



**State of Arizona**  
**BOARD OF TECHNICAL REGISTRATION**  
1110 W. Washington Street, Suite 240, Phoenix, Arizona 85007  
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- Edward Marley, Chairman/Architect • LeRoy Brady, Landscape Architect • Doug Bartlett, Geologist
- Robert Stanley, Engineer (Civil & Structural) • Dr. Alejandro Angel, Engineer (Civil)
- Michael Fondren, Land Surveyor

**DRAFT MINUTES FOR**  
**LEGISLATION AND RULES COMMITTEE REGULAR SESSION**  
1110 W. Washington Street, Board Room 245, Phoenix, Arizona 85007  
**Tuesday October 10, 2023 –10:00 A.M.**

1. **CALL TO ORDER** -The meeting convened at 10:00 a.m., adjourned from a break at 11:38 a.m., reconvened at 11:51 a.m., adjourned for a break at 1:54 p.m., reconvened at 2:07 p.m. and adjourned at 2:46 p.m.

2. **ROLL CALL**

**PRESENT**

Edward Marley  
LeRoy Brady  
Doug Bartlett  
Dr. Alejandro Angel –left at 1:53 p.m. and joined virtually at 1:56 p.m.  
Michael Fondren

**VIRTUAL**

Robert Stanley

DRAFT

3. **CALL TO THE PUBLIC**

No one appeared before the Committee.

4. **ADOPTION OF MINUTES**

Review, Consideration and Possible Action of the following:

A. Approve, modify and/or reject December 14, 2022 L&R Committee minutes.

Mr. Fondren moved and Mr. Stanley seconded to approve the minutes as written; motion carried 6-0.

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

*The Committee may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(3) (to receive legal advice) on agenda items 5(A-E).*

A. Board Supplemental Rule Package

The Committee discussed the supplemental rule package, which includes amendments to A.A.C. R4-30-102, R4-30-201, R4-30-202, R4-30-204, R4-30-247, R4-30-301 and R4-30-301.01.

Dr. Angel moved and Mr. Fondren seconded to recommend that the Board review and approve the supplemental rulemaking; motion carried 6-0.

B. Board substantive policy statements – possible updates or rescind

Registered Land Surveyor Helmuth Hack appeared virtually before the Committee.

Mr. Brady moved and Mr. Stanley seconded to recommend that the Board reaffirm Substantive Policy Statement #1: Alteration of Plans During Plan Checks, and consider a statutory change to clarify the law; motion carried 6-0.

Dr. Angel moved and Mr. Fondren seconded to reaffirm Substantive Policy Statement #7: Dating and Signing Seals and Revisions to Drawings; motion carried 6-0.

The Committee recommended that the Board reaffirm Substantive Policy Statements #2: Interpretation of Term “Total Cost of Construction”, #4: Sealing of Standard Details and #12: Survey Monuments in Subdivision.

The Committee recommended that the Board rescind Substantive Policy Statements #3: Fire Sprinklers and Fire Alarm Systems, #5: Use of Electronic Seals and Signatures, #6: Home Inspector Financial Assurance Bond Language, #9: Monumenting Public Land Survey System Section or Quarter Section Corners, #10: Requirements for Recording Results of Survey Drawings, #13: Direct Supervision for Sampling and Testing, #14: Arizona Board of Technical Registration Guidelines for Board Complaint Resolution and #19: Multi-plane glazing assemblies as it relates to the Standards of Professional Practice for Arizona Home Inspectors provision 11.2.B.

The Committee directed Board staff to forward Substantive Policy Statement #11: System or Component Source/End Point to the Home Inspector Rules and Standards Committee for review and that their next regularly scheduled meeting.

The Committee directed Board staff to review Substantive Policy Statement #15: Definition of “Practicing” and discuss at a later meeting.

C. Concerns regarding waivers of examination

Christopher Harper, Registered Structural Engineer, appeared virtually before the Committee to discuss his concerns regarding examination waivers pursuant to A.R.S. § 32-126 as they relate to registration of structural engineers. The Committee discussed the topic.

D. Board Statutes for possible future legislation

The Committee discussed revisions/additions to A.R.S. §§ 32-101, 32-102, 32-103, 32-106, 32-106.02, 32-106.03, 32-109, 32-109.01, 32-110, 32-111, 32-112, 32-121, 32-122, 32-122.01, 32-122.02, , 32-123, 32-125, 32-126, 32-127, 32-128, 32-129, 32-131, 32-144, 32-145 and 32-150.

Mr. Brady moved and Mr. Fondren seconded to advance the legislative package with discussed edits to the Board for review; motion carried 6-0.

E. Land Surveyor Standards

The Committee made revisions/additions to the Land Surveyor Boundary Minimum Standards. Mr. Fondren reported that he will present the newly edited Land Surveyor Boundary Minimum Standards to Arizona Professional Land Surveyors (APLS) at their next scheduled meeting.

6. FUTURE AGENDA ITEMS

The Committee would like to continue discussion on Substantive Policy Statements. The Committee would like a discussion regarding firm registration for national technical boards. Board staff will prepare research on national technical boards and present at the next meeting.

7. FUTURE MEETINGS

8. **ADJOURNMENT** –Mr. Fondren moved and Mr. Marley seconded to adjourn the meeting at 2:46 p.m.; carried 6-0.

COMMENTS MADE IN THE GOOGLE CHAT DURING OPEN SESSION

Helmuth Hack  
11:00 AM  
Can a price modifier be added to bring it closer to today

Helmuth Hack  
11:02 AM  
2% is standard per year

Helmuth Hack  
12:18 PM  
reviewers need guidance

Helmuth Hack  
12:32 PM  
Item 11: hope it doesn't violate 1st amendment of US Constitution

Helmuth Hack  
12:39 PM  
that would increase the xmas pool

Helmuth Hack  
1:05 PM  
not a good idea, the governor can do it, but not a good idea for the board to get involved in it

Helmuth Hack  
1:08 PM  
board should stick to licensing and registrant oversight. this spending money by the board a bad idea

Helmuth Hack  
1:22 PM  
1st year repeated 10 times



Helmuth Hack  
2:14 PM  
memory loss of ones profession doesnot forget  
sounds like anti-competition

Helmuth Hack  
2:17 PM  
once an engineer, always an engineer

Helmuth Hack  
2:20 PM  
recorders office has stated on TV the=that it is not their problem: they just record stuff

Helmuth Hack  
2:31 PM  
no

Helmuth Hack  
2:33 PM  
Survey Minimum Standards To preserve the 'spirit' of land surveying, I propose the following statement: Do the NCEES exams mirror Minimum Standards? If not, the min stds should not be considered after licensing by the Board. If the proposed New Minimum Standards promotes technology of today, and is not part of the exam, it should not be accepted by the Board. The above will prevent surprises to the registrant. My opinion, thanks.

Helmuth Hack  
2:37 PM  
call me, I will attend  
Future Agenda Items: Increase land surveying exam from 5 hours to the full 8 hours, and the state portion be at least 100 questions as a take home.

Kurt Winter  
2:39 PM  
hello Mr. Hack. if you wish to communicate with the committee, please speak to them. Thx

Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

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Edward Marley, Committee Chairman

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Judith Stapley, Executive Director