

Mead Treadwell
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Jun Maiquis, AAC Contact
Department of Commerce, Community, & Economic Development

FROM: Scott Meriwether
Special Assistant 
907.465.3509

DATE: October 20, 2014

RE: Filed Permanent Regulations: Board of Registration for Architects, Engineers, and Land Surveyors

Regulations re: standards of practice for land surveyors: 12 AAC 36.250

Attorney General File:	JU2014200093
Regulation Filed:	10/14/2014
Effective Date:	11/13/2014
Print:	212, January 2015

cc with enclosures: Linda Miller, Department of Law
Kristen Peterson, Administrative Regulation Review Committee
Judy Herndon, LexisNexis

ORDER CERTIFYING THE CHANGES TO REGULATIONS OF THE
STATE BOARD OF REGISTRATION FOR ARCHITECTS,
ENGINEERS, AND LAND SURVEYORS

The attached one page of regulations, dealing with standards of practice for land surveyors, is hereby certified to be a correct copy of the regulation changes that the State Board of Registration for Architects, Engineers, and Land Surveyors adopted at its May 1-2, 2014 meeting, under the authority of AS 08.48.101 and AS 08.48.341 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the State Board of Registration for Architects, Engineers, and Land Surveyors paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: June 13, 2014
Juneau, Alaska

Richard V. Jones
Richard V. Jones, Executive Administrator
State Board of Registration for Architects,
Engineers, and Land Surveyors

FILING CERTIFICATION

I, Mead Treadwell, Lieutenant Governor for the State of Alaska, certify that on October 14, 2014 at 2:40 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

Mead Treadwell
Mead Treadwell, Lieutenant Governor

Effective: November 13, 2014

Register: 212, January 2015

(5)

**Chapter 36. State Board of Registration for Architects,
Engineers, and Land Surveyors.**

to Article 2

12 AAC 36 is amended by adding a new section to read:

36.250.

12 AAC 36.071. Standards of practice for land surveyors. A person who holds a

current certificate of registration as a land surveyor as defined in AS 08.48.341 shall at a

minimum perform work that meets the Alaska Society of Professional Land Surveyors,

Manual - 2013, ← ital (except the comma)

Standards of Practice for Professional Land Surveyors, Chapter 2, Standards, 2013 and

adopted by reference. (Eff. 11 / 13 / 2014, Register 212)

use normal font, not italics

Authority: AS 08.48.101

AS 08.48.341

ASPLS ital

Editor's note: The Alaska Society of Professional Land Surveyors, Standards of

Practice for Professional Land Surveyors, Chapter 2, Standards, 2013, adopted by reference in

36.250,

use normal font, not italics

12 AAC 36.071, may be obtained by writing to the Alaska Society of Professional Land

Surveyors, P.O. Box 112835, Anchorage, AK 99511-2835; Internet address: website at

<http://www.alaskapls.org/sop2013.html>

ital.
(except the
comma) →

Manual - 2013,

Standards of Practice for Professional Land Surveyors, Chapter 2,

Internet address:

MEMORANDUM


State of Alaska Department of Law

TO: Hon. Mead Treadwell
Lieutenant Governor

DATE: September 18, 2014

FILE NO.: JU2014200093

TELEPHONE NO.: 465-3600

FROM: Steven C. Weaver 
Sr. Assistant Attorney General and
Assistant Regulations Attorney
Legislation/Regulations Section--Juneau

SUBJECT: Regulations re: standards of
practice for land surveyors
(12 AAC 36.250)

We have reviewed the attached regulations from the State Board of Registration for Architects, Engineers, and Land Surveyors. I have reviewed this project under a specific delegation dated September 18, 2014 from the Regulations Attorney. A duplicate of this memorandum, along with a copy of the regulations, is being furnished to Eric E. Eriksen, the chair of the State Board of Registration for Architects, Engineers, and Land Surveyors.

The Department of Law has reviewed the attached regulations against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum and the attached duplicate memorandum dated September 18, 2014 constitute the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The regulation changes were adopted by the State Board of Registration for Architects, Engineers, and Land Surveyors after the close of the public comment period. The regulations adopt by reference standards of practice for land surveyors.

The certification order for the regulations states that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made a few technical corrections to conform the regulations with the drafting manual under AS 44.62.060 and 44.62.125. The corrections are shown on the attached copy of the regulations.

SCW

cc w/enc:

Eric E. Eriksen, Chair
State Board of Registration for Architects, Engineers, & Land Surveyors

MEMORANDUM


State of Alaska Department of Law

TO: Eric E. Eriksen, Chair
State Board of Registration for Architects,
Engineers, and Land Surveyors

DATE: September 18, 2014

FILE NO.: JU2014200093

TELEPHONE NO.: 465-3600

FROM: Steven C. Weaver 
Sr. Assistant Attorney General and
Assistant Regulations Attorney
Legislation/Regulations Section--Juneau

SUBJECT: Regulations re: standards of
practice for land surveyors
(12 AAC 36.250)

Under AS 44.62.060, we have reviewed the attached adoption of these regulations by the State Board of Registration for Architects, Engineers, and Land Surveyors, and approve the changes for filing by the lieutenant governor. I have reviewed this project under a specific delegation dated September 18, 2014 from the Regulations Attorney. A duplicate original of this memorandum is being furnished to the lieutenant governor, along with the one page of regulations and the related documents.

You might wish to contact the lieutenant governor's office to confirm the filing date and effective date of the attached regulation changes.

The January 25, 2014 public notice and the June 13, 2014 certification order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

In accordance with AS 44.62.125(b)(6), some corrections have been made in the regulations, as shown on the attached copy.

SCW

cc w/enc: Micaela Fowler, Regulations Contact
Department of Commerce, Community, & Economic Development

Sara Chambers, Director
Division of Corporations, Business, & Professional Licensing
Department of Commerce, Community, & Economic Development

Richard V. Jones, Executive Administrator
Division of Corporations, Business, & Professional Licensing
Department of Commerce, Community, & Economic Development

Jun Maiquis, Regulations Specialist
Division of Corporations, Business, & Professional Licensing
Department of Commerce, Community, & Economic Development

Harriet Dinegar Milks
Assistant Attorney General
Commercial & Fair Business Section--Juneau

MEMORANDUM

State of Alaska Department of Law

TO: Hon. Mead Treadwell
Lieutenant Governor

DATE: September 18, 2014

FILE NO.: JU2014200093

TELEPHONE NO.: 465-3600

FROM: Susan R. Pollard *SRP*
Chief Assistant Attorney General
& Regulations Attorney
Legislation/Regulations Section—Juneau

SUBJECT: Specific delegation of authority
regarding regulations review on
State Board of Registration for
Architects, Engineers, and Land
Surveyors regulations re:
standards of practice for land
surveyors (12 AAC 36.250)

By this memorandum, I am delegating my authority as Regulations Attorney under AS 44.62 to Assistant Attorney General Steven C. Weaver for the above-referenced regulations project. Under this delegation of authority, Steven Weaver has my full authority under AS 44.62 to conduct the legal review under AS 44.62 and take necessary actions on this regulations project.

If you have questions, please let me know.

SRP:SCW

cc w/enc: Scott C. Meriwether, AAC Coordinator
Office of the Lieutenant Governor

Steven C. Weaver
Sr. Assistant Attorney General &
Assistant Regulations Attorney
Legislation/Regulations Section—Juneau

STATE OF ALASKA

FIRST JUDICIAL DISTRICT

$$\left. \begin{array}{l}) \\) \\) \end{array} \right\} \text{ss.}$$

AFFIDAVIT OF BOARD ACTION

I, Richard V. Jones, Executive Administrator for the State Board of Registration for Architects, Engineers, and Land Surveyors, being duly sworn, state the following:

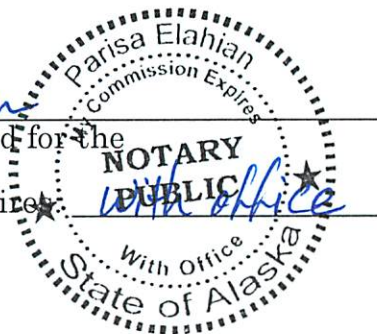
The attached motion dealing with standards of practice for land surveyors was passed by the State Board of Registration for Architects, Engineers, and Land Surveyors during its May 1-2, 2014 meeting.

Date: June 13, 2014
Juneau, Alaska


Richard V. Jones, Executive Administrator

SUBSCRIBED AND SWORN TO before me this 13 day of June, 2014.

Notary Public in and for the
State of Alaska
My commission expires 11/15/2025



1 **STATE OF ALASKA**

2
3 **DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT**
4 **DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING**
5 **BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS & LAND**
6 **SURVEYORS**

7
8 **Minutes of Meeting**
9 **May 1-2, 2014**

10
11 By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, Article 6, the
12 Board of Registration for Architects, Engineers and Land Surveyors held a meeting May 1-2,
13 2014 at Sophie's Station, 1717 University Avenue, Fairbanks, AK.

14
15 **Thursday May 1, 2014**

16
17 **Agenda Item 1 – Call to Order and Roll Call**

18
19 9:00 a.m. The Chair called the meeting to order. Roll call, all present.

20
21 Members present and constituting a quorum of the Board:

- 22
23
 - Eric Eriksen, Electrical Engineer, Chair
 - 24 • Richard Rearick, Architect, Vice-Chair
 - 25 • Kathleen Schedler, Mechanical Engineer, Secretary
 - 26 • Brian Hanson, Civil Engineer
 - 27 • Jeffrey Koonce, Architect
 - 28 • David Hale, Land Surveyor,
 - 29 • Colin Maynard, Civil Engineer
 - 30 • Luanne Urfer, Landscape Architect
 - 31 • Keith Walters, Mining Engineer
 - 32 • John Kerr, Land Surveyor
 - 33 • Donald (John) Christensen, Public Member

34
35 Representing the Division of Corporations, Business and Professional Licensing were:

- 36
37
 - Sara Chambers, Director CBPL (via telephone)
 - 38 • Vernon Jones, Executive Administrator.
 - 39 • Virginia (Jenny) Geary, Licensing Examiner.
 - 40 • John Savage, Investigator.

41
42
43 **Agenda item 2 – Review/Amend Agenda**

44
45 Jones: passed out several items that were received after the Board packets and agenda were
46 mailed.

47
48 Chair: Welcomed John Christensen to the Board.
49

After discussion the Board decided to withdraw the regulation changes to 12 AAC 36.062, 12 AAC 36.063, 12 AAC 36.064 and 12 AAC 36.065 regarding engineers and land surveyors in training and the following motions were made.

On a motion duly made by Hanson, seconded by Maynard and passed unanimously it was resolved to form a special committee to evaluate Statute and Regulation changes to regulate trainees.

On a motion duly made by Hale, seconded by Maynard and passed unanimously it was resolved to adopt 12 AAC 36.071 Standards of Practice for Land Surveyors.

FIRST JUDICIAL DISTRICT

AFFIDAVIT OF NOTICE OF PROPOSED ADOPTION OF REGULATIONS
AND FURNISHING OF ADDITIONAL INFORMATION

I, Jun Maiquis, Regulations Specialist, of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 12 AAC 36.062, 12 AAC 36.063, 12 AAC 36.064, 12 AAC 36.065, and 12 AAC 36.071, dealing with eligibility for fundamentals of engineering and land surveyor examinations, education and work experience, and adopt by reference standards of practice for land surveyors, has been given by being:

1. published in a newspaper or trade publication;
2. furnished to interested persons;
3. furnished to appropriate state officials;
4. furnished to the Department of Law, along with a copy of the proposed regulations;
5. electronically transmitted to incumbent State of Alaska legislators;
6. furnished to the Legislative Affairs Agency, Legislative Legal and Research Services;
7. posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);
8. furnished electronically, along with a copy of the proposed regulations, to the Legislative Affairs Agency, the chair of the Labor and Commerce Committee of the Alaska Senate and House of Representatives, the Administrative Regulation Review Committee, and the legislative council.

As required by AS 44.62.190(d), additional regulations notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulations notice information also has been posted on the Alaska Online Public Notice System.

DATE: 6/4/14
Juneau, Alaska


Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 4 day of June, 2014.



Notary Public in and for the
State of Alaska
My commission expires: with office

**NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF
THE STATE BOARD OF REGISTRATION FOR ARCHITECTS,
ENGINEERS, AND LAND SURVEYORS**

BRIEF DESCRIPTION: The State Board of Registration for Architects, Engineers, and Land Surveyors proposes to update regulations to allow applicants to apply directly to the National Council of Examiners for Engineering and Surveying (NCEES), and also to allow practice in Alaska as an engineer or land surveyor in training, and to establish standards of practice for land surveyors.

The State Board of Registration for Architects, Engineers, and Land Surveyors proposes to adopt regulation changes in Title 12, Chapter 36 of the Alaska Administrative Code, dealing with eligibility for fundamentals of engineering and land surveyor examinations, education and work experience, and adopt by reference standards of practice for land surveyors, including the following:

1. **12 AAC 36.062, Eligibility for fundamentals of engineering examination**, is proposed to be changed to alter the requirements for eligibility for the fundamentals of engineering examination.
2. **12 AAC 36.063, Engineering education and work experience requirements**, is proposed to be changed to alter the engineering education and work experience requirements for professional engineering examination.
3. **12 AAC 36.064, Eligibility for fundamentals of land surveying examination**, is proposed to be changed to alter the requirements for eligibility for the fundamentals of land surveying examination.
4. **12 AAC 36.065, Eligibility for professional land surveyor examination**, is proposed to be changed to alter the requirements for eligibility for the professional land surveyor examination.
5. **12 AAC 36.071, Standards of practice for land surveyors**, is a proposed new section that establishes standards of practice for land surveyors, and to adopt by reference the Standards of Practice for Professional Land Surveyors, of the Alaska Society of Professional Land Surveyors.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments by mail, fax, or e-mail to:

Jun Maiquis, Regulations Specialist
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
P.O. Box 110806
Juneau, AK 99811-0806
Fax: (907) 465-2974
E-mail: jun.maiquis@alaska.gov

Comments may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system at <http://notice.alaska.gov/170949>, and using the "comment" link.

The written comments must be received no later than 4:30 p.m. on February 25, 2014.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jun Maiquis at (907) 465-2537 no later than February 18, 2014 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Jun Maiquis at the address or phone number above, or go to <http://commerce.alaska.gov/dnn/portals/5/pub/AELS-1113.pdf>

After the public comment period ends, the State Board of Registration for Architects, Engineers, and Land Surveyors will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF**


YOUR INTERESTS COULD BE AFFECTED. Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 08.48.101; AS 08.48.171; AS 08.48.181; AS 08.48.341

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.48.101; AS 08.48.171; AS 08.48.181; AS 08.48.341

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 1/24/14


Jun Maiquis, Regulations Specialist
Division of Corporations, Business and
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, please send your request to the Division of Corporations, Business and Professional Licensing at the address above and include your name, address, and the occupational area in which you are interested.


ADDITIONAL REGULATIONS NOTICE INFORMATION **(AS 44.62.190(d))**

1. **Adopting agency:** Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing – State Board of Registration for Architects, Engineers, and Land Surveyors.
2. **General subject of regulation:** Eligibility for fundamentals of engineering and land surveying examination, engineering education and work experience requirements, eligibility for professional land surveyor examination, and standards of practice for land surveyors.
3. **Citation of regulation:** 12 AAC 36.062, 12 AAC 36.063, 12 AAC 36.064, 12 AAC 36.065, and 12 AAC 36.071.
4. **Department of Law file number.** To be assigned.
5. **Reason for the proposed action:** Update and clarification of current regulations.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Cost of implementation to the state agency and available funding (in thousands of dollars):**
No costs are expected in FY 2014 or in subsequent years.
8. **The name of the contact person for the regulations:**

Richard V. Jones, Executive Administrator
Board of Registration for Architects, Engineers, and Land Surveyors
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
Telephone: (907) 465-1676
E-mail: richard.jones@alaska.gov

9. **The origin of the proposed action:** Board of Registration for Architects, Engineers, and Land Surveyors.

10. Date: 1/24/14

Prepared by: 
Jun Maiquis, Regulations Specialist

268972
0000878215
\$ 517.94

AFFIDAVIT OF PUBLICATION

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Joleesa Stepetin
being first duly sworn on oath deposes
and says that he is a representative of
the Anchorage Daily News, a daily
newspaper. That said newspaper has
been approved by the Third Judicial
Court, Anchorage, Alaska, and it now
and has been published in the English
language continually as a daily
newspaper in Anchorage, Alaska, and
it is now and during all said time was
printed in an office maintained at the
aforesaid place of publication of said
newspaper. That the annexed is a
copy of an advertisement as it was
published in regular issues (and not in
supplemental form) of said newspaper
on

January 25, 2014

and that such newspaper was regularly
distributed to its subscribers during all
of said period. That the full amount of
the fee charged for the foregoing
publication is not in excess of the rate
charged private individuals.

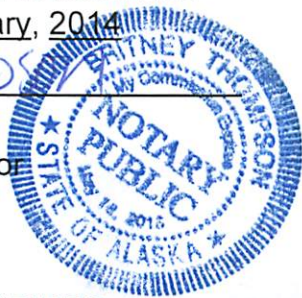
Signed

Joleesa Stepetin

Subscribed and sworn to before me
this 27th day of January, 2014

Britney Thompson

Notary Public in and for
The State of Alaska.
Third Division
Anchorage, Alaska
MY COMMISSION EXPIRES
05/18/15



NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE STATE BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS

BRIEF DESCRIPTION: The State Board of Registration for Architects, Engineers, and Land Surveyors proposes to update regulations to allow applicants to apply directly to the National Council of Examiners for Engineering and Surveying (NCEES), and also to allow practice in Alaska as an engineer or land surveyor in training, and to establish standards of practice for land surveyors.

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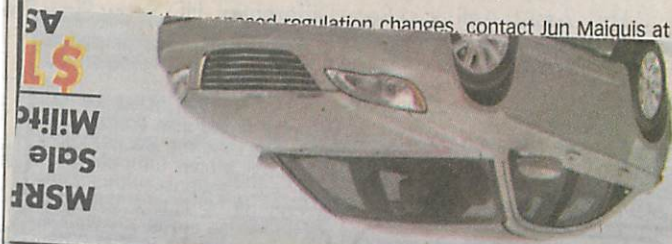
Jun Maiquis, Regulations Specialist
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
P.O. Box 110806
Juneau, AK 99811-0806
Fax: (907) 465-2974
E-mail: jun.maiquis@alaska.gov

Comments may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system at <http://notice.alaska.gov/170949>, and using the "comment" link.

The written comments must be received no later than 4:30 p.m. on February 25, 2014.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jun Maiquis at (907) 465-2537 no later than February 18, 2014 to ensure that any necessary accommodations can be provided.

For more information on proposed regulation changes, contact Jun Maiquis at



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JUNEAU

FEB 03 2014

Division of Corporations, Business
and Professional Licensing

