

# **Senate Executive Departments and Administration Committee**

*Deb Chroniak 271-1403*

**SB 21**, relative to licensure and continuing education of architects.

**Hearing Date:** January 11, 2017

**Time Opened:** 10:20 a.m.

**Time Closed:** 10:35 a.m.

**Members of the Committee Present:** Senators Carson, Reagan, Gannon, Soucy and Woodburn

**Members of the Committee Absent:** No one

**Bill Analysis:** This bill modifies the continuing education requirements for architects and clarifies the exemptions from licensure by the board of architects.

**Sponsors:**

Sen. D'Allesandro

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**Who supports the bill:** Senator D'Allesandro, Senate District 20; David Udelsman, Board of Architects, Jerry Tepe, New Hampshire Board of Architects; Robert J. Lamberti, Jr., New Hampshire Office of Professional Licensure and Certification; Sheldon Pennoyer, New Hampshire Board of Architects; Fred Matuszewski, Manchester, New Hampshire; Matthew Labonte, State Fire Marshal's Office

**Who opposes the bill:** No one.

**Summary of testimony presented in support:**

Senator D'Allesandro, Prime Sponsor

- Stated there were three parts to this legislation.
- Under RSA 310-A:45, the request is to change the name "Interstate" to "Reciprocal". This request is due to the National Council of Architectural Registration Boards (NCARB) entering into consent agreements with Canada, New Zealand and Australia for expansion of reciprocity, thus the term "Interstate" is outdated and the word "Reciprocal" is the recommended replacement name.
- Under RSA 310-A:46-a, are changes to Continuing Education Requirements. The primary tracking mechanism for continuing education units (CEUs) for architects is with the American Institute of Architects (AIA). The AIA tracks CEUs in two areas; health, safety and welfare and sustainable design. Continuing education programs today integrate the concepts of sustainable

design into most curriculums and the AIA no longer tracks these CEUs. The Board of Architects believes it is appropriate all credits required be in the area of “health, safety and welfare”.

- Under RSA 310-A:52 are changes to Exemptions.  
The changes within these RSAs are to bring language into alignment with the State Building Code, in addition to clarifying an area of confusion regarding exemptions.
- Since RSA 310-A:52, Exemptions has been written, the New Hampshire Building Code has enacted RSA 115-A. The new language under this RSA ties the requirement for a licensed architect directly to the occupancy classifications identified within the New Hampshire Building Code.
- The confusing area is Part IV which requires all, not any single one of these exemptions must be met for a project to be exempt from the requirement of having a licensed architect. The Board of Architects believes this was the original intent of the statute, but building officials, the primary enforcers of the rule have indicated the public felt it was NOT clearly stated. The new language will clarify this requirement.
- All of these changes were brought forward by the Office of Professional Licensure and Certification.

David Udelsman, Chair, Board of Architects

- Present to clarify any questions.
- Stated the first two sections were a change in the language to “reciprocal”. Change from the word “interstate”, which implies within the United States. They presently have reciprocity with Canada, Australia and New Zealand.
- Continuing Education Unit requirements presently include sustainable design as part of the programming.
- Regarding the exemptions from licensure, when originally written there was not a “state-wide building code”. The language ties the exemptions to RSA 155-A.
- The exemption changes are for clarification.

Jerry Tepe, Architect, representing New Hampshire Building Officials Association (NHBOA) (amendment provided)

- Wanted to point out in Section A:52 (exemptions) that there was a minor typo (line 18 should read as follows: (b) a change in use or occupancy)
- Changes are tying things in with the State Building Code
- After discussion with building officials, they believe there was a problem with terminology in (a) “structural changes”, and confusion around that terminology.
- He is bringing in a proposed amendment.
- The issue is in trying to figure out, for some, what “structural” meant.
- The new language is “A change in the primary structural frame or bearing wall”. The addition is that of bearing walls, which are the primary structural items in a building.
- Primary structural frame is a defined term within the building code.

Sheldon Pennoyer, Architect

- On the Board of Architects for the State of New Hampshire and a member of the Board of the New Hampshire Chapter of the American Institute of Architects (AIANH).
- Stated AIA-NH support for SB 21 (letter of support provided to Committee members).
- There is a broad range of the architectural and building official communities who are in support of this legislation.

**Summary of testimony presented in opposition:** None

**Future Action:** Senator Reagan motioned “Ought to Pass on Amendment” (#0015s), seconded by Senator Soucy. The vote was 5-0 in favor. Senator Reagan motioned “Ought to Pass as Amended”, seconded by Senator Soucy. The vote was 5-0 in favor. Senator Reagan motioned “Consent Calendar”, seconded by Senator Soucy. The vote was 5-0 in favor on Consent Calendar. Senator Reagan will move this bill out of Committee.

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Date Hearing Report completed: January 13, 2017