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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Jun Maiquis
Department of Commerce, Community and Economic Development

FROM: Scott Meriwether, Office of the Lieutenant Governor 
465.4081

DATE: August 11, 2016

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

Regulations re: engineering education and work experience requirements, application for registration as a structural engineer, seals, use of seals, and definitions (12 AAC 36.063(a),(k); 12 AAC 36.108; 12 AAC 36.180(b),(e); 12 AAC 36.185(i); 12 AAC 36.990(a)(4),(44))

Attorney General File:	JU2015200867 (Part 2)
Regulation Filed:	August 10, 2016
Effective Date:	September 9, 2016
Print:	219, October 2016

cc with enclosures: Linda Miller, Department of Law
Micaela Fowler, Department of Commerce, Community & Economic Development
Dianne Blumer, 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 seven pages of regulations, dealing with engineering education and work experience requirements, application for registration as a structural engineer, seal, use of seals, and definitions, are 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 5-6, 2016 meeting, under the authority of AS 08.48.101, AS 08.48.111, AS 08.48.171, AS 08.48.181, AS 08.48.191, AS 08.48.201, AS 08.48.221, AS 08.48.231, and AS 08.48.331 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: 6/20/16
Juneau, Alaska


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

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on August 10,, 2016 at 1045 A.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.


Byron Mallott, Lieutenant Governor

Effective: September 9, 2016.

Register: 219, October 2016.

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

The introductory language of 12 AAC 36.063(a) is amended to read:

(a) To be eligible for a professional engineering examination other than the structural engineering examination, an applicant must

...

12 AAC 36.063 is amended by adding a new subsection to read:

(k) To be eligible for the structural engineering examination, an applicant must

(1) be currently registered ~~licensed~~ as a professional engineer in this state; and

(2) have at least two years of progressive structural experience, in addition to the eight years of education and work experience or both that are equivalent to the requirements set out in the applicable table of education and work experience requirements for a professional engineering examination in this section. (Eff. 9/30/78, Register 67; am 6/29/84, Register 90; am 8/13/87, Register 103; am 6/3/89, Register 110; am 3/16/96, Register 137; am 7/26/97, Register 143; am 8/26/98, Register 147; am 11/20/99, Register 152; am 3/8/2001, Register 157; am 6/13/2003, Register 166; am 7/22/2004, Register 171; am 9/11/2004, Register 171; am

Register 10/29/2009, Registered 192; am 9/9/2016, Register 219)

Authority: AS 08.48.101

AS 08.48.171

AS 08.48.181

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

12 AAC 36.108. Application for registration as a structural engineer. (a) A person who holds a current certificate of registration as an engineer in the state on September 9, 2016: (fill)

~~in effective date of regulation~~) may apply under this section for a certificate of registration as a structural engineer by meeting the requirements of this section.

(b) An application for registration as a structural engineer under this section must be submitted on or before July 31, 2017, ~~(or to be determined upon adoption).~~

(c) An applicant for structural engineering registration under this section must submit

(1) a typewritten application on a form prescribed by the board, including the references required under AS 08.48.201;

(2) the application and registration fees established in 12 AAC 02.110;

(3) verification that the applicant has, within the 120 months immediately before the date of the application, at least 24 months of responsible charge experience in structural engineering;

(4) the plans or other documents required under (e) of this section; and

(5) the letters of reference required under (d) and (e) of this section.

(d) An applicant applying for structural engineering registration under this section must provide two letters of reference verifying the applicant's responsible charge experience required under (c)(3) of this section. The letters of reference must meet the requirements of (f) and (g) of this section.

(e) An applicant applying for structural engineering registration under this section must provide complete structural plans or other documents of at least two completed significant structures, ~~as defined in 12 AAC 36.990,~~ demonstrating the engineering abilities of the applicant in structural engineering. The plans or other documents must be signed, sealed, and dated, and must include necessary calculations and other applicable supporting documents. The plans or other documents must have been dated within the 120 months immediately before the date of

application for structural engineering registration under this section. The plans or other documents submitted under this subsection must be on ^(an optical) disk or thumb drive ^{and must be} accompanied by a letter of reference for each project attesting to the applicant's competence on the project. The letters of reference must meet the requirements of (f) and (g) of this section.

(f) Except as provided in (g) of this section, the letters of reference required under (d) and (e) of this section must be signed and sealed by an engineer who was registered as a professional engineer in a state, territory, or possession of the United States, the District of Columbia, or a foreign country at the time of the responsible charge experience or when the plans or other documents were signed and sealed, and either

(1) was registered as a structural engineer; or

(2) if the licensing jurisdiction did not register structural engineers during the period of the experience or when the plans or other documents were signed and sealed, designed significant structures under another professional engineering license.

(g) If an engineer provides a reference letter under (d) or (e) of this section without a seal, the applicant must provide a statement from the engineer certifying that the engineer held a current registration as an engineer during the period of experience or when the plans or other documents were signed and sealed, and the engineer's state of registration, registration number, and branch of engineering.

(h) If requested by the board, the applicant must be available for an interview with the board.

(i) The board may consult subject matter experts in the branch of engineering for which the applicant seeks registration to assist the board in evaluating the application.

(j) Nothing in this section prevents a registrant from applying under this chapter for a

certificate of registration by examination or comity in structural engineering.

(k) To remain current, an additional certificate of registration issued under this section must be renewed as provided in AS 08.48.231. (Eff. 9/9/2016, Register 219)

Authority: AS 08.48.101 AS 08.48.201 AS 08.48.231

12 AAC 36.180(b) is amended to read:

...

[SE – STRUCTURAL ENGINEER]

« Publisher: The only change to 12 AAC 36.180(b) is deletion of the last line, as shown. The rest of existing 12 AAC 36.180(b) is unchanged. »

12 AAC 36.180 is amended by adding a new subsection to read:

(e) The seal authorized for use by structural engineers is of the following design or a substantially similar electronic or digital representation of the design:



The seal must reflect the branch identification authorized by the board. This identification is to be placed below the registrant's name and preceding the registrant's number on the seal. (Eff. 5/23/74, Register 50; am 9/30/78, Register 67; am 10/20/90, Register 116; am 11/13/99, Register 152; am 1/20/2002, Register 161; am 3/11/2012, Register 201; am 9/9/2016, Register 219)

Authority: AS 08.48.101 AS 08.48.221

12 AAC 36.185 is amended by adding a new subsection to read:

(i) Drawings, engineering surveys, reports, and construction documents regarding the structural systems of a significant structure, ~~as defined in 12 AAC 36.990~~⁹ must be sealed by a registered structural engineer. (Eff. 5/30/82, Register 82; am 8/29/87, Register 103; am 11/13/99, Register 152; am 6/13/2003, Register 166; am 6/11/2005, Register 174; am 7/13/2011, Register 199; am 6/18/2016, Register 218; am 9/9/2016, Register 219)

Authority: AS 08.48.101

AS 08.48.111

AS 08.48.221

12 AAC 36.990(a)(4) is amended to read:

(4) "civil engineering" means the branch of professional engineering that embraces studies and activities relating to research, design, and construction of fixed works ²
other than significant structures, for irrigation, drainage, waterpower, water supply and treatment, flood control, inland waterways, harbors, municipal improvements, railroads, highways, tunnels, airports and airways, sewerage, refuse disposal, foundations, structures, and bridges, and the organizational and economic aspects of these studies and activities;

12 AAC 36.990(a) is amended by adding a new paragraph to read:

(44) "significant structure"³ means⁹

2; in this paragraph, "hazardous facilities" means

(A) hazardous facilities³ defined as: structure housing, supporting, or

containing sufficient quantities of toxic or explosive substance to be of danger to the safety of the public if released;

2; in this paragraph, "special occupancy structures" means

(B) special occupancy structures³ defined as:

(i) building³ and other structures whose primary occupancy is

public assembly with an occupant load greater than 300;

(ii) buildings and other structures containing ^{an} elementary school, secondary school, or day care facility with an occupant load greater than 250;

(iii) buildings and other structures containing adult education facilities, such as colleges and universities, with an occupant load greater than 500;

(iv) medical facilities with 50 or more resident, incapacitated patients;

(v) jails and detention facilities; and

(vi) all buildings or structures with an occupant load greater than 5,000;

(C) essential facilities that have a ground area of more than 4,000 square feet and are more than 20 feet in mean roof height above average ground level; ^{in this paragraph,} essential facilities ^{means} are defined as:

(i) hospitals and other medical facilities having surgery and emergency treatment areas;

(ii) fire and police stations;

(iii) tanks or other structures containing, housing, or supporting water or fire suppression material or equipment required for the protection of essential or hazardous facilities or special occupancy structures;

(iv) emergency vehicle shelters and garages;

(v) structures and equipment in emergency preparedness centers;

(vi) standby power-generating equipment for essential facilities;

(vii) structures and equipment in government communication centers and other facilities requiring emergency response;

(viii) aviation control towers, air traffic control centers, and emergency aircraft hangars; and

(ix) buildings and other structures having critical national defense functions;

(D) structures exceeding 100 feet in height above average ground level;

(E) buildings that are customarily occupied by human beings and are four stories or 45 feet or more above average ground level; and

(F) bridges having a total span of more than 200 feet and piers having a surface area greater than 10,000 square feet.

(Eff. 5/23/74, Register 50; am 9/30/78, Register 67; am 6/29/84, Register 90; am 8/29/87, Register 103; am 10/20/90, Register 116; am 3/16/96, Register 137; am 7/26/97, Register 143; am 8/26/98, Register 147; am 11/13/99, Register 152; am 3/9/2001, Register 157; am 1/26/2012, Register 201; am 3/11/2012, Register 201; am 10/4/2015, Register 216; am 9/9/2016, Register 219)

Authority: AS 08.48.101 AS 08.48.181 AS 08.48.331
AS 08.48.171 AS 08.48.191

MEMORANDUM

State of Alaska Department of Law

To: Hon. Byron Mallott
Lieutenant Governor

Date: August 10, 2016

File No.: JU2015200867 (Part 2)

Tel. No.: 465-3600

From: Steven C. Weaver 
Sr. Assistant Attorney General
and Assistant Regulations Attorney
Legislation and Regulations Section

Re: Regulations re: engineering education and work experience requirements, application for registration as a structural engineer, seals, use of seals, and definitions (12 AAC 36.063(a), (k); 12 AAC 36.108; 12 AAC 36.180(b), (e); 12 AAC 36.185(i); 12 AAC 36.990(a)(4), (44))

We have reviewed the attached regulations from the State Board of Registration for Architects, Engineers, and Land Surveyors against the statutory standards of the Administrative Procedure Act. I have reviewed this project under a general delegation dated December 5, 2014 from the Regulations Attorney. The regulations update engineering education and work experience requirements, particularly regarding applications for registration as a structural engineer, and update related text regarding seals, the use of seals, and definitions.

The State Board of Registration for Architects, Engineers, and Land Surveyors split this regulations project into two parts. Part 1 of this project was filed May 19, 2016, and the filed regulations had an effective date of June 18, 2016. With Part 2 of this project we have included an original certification of adoption order, an original affidavit of board action, a copy of informal board minutes, and photocopies of supporting documents previously filed with Part 1 of this project.

We find no legal problems with Part 2 of the regulations. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The October 17, 2015 public notice and the June 20, 2016 certification of adoption 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 12 AAC 36.108(a), we have included a blank where the board would like the effective date of the regulations used. Once the regulations are filed, and the effective date therefore

Hon. Byron Mallott, Lieutenant Governor
Our file: JU2015200867 (Part 2)

August 10, 2016
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known, please fill in the effective date giving the month by name; also strike out the instruction "*(fill in effective date of regulation)*".

We have confirmed with the agency staff that, although the original text proposed for 12 AAC 36.108(b) read "July 31, 2017 (*or to be determined upon adoption*)", the board did not set a different date when adopting the regulations. Accordingly, the applicable date in 12 AAC 36.108(b) is July 31, 2017, as displayed, and we have deleted "*(or to be determined upon adoption)*" as a technical matter.

We have made some technical corrections to the regulations in accordance with AS 44.62.125, as shown on the attached copy.

SCW

cc w/enc: (via email)

Richard V. Jones, Executive Administrator
State Board of Registration for Architects, Engineers, and Land Surveyors
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community, and Economic Development

MEMORANDUM

State of Alaska
Department of Law

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

Date: August 10, 2016

File No.: JU2015200867 (Part 2)

Tel. No.: 465-3600

From: Steven C. Weaver 
Sr. Assistant Attorney General
and Assistant Regulations Attorney
Legislation and Regulations Section

Re: Regulations re: engineering education
and work experience requirements,
application for registration as a
structural engineer, seals, use of seals,
and definitions (12 AAC 36.063(a),
(k); 12 AAC 36.108; 12 AAC
36.180(b), (e); 12 AAC 36.185(i);
12 AAC 36.990(a)(4), (44))

Under AS 44.62.060, we have reviewed the attached changes 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 general delegation dated December 5, 2014 from the Regulations Attorney.

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

The October 17, 2015 public notice and the June 20, 2016 certification of adoption 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.

Richard V. Jones, Executive Administrator
State Board of Registration for Architects, Engineers, and Land Surveyors
Our file: JU2015200867 (Part 2)

August 10, 2016
Page 2

We have made some technical corrections to the regulations in accordance with AS 44.62.125, as shown on the attached copy.

SCW

cc w/enc: (via email)

Micaela Fowler, Regulations Contact
Department of Commerce, Community, and Economic Development

Janey Hovenden, Director
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development

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

Robert C. Auth, Assistant Attorney General
Commercial and Fair Business Section

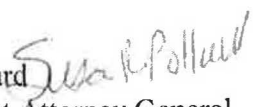
MEMORANDUM

State of Alaska
Department of Law

To: The Honorable Byron Mallott
Lieutenant Governor

Date: December 5, 2014

Tel. No.: 465-3600

From: Susan R. Pollard 
Chief Assistant Attorney General
and Regulations Attorney
Legislation and Regulations Section

Re: Delegation of Authority for
Regulations Matters

In my absence, when I am traveling or otherwise out of the office, Senior Assistant Attorney General and Assistant Regulations Attorney Steven C. Weaver is designated as Acting Regulations Attorney. Under this delegation, Steve Weaver has my full authority under AS 44.62 to conduct the legal review of regulations or take necessary actions as Acting Regulations Attorney.

This delegation is effective immediately and is in effect until revoked by me.

If you have any questions, please let me know.

SRP/pav

cc: Scott Meriwether, AAC Coordinator
Office of the Lt. Governor

Jim Cantor, Deputy Attorney General
Civil Division

Nancy Gordon, Statewide Office Chief
Civil Division

Steven C. Weaver, Sr. Assistant Attorney General
and Assistant Regulations Attorney
Legislation and Regulations Section

Cori Mills, Assistant Attorney General
Legislation and Regulations Section

Linda Miller, Legal Editor
Legislation and Regulations Section

Lisa Rickey, Legal Editor
Legislation and Regulations Section

STATE OF ALASKA)
FIRST JUDICIAL DISTRICT) 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 engineering education and work experience requirements, application for registration as a structural engineer, seal, use of seals, and definitions was passed by the State Board of Registration for Architects, Engineers, and Land Surveyors during its May 5-6, 2016 meeting.

Date: 6/20/2016
Juneau, Alaska


Richard V. Jones, Executive Administrator

SUBSCRIBED AND SWORN TO before me this 20 day of June, 2016.




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

1 **These draft minutes were prepared by the staff of the Division of Corporations,**
2 **Business and Professional Licensing. They have not been reviewed or approved**
3 **by the Board.**

4
5
6 **STATE OF ALASKA**

7
8 **DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT**
9 **DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING**
10 **BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS & LAND**
11 **SURVEYORS**

12
13 **Minutes of Meeting**
14 **May 5-6, 2016**

15
16 By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, Article 6, the
17 Board of Registration for Architects, Engineers and Land Surveyors held a meeting February
18 10-11, 2016 in Juneau, AK.

19
20 **Thursday May 5, 2016**

21
22 **Agenda Item 1 – Call to Order and Roll Call**

23
24 9:00 a.m. The Chair called the meeting to order. Roll call, all present except Eric Eriksen, who
25 was excused by the Chair.

26
27 Members present and constituting a quorum of the Board:

- 28
29
 - Colin Maynard, Civil Engineer, Structural Engineer, Chair
 - Kathleen Schedler, Mechanical Engineer, Secretary
 - Brian Hanson, Civil Engineer, Mining Engineer
 - Catherine Fritz, Architect
 - Jeffrey Koonce, Architect
 - John Kerr, Land Surveyor
 - Dave Hale, Land Surveyor
 - Fred Wallis, Mining Engineer
 - Luanne Urfer, Landscape Architect

30
31
32
33
34
35
36
37
38 Representing the Division of Corporations, Business and Professional Licensing were:

- 39
40
41
 - Sara Chambers, Operations Manager
 - Martha Hewlett, Administrative Officer II
 - John Savage Investigator
 - Vernon Jones, Executive Administrator.
 - Sarena Hackenmiller, Licensing Examiner.

42
43
44
45
46
47 Members of the Public present for portions of the meeting:

1 description. John will look into it.

2
3 **Agenda item 6 – Regulation update.**

4
5 A. Change to 12 AAC 36.185 Use of Seals. New Sections g. and h.

6
7 Chair notes that this was adopted at the February meeting and is somewhere in the review
8 process with Law and the Governor's office.

9
10 B. Changes to 12 AAC 36.063, Engineering Education and Work Experience
11 Requirements, 12 AAC 36.108 Application for Registration as a Structural Engineer,
12 12 AAC 36.180 Seals, 12 AAC 36.185 Use of Seals and 12 AAC 36.990 Definitions.

13
14 Chair notes that this was tabled at the February meeting and asks for a motion to bring it off the
15 table.

16
17 **On a motion duly made by Hanson, seconded by Koonce and passed unanimously it was**
18 **RESOLVED to take item 6 B. off of the table.**

19
20 Chair opens discussion on item 6 B.

21
22 Kerr asks if the chair is still recused from this.

23
24 Chair answers that he is still recused.

25
26 Hanson briefly reviews the motion and hopes everyone read the minutes from February as there
27 was a lot of good information in them.

28
29 Chair advises for the record that the public comment from November and February both written
30 and in the minutes was sent to the new members so they will be up to date on the issues.

31
32 Hanson believes the comments are generally in opposition to the regulation but that it's primarily
33 from a small group. He notes that the bridge engineers are against anything that has to do with
34 bridges. He explains the history of adding the new branches back in 2010 and that he went
35 back and reviewed the minutes from those meetings and that the Board didn't intend to take
36 away anything that anyone had been practicing. He mentions the 12 AAC 36.106 Registration
37 in Additional Branches of Engineering (Grandfathering clause). He thinks the major issue is
38 with the definition of significant structures.

39
40 Koonce adds that one of the questions asked was what the reason is for this change and he
41 thought we were going to write something but hasn't seen anything and can't answer that
42 question.

43
44 Hale responds that the purpose is to preemptively stop a failure from happening. We're not
45 going to wait for a building or bridge to collapse.

46
47 Koonce asks if it's too late to add an explanation.

48
49 Chair responds that it is too late.

50
51 Catherine asks how much the project could be amended before a new public notice is required.

1
2 Chair responds that minor changes would not require a re-notice but major changes would.

3
4 Note: Chris Miller joined the meeting via phone.

5
6 Hanson adds that we should not worry about whether it has to be re noticed. If changes need to
7 be made we should make them.

8
9 Kerr agrees with Brian regarding the majority of comments being in opposition. He felt the
10 bridge engineers made some good points about the ambiguity of some of the wording.

11
12 Catherine asks what specific section they are talking about.

13
14 Hanson responds that it's item f in the definitions regarding piers. Hale adds that they thought
15 the numbers were kind of arbitrary. Hanson continues that he had thought about forgetting
16 bridge size and just changing it over to the National Highway System. If it's part of the National
17 Highway system it needs a structural engineer.

18
19 Catherine asks about private bridges.

20
21 Kerr argues that it's the private bridges that need regulation. He would exempt the Nation
22 Highway System because they are already being handled by the top experts in the field and it's
23 the small private bridges that could potentially be done by someone unqualified and would risk
24 people's lives. He adds that he was convinced to remove all bridges until he asked if they
25 inspected private bridges and they related the story about one that they did inspect and if it had
26 been public they would have shut it down. He thinks these are the bridges that need protection,
27 that public highway bridges are already protected under our current system.

28
29 Catherine shares that she heard some of the testimony at the February meeting and was struck
30 by the fact that there are several kind of things that are exempted from licensing and one of
31 those is that people that do review of plans don't have to be licensed to do that review which
32 she always thought was kind of strange and if we are going to require that bridge engineers be
33 licensed structural engineers why wouldn't we require plan reviews to be licensed architects or
34 engineers?

35
36 Hale notes that everyone is pretty much centered around bridges. Is there a way to make it
37 more clear without re-noticing it.

38
39 Jones interjects that he believes that any change made will require a re-notice.

40
41 Hanson doesn't think that should be a consideration. We need to accept it as is or make
42 whatever changes that need to be made.

43
44 Catherine asks if this was modeled after another State's regulation.

45
46 Hanson responds that it was modeled after Washington and that the west coast was pretty
47 much the same, California is a little weaker. Chair adds that California only requires structural
48 engineers on hospitals and schools but they are working on adding bridges. Hanson notes that
49 they had an earthquake that caused several bridges to collapse. He adds that federal oversight
50 is not always a guarantee that something was properly engineered or inspected.

1 Kerr asks about piers. Is it bridge piers or marine structures and if so should we separate the
2 two. He would take off the length and pier verbiage and just say bridges that were not part of
3 the National Highway System or that are not designed or maintained by DOT. Hanson would
4 not exempt DOT. Kerr thinks they made a good case that they had the expertise. Hanson
5 responds that they do right now but what about three years from now when everyone retires. If
6 you're going to exempt someone exempt all state employees not just bridge engineers. Kerr
7 responds that they made a good case. Hanson adds that he isn't saying their system isn't a
8 good one, it's not personnel he's just saying what if. Things change over time. Catherine thinks
9 the bridge engineers make a good case but doesn't have a problem with requiring them to have
10 a structural license but thinks the verbiage concerning length and piers needs to be worked on.
11 She asks about other sections such as medical facilities of over a certain number of beds. What
12 is the number of people, the size or area of something, an occupant load etc. based on? Is it
13 something that triggers a requirement or are they somewhat arbitrary? Chair responds that the
14 language matches the language in the Washington and Oregon regulation and the risk table in
15 chapter 16 of the IBC. She continues that if it means something and has been vetted by the
16 other states then ok, if the 200 ft. means something and is not arbitrary than she is more
17 comfortable with it.

18
19 Chair asks if there is further discussion or if anyone has an amendment they would like to make.

20
21 Kerr would like to see bridges and marine facilities separated if in fact they are combined in item
22 f. He is generally not comfortable with the whole thing but he thinks it's good to have a
23 structural engineering firm for critical significant structures. Catherine starts to make a motion
24 regarding marine structures and is informed that she needs to write it out so it can be read into
25 the record. Kerr suggests it might need to go to a committee. She withdraws her motion while
26 she figures it out.

27
28 Chair adds that we can do that as a different regulation project or we can table this for another
29 three months. And if you want to postpone this until tomorrow morning to come up with an
30 amendment we can do that too.

31
32 Kerr asks if we can get an expert in marine structures to craft language for what a significant
33 structure is in their world.

34
35 Chair responds we can it depends on when you want that done by. Do you want to include it in
36 this or in a separate regulation project.

37
38 Catherine would be comfortable with looking at Hawaii and Washington to see what they have
39 regarding marine structures. Chair interjects that Hawaii requires all structures be done by a
40 structural engineer.

41
42 There was a short discussion on the wording in f. regarding length of span and surface area of
43 piers. Total span was defined as abutment to abutment not pier to pier. Hale thinks that this will
44 never be perfect but it's the best we can do right now. Wallis sees a lot of good things in this
45 regulation but this is Alaska and we are protecting Joe engineer in Nome who is building a 50
46 foot bridge across Dry Creek so he can do that without getting someone to come up from
47 Anchorage or Seattle. But if we're going to build a Port of Anchorage bridge across to the other
48 side we better have someone with more knowledge working on it and I think that's what we're
49 getting by having a standard like the other states, we're still protecting the little guy but for our
50 major stuff we're covered. Hanson adds that people can always find something wrong but
51 never tell us how we can fix it so what we have is what we have that's what the motion is, to

1 approve what we have. He would be ok with separating bridge span and piers.

2
3 Note: Division dialed in for their financial report.

4
5 Chair stops the discussion to move to item 7.

6
7 **Agenda item 7 – Financial Report.**

8
9 Sara Chambers confirms that the Board has the latest report with the account code information
10 and turns it over to Marth Hewlett,

11
12 Martha Hewlett goes through the direct expenditures line item by line item. She advises that
13 indirect expenditures are just a place holder based on last the years expenditures as they are
14 not credited until the end of the year. This figure represents approximately $\frac{3}{4}$ of the total and
15 when you get your 4th quarter report it will have the actual expenses.

16
17 Hanson asks if the indirect methodology will be the same as last years.

18
19 Hewlett responds that the methodology will remain the same. Chambers interjects that although
20 the methodology will be the same the number will be a little higher because this is a renewal
21 year and the front desk staff is spending more time on the financial transactions for the Board.

22
23 Chambers asks to take a few more minutes to touch on a few other topics. She asks for any
24 feedback on how the updated online renewal went this year. Chair responds it was easy for me.
25 Brian notes that you couldn't do a license number look-up when doing the renewal. Jones adds
26 that the only real problem was that when they went to the new database they began using the
27 letters and numbers and most of the calls were that they were entering the number but leaving
28 out the AELC or whatever. Chambers adds that that is a function of the new licensing program
29 and the possible need for education through the year. Chair adds that for those with multiple
30 licenses they had to go through each separately and it would be nice to be able to do it in one
31 transaction, we have one individual with 8 licenses.

32
33 Chambers goes into the travel restrictions brought on by the budget shortfall. She notes that
34 the letter from the Board made it up the chain and that the Commissioner is sensitive to Board
35 needs and desires. She wanted to make sure the Board knew that their letter was received by
36 the highest levels and they are aware on the Board view point. She advises that there are other
37 changes coming from the Depart of Administration regarding reimbursement of meals and
38 mileage reimbursement to try to realize cost savings while providing equitable reimbursement to
39 Boards. She assures the Board that Martha and I and Director Hovenden are very sensitive to
40 the fact that the Board members are volunteers. She moves into the use of thumb drives for file
41 review and has asked for staff to come back with some feedback on how it worked. She adds
42 that this Board as well as some other Boards is interested in being issued tablets/computers in
43 order to do the work more efficiently. Our program coordinator Colleen Kautz is working with IT
44 to nail down the best models that would be most cost effective as well as provide the speed and
45 storage capacity to meet the Board needs. The question this project hinges on is whether it's
46 feasible to fund it out capitol funds because the Division doesn't presently have the spending
47 authority to add that several thousand dollar cost on. So we are looking at options and methods
48 to find a reasonable funding source.

49
50 Hanson doesn't see why the individual Boards can't make a direct purchase for their Board
51 rather than have it be a Division owned tablet that you're checking out. It's part of being a

1 by not providing the paper documentation then it would defeat the purpose by continuing to
2 have two systems to have to follow since we would have to buy the tablet anyway.

3
4 Kerr clarifies that he is not advocating having two systems he just doesn't want to have another
5 thing to lug around.

6
7 Several chime in that Vern will do the lugging.

8
9 Chambers clarifies that under the model that they are looking at right now tablets would be
10 provided to Board Members at the Board Meeting and then taken back after the meeting.

11
12 Kerr then asks how we would review our Board Packets prior to the meeting if that happens.

13
14 Chambers responds that they would be available on the online portal.

15
16 11:05 Break

17
18 11:15 back on record.

19
20 **On a motion duly made by Hanson, seconded by Kerr and passed unanimously it was**
21 **RESOLVED that due to the current mandated electronic review process the AELS Board**
22 **would like to purchase tablets and/or other electronic devices for Board Members and**
23 **Staff to be used to conduct Board business.**

24
25 Chair: Now we will go back to 6 B. What is the will of the body?

26
27 The discussion returned to sub-para f. and the question of separating the span verbiage from
28 the pier verbiage. Hanson pulled up the Washington language and stated that it's exactly the
29 same and has been working fine for years. He stated that when you talk about the total span of
30 a bridge it's the total length of the bridge not pier to pier but total length abutment to abutment.
31 He adds that DOT uses pretty much the same design for most bridges which is 145 ft. pre-
32 stressed girders. He doesn't feel the language needs to be changed. Discussion continued on
33 the connection between the span and pier and whether span meant abutment to abutment or
34 pier to pier and whether marine structures needed to be separated or added. Catherine
35 reminds everyone that the people who review these for permitting may not be engineers so their
36 interpretation may be different than yours. The end result was that the language has worked
37 fine for years in another jurisdiction so it should be left as is. It was requested that the motion be
38 read again.

39
40 Chair: reads the motion – to adopt changes to 12 AAC 36.063, 12 AAC 36.108, 12 AAC 36.180,
41 12 AAC 36.185 and 12 AAC 36.990 as public noticed.

42
43 Catherine asks what the options are if the motion is tabled while changes are made or if it fails
44 what is the vehicle to bring it back.

45
46 Chair: We can table it or if it passes we can initiate a regulation project to discuss marine or add
47 it now which would require a re-public notice and we could adopt in August or if it fails we can
48 start a new regulation project.

49
50 Catherine would be fine with passing as is if a project to work on marine structures was initiated.
51

1 Chair asks for a roll call vote with the following results:

2
3 Eriksen, absent; Hale yes; Hanson yes; Kerr no; Koonce no; Maynard abstain; Fritz yes;
4 Schedler no; Wallis yes; 4 yes 3 no 1 abstain.

5
6 Note: There was some confusion on whether it needed a majority of the members present or a
7 majority of the Board. Chair will do some research during lunch and find out.

8
9 Chair: started discussing item D under old business. Item C is a change to 12 AAC 36.050
10 Application Deadlines. The reason for this change is so that Staff has time to get applications
11 ready for Board review. The move to electronic everything has slowed the process down
12 somewhat. Each evolution has to be done from start to finish before moving on to the next one.
13 All items received via email have to be scanned, all incoming mail is scanned. Where before
14 you could take action, print a copy and put in a folder or toss a copy in a basket to be filed later
15 now it all has to be done before moving on. Files for board review have to be transferred to
16 thumb drives. It just takes longer. There were a couple of comments from the public but they
17 were actually questions asking why instead of comments. I explained the reason to them and
18 heard no further from them.

19
20 **On a motion duly made by Hanson, seconded by Kerr and passed unanimously it was**
21 **RESOLVED to adopt changes to 12 AAC 36.050 Application Deadlines as public noticed.**

22
23 **Agenda item 9 – Correspondence Received since February 2016.**

24 CLARB

25 Luanne explains CLARB's task analysis project and the LEED certification
26 process. They had asked the Board for email addresses and the Board refused so Luanne
27 went to the Society and asked them to distribute the survey. She asks who to send the support
28 she got for the landscape architect change to permanent and was told they could send it to the
29 Legislature next session.

30
31 NCARB

32 Jeff reviews the correspondence from NCARB. He notes that the ARE is being
33 updated to 5.0 which will be out later this year. There were a couple of letters from candidates
34 for office. He mentioned a resolution that will be introduced at Annual. Chair asks if any of the
35 resolutions are in violation of our Statutes. Jeff talked about a resolution to accept an
36 agreement with Australia and New Zealand similar to the one with Canada. Catherine asks if
37 the Board has info on the AXP change and what it's all about. Jeff will send her the info he has
38 received. He asks about the voting delegate designation for the Annual Meeting.

39
40 NCEES

41 Brian summarizes the BOD report and CEO email re competency model. There
42 were several nominations for office. Southern zone has a resolution in regarding experience
43 verification in the council record. National Surveying Education Award was approved. There
44 was correspondence regarding ABET Criterion 3 and 5 that Colin explained.

45
46 11:50 am break for lunch.

47
48 1:07 pm called to order. Roll call, all present except Eriksen.

49
50 Chair reports that his research on the voting shows that it needs a majority of the Board not the
51 quorum so we need 6 votes to pass it so the motion on the structural regulations failed.

1
2 Kerr asks if it can be re-voted.
3

4 Chair responds that it can be brought back up for vote in the next 24 hours and if it doesn't pass
5 we can start from scratch.
6

7 **Agenda item 13 – Public Comment**
8

9 Chris Miller: I'm Chris Miller, I'm president of Design Alaska, mechanical, controls, fire
10 protection, environmental all have been grandfathered. I appreciate being able to listen in to the
11 meetings. It's nice to hear the robust debate, it's a hard job that you have to do and I appreciate
12 being able to hear the work you're doing. Welcome to the new, I heard a new voice this
13 morning, (Catherine and Fred introduce themselves). I'll be around every time you come to
14 Fairbanks. My topic today is within the last two weeks I've gotten a whole bunch of things about
15 mechanical administrators doing designs, providing drawings, not only mechanical but electrical
16 administrators, plumbers. What is, they were basically saying well this, contractors do it I don't
17 need a design I'll let my mechanical contractor do it. It was weird that it kind of came out of the
18 blue. I hadn't heard that in years. There has been a recent rash of it. We all understand that
19 replacing a boiler or similar thing in a boiler room, replacing a panel or replacing a, all
20 maintenance related, it may require a permit but doesn't require signed stamped architectural
21 drawings because it's not changing the life safety of the public. These were not doing that.
22 These were adding ventilation systems, redoing an entire office, replacing, adding walls redoing
23 the light fixtures, redoing the power. There some provisions in the code about exceptions and
24 what-not but I started digging through and where is this coming from is there some basis in the
25 regulations that somebody says I don't need architects and engineers, contractors can do it. I
26 couldn't find any basis in the regulations, in the muni or the city of Fairbanks or something that's
27 a little quirky that somebody could make that stretch. I'm dealing with it. People that I'm working
28 with have come to ask me I tell them flat out that I think it's in your best interest to have
29 architects and engineers do your drawings and prepare your designs and have your contractors
30 build it. If you want to do a design build method and ask your contractors to provide designers
31 to do it I'm totally fine with that but there should be seals on these drawings when you're done.
32 So I don't know where it came from but I went and looked at the Building Official Guidance
33 package you guys been working on and putting out, looking to see if there was a clear line
34 drawn in there. It's supposed to be designed by licensed individuals and a mechanical
35 administrator is not a licensed individual by this definition they are different licensed individuals.
36 Anyway I just thought I'd share that with you, I don't know if there is an education opportunity
37 coming up or some other way and of course I will keep working and let you know what I find out
38 here in the field and I'm not playing a turf war I just want to make sure we are all being clear and
39 serving the public.
40

41 Chair notes that this isn't the first time this has come up.
42

43 Miller: I'm sure it's not but I hadn't heard it in years until the last two weeks, three different
44 projects within the last two weeks.
45

46 Brian thanks him for bringing this to the Board and reads the section of AS 08.48.331 (7) that
47 they specialty contractors mistakenly use to do design work. He gives some history on the
48 problems with this exemption referring to the issue with pre-fab steel buildings. Chair interjects
49 that the Board modified this exemption a few years ago because of this kind of problem. Brian
50 points out that it is a Statute and not a Regulation and would have to go through the Legislature.
51

1 **RESOLVED to write a regulation project addressing the change of Intern Development**
2 **program to Architectural Experience Program**

3
4 Chair asks Luann if she has her motion ready.

5
6 **On a motion duly made by Urfer, seconded by Kerr and passed unanimously it was**
7 **RESOLVED to start a regulation project to change 12 AAC 36.109(1) to require that if a**
8 **CLARB Council Record is used it has to be in compliance with Alaska regulations.**
9

10 Chair asks her to fill out the Regulation Project FAQ form. John you said you had something?

11
12 **On a motion duly made by Kerr, seconded by Schedler and passed unanimously it was**
13 **RESOLVED to change the sanction guidelines related to lapsed licenses to make the**
14 **minimum civil fine a fine of not less than two times the cost of all back license fees.**
15

16 There was a discussion on instating a penalty for late renewal. Present practice is that as long
17 as they don't practice they can let their license lapse until they get work then renew or reinstate
18 by just paying the current license fee. Unless they self-report, someone complains or is caught
19 during a site visit by the Investigator we have no way of knowing if they were practicing or not.
20 It was suggested that if they wait 4.5 years to renew they should have to pay back license fees
21 to when they let it lapse.

22
23 **On a motion duly made by Koonce, seconded by Kerr and passed unanimously it was**
24 **RESOLVED to start a regulation project to provide for a penalty for late renewal.**
25

26 Chair asks if there are any other motions.

27
28 **On a motion duly made by Kerr, seconded by Hale and passed unanimously it was**
29 **RESOLVED to reintroduce 12 AAC 36.063, 12 AAC 36.108, 12 AAC 36.180, 12 AAC 36.185**
30 **and 12 AAC 36.990 related structural engineering.**
31

32 Chair asks if he wants to start a new regulation project. Kerr responds that he wants to
33 reconsider the vote. Chair, all this will do is open up the discussion before the vote yesterday.

34
35 Kerr: Thinks there is a lot of support for this and that he voted no because some of the
36 language is problematic, I think it needs to be, potentially problematic, I think it would be good if
37 we have a regulation project after it passes, if it passes and it becomes regulation, to find out if
38 we need to deal with marine facilities. I don't know if we need to but that was one thing that
39 looked like it was missing and to make sure the bridges section is clear and there's basis for it.
40 So that's why I voted no and after thinking about I hate to see all this public notice be wasted
41 and gone and we can look at modifying it after it becomes law.

42
43 Koonce adds that the previous discussion was confusing in that it wasn't clear if they were
44 talking about onshore or offshore.

45
46 Chair so now we are back to the original motion. Hale asks if we need a new motion. Chair
47 says that the vote is expunged and so we are back to the motion and asks that it be re-read.

48
49 Kerr: Asks how many votes are needed to pass. Note: It has to be a majority of the Board
50 which would be 6 votes.
51

1 Jones re-reads the motion – motion was to adopt changes to 12 AAC 36.063, 12 AAC 36.108,
2 12 AAC 36.180, 12 AAC 36.185 and 12 AAC 36.990 as public noticed. These were the
3 regulations that would require a structural engineer for significant structures.
4

5 Chair asks if there is discussion.
6

7 Hale will support it knowing that it is not perfect but nothing ever will be. He sees it as a good
8 start and thinks most people see it as a positive step.
9

10 Chair asks if there is further comment, seeing none he asks for a roll call vote.
11

12 Jones reads the roll, Eriksen, absent, Hale, yes, Hanson, yes, Kerr, yes, Koonce, yes, Maynard,
13 abstain, Fritz, Yes, Schedler asks if she can abstain, Jones replies no she has to vote unless
14 there is a conflict of interest. She votes no, Wallis, yes. Jones 6 yes 1 no and 1 abstain so it
15 passes.
16

17 **Agenda item 18 – Special Committees**

18

19 Licensure Implementation: No report.
20

21 Registration and Practice: No report.
22

23 Licensure Mobility: No report.
24

25 **Standing Committees**

26

27 Investigative Advisory Committee: Chair explains how this works to the new members.
28 When the John gets a complaint he will determine which Board Member will have the most
29 knowledge on that issue and calls them. Then at that point they become ineligible to vote if it
30 comes to the Board as a consent agreement or if the Board becomes the jury. Jones adds that
31 John will only call one architect or one surveyor or one engineer so don't get ahold of your
32 partner and taint him too because we still need someone in that profession able to vote if it
33 comes to the Board. Chair adds you're on your lonesome, don't taint anybody else when he
34 comes to you.
35

36 Guidance Manual: Luanne has sent it out to the Board but hasn't gotten any feedback
37 yet. Luanne believes that even though it was originally for Building Officials there are many
38 people using it so it need to target a larger audience. Chair adds that it now includes all our
39 policies and guidelines. Chair advises her to assign each section to one or two individuals for
40 review and update. Jones will publish an update with the new preamble
41

42 Legislative Liaison: Eric will be off the Board in March so we should assign a new chair
43 for that.
44

45 Emeritus Status: Chair asks if anyone needs to be in emeritus status. Jones will check
46 the NCEES Board roster to see who which ex-members are still active. Hanson advises that
47 anyone who has attended an NCEES meeting is in My NCEES and can go to that webpage and
48 see all that are included and if you click on an individual it will list what committees they are on.
49

50 Budget Committee: He thinks our hands are tied as far as expenditures. Chair brings
51 the new members up to speed on how our indirect expenditures were determined in the past

On a motion duly made by Kerr, Seconded by Hale and passed on a roll call vote of 6 yes, 1 no and 1 abstain it was RESOLVED to adopt changes to 12 AAC 36.063, 12 AAC 36.108, 12 AAC 36.180, 12 AAC 36.185 and 12 AAC 36.990 as public noticed.

Roll Call Vote:

Eriksen – Absent

Hale – Yes

Hanson – Yes

Kerr – Yes

Koonce – Yes

Maynard – Abstain

Fritz – Yes

Schedler – No

Willis – Yes

STATE OF ALASKA

FIRST JUDICIAL DISTRICT

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

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 36.063, 12 AAC 36.108, 12 AAC 36.180, 12 AAC 36.185, and 12 AAC 36.990, dealing with engineering education and work experience requirements, application for registration as a structural engineer, seal, use of seals, and definitions, has been given by being:

- COPY**

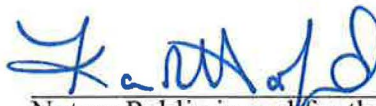
As required by AS 44.62.190(d), additional regulations notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulations notice information also has been posted on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

DATE: 4/15/16
Juneau, Alaska


Jun Maiquis, Regulations

Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 15 day of April, 2016.



Notary Public in and for the
State of Alaska

My commission expires: with office

STATE OF ALASKA
FIRST JUDICIAL DISTRICT

} ss.

COPY

AFFIDAVIT OF ORAL HEARING

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

The State Board of Registration for Architects, Engineers, and Land Surveyors presided over the following public hearings held in accordance with AS 44.62.210 for the purpose of taking testimony in connection with the adoption of changes to 12 AAC 36.063, 12 AAC 36.108, 12 AAC 36.180, 12 AAC 36.185, and 12 AAC 36.990 dealing with engineering education and work experience requirements, application for registration as a structural engineer, seal, use of seals, and definitions.

November 5, 2015, at 1:15 p.m., at the Atwood Building, 550
W. 7th Avenue, 1st Floor, Conference Room 104, Anchorage,
Alaska

February 10, 2016, at 1:15 p.m., at the State Office
Building, 333 Willoughby Avenue, 9th Floor, Conference C,
Juneau, Alaska

Date: 4/8/16
Juneau, Alaska

Richard V. Jones
Richard V. Jones, Executive Administrator

SUBSCRIBED AND SWORN TO before me this 8th day of April, 2016.



Dill Ames
Notary Public in and for the
State of Alaska
My Commission Expires: w/office

COPY

FIRST JUDICIAL DISTRICT

SS.

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

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

In compliance with AS 44.62.215, the State Board of Registration for Architects, Engineers, and Land Surveyors has kept a record of its use or rejection of factual or other substantive information that was submitted in writing and orally as public comment and that was relevant to the accuracy, coverage, or other aspect of the State Board of Registration for Architects, Engineers, and Land Surveyors regulations on dealing with engineering education and work experience requirements, application for registration as a structural engineer, seal, use of seals, and definitions.

DATE: 4/15/16
Juneau, Alaska

COPY


Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 15 day of April, 2016.




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

COPY

**NOTICE OF PROPOSED CHANGES TO ENGINEERING EDUCATION AND WORK
EXPERIENCE REQUIREMENTS, APPLICATION FOR REGISTRATION AS A
STRUCTURAL ENGINEER, SEAL, USE OF SEALS, AND DEFINING THE TERM
SIGNIFICANT STRUCTURE 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 by adding requirements for eligibility for the structural engineering examination, changes to the regulations relating to application for registration as a structural engineer including authorized seal and structural engineer seal on certain plans, and defining the term significant structure.

The State Board of Registration for Architects, Engineers, and Land Surveyors (Board) proposes to adopt regulation changes in Title 12, Chapter 36, of the Alaska Administrative Code, dealing with engineering education and work experience requirements, application for registration as a structural engineer, seal, use of seals, and definitions, including the following:

1. **12 AAC 36.063, Engineering education and work experience requirements**, is proposed to be changed to add specific requirements for structural engineer.
2. **12 AAC 36.108, Application for registration as a structural engineer**, is a proposed new section that establishes application for registration as a structural engineer.
3. **12 AAC 36.180, Seal**, is proposed to be changed to add a structural engineer seal.
4. **12 AAC 36.185, Use of seals**, is proposed to be changed to add the requirements for a structural engineer seal on certain plans.
5. **12 AAC 36.990, Definitions**, is proposed to be changed to further define terms used in 12 AAC 36.

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 to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974, and by electronic mail at 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/178698>, and using the comment link. **The comments must be received not later than 4:30 p.m. on January 12, 2016.**

Oral comments relevant to the proposed actions, including the potential costs to private persons of complying with the proposed action, may also be given at hearings to be held during the following Board meeting dates and places:

November 5, 2015 meeting at the Atwood Building, 550 W. 7th Avenue, 1st Floor, Conference Room 104, Anchorage, Alaska. **Written comments will not be accepted at the hearing.** The hearing will begin at 1:15 p.m. and will end when those who have signed up before 1:15 p.m. to give oral testimony have had the opportunity to give oral comments.

February 10, 2016 meeting at the State Office Building, 333 Willoughby Avenue, 9th Floor, Conference Room C, Juneau, Alaska. **Written comments will not be accepted at the hearing.** The hearing will begin at 1:15 p.m. and will end when those who have signed up before 1:15 p.m. to give oral testimony have had the opportunity to give oral comments.

The chair of the Board may limit each participant's length of oral testimony to a time limit, determined by the chair before the hearing begins, to allow enough time for all those present and

timely registered to give testimony. If you wish to give your comments via telephone, please call 1-800-315-6338 access code 51676.

You may submit written questions relevant to the proposed action to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806, or by e-mail at jun.maiquis@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Board will aggregate its response to substantially similar questions and make the questions and responses available on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofArchitectsEngineersandLandSurveyors.aspx> or on the Alaska Online Public Notice System. The Board may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

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 or jun.maiquis@alaska.gov not later than February 3, 2016 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 <https://www.commerce.alaska.gov/web/portals/5/pub/AELS-1015.pdf>.

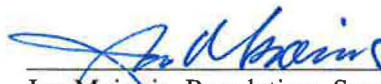
After the public comment period ends, the Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.48.101; AS 08.48.111; AS 08.48.171; AS 08.48.181; AS 08.48.191; AS 08.48.201; AS 08.48.221; AS 08.48.231; AS 08.48.331

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.48.101; AS 08.48.111; AS 08.48.171; AS 08.48.181; AS 08.48.191; AS 08.48.201; AS 08.48.221; AS 08.48.231; AS 08.48.331

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

DATE: 10/16/15



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, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

ADDITIONAL REGULATION NOTICE INFORMATION
(AS 44.62.190(d))

1. **Adopting agency:** State Board of Registration for Architects, Engineers, and Land Surveyors – Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Engineering education and work experience requirements, application for registration as a structural engineer, seal, use of seals, and definitions.
3. **Citation of regulation:** 12 AAC 36.063, 12 AAC 36.108, 12 AAC 36.180, 12 AAC 36.185, and 12 AAC 36.990.
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. **Estimated annual cost to comply with the proposed action to:**
A private person: Information from the Board's current fees indicates that the requirements of having a professional engineer license before being eligible for structural engineer would cost \$250 for applicant by examination and \$350 for applicant by comity.
Another state agency: Only if the agency will cover the expense of their employee's licenses.
A municipality: Only if the municipality will cover the expense of their employee's licenses.
8. **Cost of implementation to the state agency and available funding (in thousands of dollars):**
No costs are expected in FY 2016 or in subsequent years.
9. **The name of the contact person for the regulations:**
Richard (Vern) Jones, Executive Administrator
State 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
10. **The origin of the proposed action:** State Board of Registration for Architects, Engineers, and Land Surveyors.
11. **Date:** 10/16/15 **Prepared by:** 
Jun Maiquis, Regulations Specialist

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STATE OF ALASKA

THIRD JUDICIAL DISTRICT

Emma Dunlap

being first duly sworn on oath deposes and says that he/she is a representative of the Alaska Dispatch 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

October 17, 2015

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 Emma Dunlap

Subscribed and sworn to before me
this 19th day of October, 2015

Britney L. Thompson

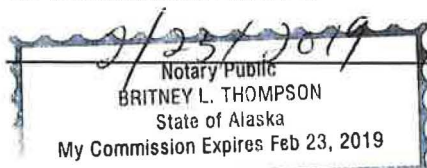
Notary Public in and for

The State of Alaska.

Third Division

Anchorage, Alaska

MY COMMISSION EXPIRES



COPY

NOTICE OF PROPOSED CHANGES TO ENGINEERING EDUCATION AND WORK EXPERIENCE REQUIREMENTS, APPLICATION FOR REGISTRATION AS A STRUCTURAL ENGINEER, SEAL, USE OF SEALS, AND DEFINING THE TERM SIGNIFICANT STRUCTURE IN THE REGULATIONS OF THE STATE BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS

The State Board of Registration for Architects, Engineers, and Land Surveyors (Board) proposes to adopt regulation changes in Title 12, Chapter 36, of the Alaska Administrative Code, dealing with engineering education and work experience requirements, application for registration as a structural engineer, seal, use of seals, and definitions, including the following:

1. 12 AAC 36.063, Engineering education and work experience requirements, is proposed to be changed to add specific requirements for structural engineer.
2. 12 AAC 36.108, Application for registration as a structural engineer, is a proposed new section that establishes application for registration as a structural engineer.
3. 12 AAC 36.180, Seal, is proposed to be changed to add a structural engineer seal.
4. 12 AAC 36.185, Use of seals, is proposed to be changed to add the requirements for a structural engineer seal on certain plans.
5. 12 AAC 36.990, Definitions, is proposed to be changed to further define terms used in 12 AAC 36.

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 to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974, and by electronic mail at 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/178698>, and using the comment link. The comments must be received not later than 4:30 p.m. on January 12, 2016.

Oral comments relevant to the proposed actions, including the potential costs to private persons of complying with the proposed action, may also be given at hearings to be held during the following Board meeting dates and places:

November 5, 2015 meeting at the Atwood Building, 550 W. 7th Avenue, 1st Floor, Conference Room 104 Anchorage, Alaska. Written comments will not be accepted at the hearing. The hearing will begin at 1:15 p.m. and will end when those who have signed up before 1:15 p.m. to give oral testimony have had the opportunity to give oral comments.

February 10, 2016 meeting at the State Office Building, 333 Willoughby Avenue, 9th Floor, Conference Room C Juneau, Alaska. Written comments will not be accepted at the hearing. The hearing will begin at 1:15 p.m. and will end when those who have signed up before 1:15 p.m. to give oral testimony have had the opportunity to give oral comments.

The chair of the Board may limit each participant's length of oral testimony to a time limit, determined by the chair before the hearing begins, to allow enough time for all those present and timely registered to give testimony. If you wish to give your comments via telephone, please call 1-800-315-6338 access code 51676.

You may submit written questions relevant to the proposed action to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806, or by e-mail at jun.maiquis@alaska.gov. The questions must be received at least 10 days before the end of the public comment period. The Board will aggregate its response to substantially similar questions and make the questions and responses available on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofArchitectsEngineersandLandSurveyors.aspx> or on the Alaska Online Public Notice System. The Board may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

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 or jun.maiquis@alaska.gov not later than February 3, 2016 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 <https://www.commerce.alaska.gov/web/portals/5/pub/AELS-1015.pdf>.

After the public comment period ends, the Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. 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 and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.48.101; AS 08.48.111; AS 08.48.171; AS 08.48.181; AS 08.48.191; AS 08.48.201; AS 08.48.221; AS 08.48.231; AS 08.48.331
Statutes Being Implemented, Interpreted, or Made Specific: AS 08.48.101; AS 08.48.111; AS 08.48.171; AS 08.48.181; AS 08.48.191; AS 08.48.201; AS 08.48.221; AS 08.48.231; AS 08.48.331

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

DATE: 10/16/15

/s/
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, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

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