCIETIES

21 January, 2005

Alaska Society of Professional Engineers

Representative Vic Kohring  
State Capital via fax 465-3818  
Juneau Alaska 99801

Alaska Society of Professional Land Surveyors

Dear Representative Kohring:

American Congress on Surveying & Mapping Alaska Section

The Alaska Professional Design Council thanks you for introducing House Bill 35 extending the Board of Architects Engineers and Land Surveyors (AELS) until June 30 2009.

American Institute of Architects Alaska Chapter

The AELS Board performs a valuable function in protecting public safety through licensure and disciplinary action for the design professions. The board membership includes Architects, Engineers, Land Surveyors and a non-voting Landscape Architect who contribute their time to insure that the design professions provide a positive contribution to public safety in Alaska.

American Society of Civil Engineers Alaska Section

Please contact either myself or our Lobbyist, Amy Daugherty if you have any questions or comments.

American Society of Landscape Architects Alaska Chapter

Sincerely

Architecture/Engineering Marketing Association of Alaska

  
Sam S. Kito III, PE  
907-723-6486

American Council of Engineering Companies of Alaska

Chair, Legislative Liaison Committee  
Alaska Professional Design Council

Professional Engineers in Private Practice Alaska Chapter

American Society of Interior Designers

# SENATE COMMITTEE REPORT

DATE: 4/11/05

FURTHER: Finance

DATE TURNED  
IN TO OFFICE: 4/22

Labor and Commerce Committee considered HOUSE BILL NO. 35

## HB 35 EXTEND BD ARCHITECTS/ENGINEERS/SURVEYORS

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and recommends:

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**CS Senate Bill:**

- Same Title
- New Title

**SCS House Bill:**

- Same Title
- Technical Title Change
- New Title w/ SCR # 10

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
DCCD	1/2/05	V			1

APPROPRIATION - no fiscal note

**SIGNATURES AND RECOMMENDATIONS:**

	DO PASS	DO NOT PASS	NO REC	AMEND
Davis <i>Betty Davis</i>	<input checked="" type="checkbox"/>			
Seekins <i>Ralph Seekins</i>	<input checked="" type="checkbox"/>			
B. Skeens <i>Ben Skeens</i>	<input checked="" type="checkbox"/>			
CHAIR: <i>A. Burch</i>	<input checked="" type="checkbox"/>			