

Draft Minutes
Arizona State Board of Technical Registration
LEGISLATION AND RULES COMMITTEE
1110 W. Washington Street, Suite 240
Phoenix, Arizona 85007
Thursday, March 19, 2015 – 9:30AM

1. CALL TO ORDER – 9:31AM

2. ROLL CALL – Members in attendance: LeRoy Brady, Douglas Folk, William Greenslade, Stuart Lane, and Edward Marley. Absent: Ronald A. Starling. Staff: Douglas Kraemer, Michael Martinez, Douglas Parlin, and Patrice Pritzl.

3. CALL TO THE PUBLIC –No members of the public addressed the committee.

4. ADOPTION OF MINUTES

Review, Consideration and Possible Action of the following:

- A. Approve, modify and/or reject December 11, 2014 Committee minutes – Mr. Greenslade moved to approve the minutes from the December 11, 2014 committee meeting. Mr. Brady seconded the motion. No further discussion; motion carried.

5. REVIEW, DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING:

- A. Whether to Shorten the Required 96 months of Experience Required for Architect Regulation – Mr. Folk had questions about the impact of changing requirements when it comes to reciprocity in other states. Mr. Marley discussed how NCARB had already moved forward to shorten the experience requirement for NCARB certification. Mr. Marley stated that the changes would go into effect in July and that Arizona would need to change statutes in order to accept the shortened experience requirements. The Board directed Staff to research the following

- Would shortening the experience impact MLE eligibility?
- How many states require MLE?
- Would shortening experience requirements impact CLARB council records?
- How many states require CLARB council records?
- Would there be any impact on ASBOG?

- B. Whether the Board should require all Applicants for Registration in Arizona pass a State Specific “Jurisprudence” Examination – Mr. Marley stated that in the committee’s previous meeting, they directed staff to look at the possibility of implementing this exam when the Board’s new computer system has come online. Ms. Pritzl stated that the bid for the system was out but it could take a year before coming online. The committee then discussed what the exam would look like. Mr. Marley stated that this type of test could help registrants become aware of the most common disciplinary issues that come

before the Board. Mr. Folk moved that the committee recommend that the Board implement an open-book Arizona jurisprudence exam required upon a professional registration application to be implemented as soon as the Board has the capability to do so. Mr. Brady seconded the motion. No further discussion; motion carried.

- C. Parameters for Peer Review – Mr. Folk stated he does understand the need for home inspectors to have their own definition because the profession is so rule oriented that the Home Inspectors Rules and Standards committee felt peer reviewers needed to meet a minimum amount of experience to understand those rules, but believes it should be Board policy and not a Substantive Policy Statement. Mr. Pritzl stated she believes this could be done as Board policy rather than a SPS. Mr. Folk moved to send an updated definition of “Peer Review” for home inspectors to the Board with the recommendation that they include that peer reviewers must be in good standing with the Board, they have at least 5 years of experience as a home inspector, they must have fully completed 250 home inspections, and must be approved by the Board prior to performing peer reviews. Mr. Folk included in his motion that members of the Enforcement Advisory Committee would be presumptively qualified to act as a peer reviewer, but still subject to Board approval. Mr. Lane seconded the motion. No further discussion motion carried. Mr. Folk then made a motion that the committee advise the Board that it doesn’t seem necessary to create a SPS or Board policy to define peer review or reviewers for the professions. Mr. Greenslade seconded the motion. No further discussion; motion carried.
- D. Discovery Report – Mr. Lane stated concerns that the discovery report detailed in the American Surveyor article could be interpreted by members of the public as an actual survey. He stated that he does believe it constitutes a boundary survey as defined by ABSM but it is not permissible under conduct rules because it doesn’t meet the standards of practice. The committee also voiced concerns over the discovery report having had an official seal included by the surveyor. Mr. Folk and Mr. Lane stated that they don’t believe that it requires a substantive policy statement because the discovery report doesn’t appear to meet the standards of practice. Mr. Brady stated concerns that the registrant is advertising a service to members of the public that do not understand the limits of this type of survey. Mr. Lane moved to have Board staff open an investigation into the registrant that was advertising the discovery reports in question. Mr. Folk seconded the motion. No further discussion; motion carried.

6. **FUTURE AGENDA ITEMS** – Mr. Marley stated that he would like to see the committee start planning for the next legislative session and to start putting items on the agenda to start the discussion. Mr. Lane stated he would like to have a discussion about updating the definition of land surveying put on a future agenda.

7. **FUTURE MEETINGS** – Tuesday, July 21, 2015

8. **ADJOURNMENT** – The committee adjourned at 10:36AM