



MINUTES OF THE SPECIAL MEETING OF
THE LOUISIANA STATE BOARD OF
ARCHITECTURAL EXAMINERS
BATON ROUGE, LA 70809-1592
NOVEMBER 21, 2024, 1:00 P.M.

At 1:05 pm on November 21, 2024, Kevin J. Singh called the meeting to order at the board office in Baton Rouge, Louisiana, with the following members present:

Kevin J. Singh, President
David K. Brossett, Secretary
John Cardone Jr.
Michael F. Holly
Kristine A. Kobila
Christian R. Elbersen
Ronald B. Blicht

Also present: Tyson J. Ducote, Executive Director
Justin G. Owens, Deputy Director
Paul H. Spaht, Board Legal Counsel

President Singh welcomed everyone to the meeting, reviewed the agenda, and recognized public comment time. The Board then focused on the revisions to the policy and board sections of the licensing law, R.S. 37:141 – 145 proposed by the Laws & Rules Committee (L&R), then on the revisions to the licensure sections of the licensing law, R.S. 37:146 – 151 proposed by L&R, and finally on the related rules (existing Rules §§ 101-103, §§ 301-317, §§ 501-515, §§ 701-705, §§ 901, §§ 1101-1109, and §§ 1701-1707) and proposed changes to such.

For the law revisions, the base documents reviewed were “Draft 3 – Revision of Law Policy and Board Provisions Special Board Meeting 11.21.24” and “Draft 5 – Revision of Law, Licensing Sections Special Board Meeting 11.21.24” For the rules revisions, the base documents reviewed were “Draft 2 - Revision of Rules Policy and Board sections Special Board meeting 11.21.24,” and “Draft 3 - Revision of Rules, Licensure sections Special Board meeting 11.21.24.”

Concerning each of the revisions to the laws and rules proposed by L&R, the board decided:

R.S. 37:141 (Policy and Definitions)

Proposed R.S. 37:141(A) – The board approved proposed (A) as drafted.¹

Proposed R.S. 37:141(B) – The board approved proposed (B) as drafted, except (B)(7) (defining “certificate of authority”) should be deleted, and the definition of “license” in (B)(11) should be renumbered and amended so that it provides, “(10) “License” means an approval granted by the board to an individual or firm to engage in the practice of architecture.”

R.S. 37:142 (Board appointed by governor; removal)

Proposed R.S. 37:142(A)(1) – The board approved proposed (A)(1) as drafted.

Proposed R.S. 37:142(A)(2) – The board approved proposed (A)(2) as drafted. Proposed (A)(2) makes no changes in the composition of the districts in existing (A)(2).

Proposed R.S. 37:142(A)(3) – The board approved proposed (A)(3) as drafted. (A)(3) is new.

Proposed R.S. 37:142(B)(1) – The board approved proposed (B)(1) as drafted. Proposed (B)(1) amends existing (B)(1) by changing the list of nominees submitted to the governor from “three” to “no more than five,” adds language describing the procedure by which the architect members of the board are elected, and adds language stating that there shall be an election if the number of nominees on the list exceeds five eligible architects.

Proposed R.S. 37:142(B)(2) – The board approved proposed (B)(2) as drafted. In the first sentence, “elect three nominees” in existing (B)(2) was changed to “elect no more than five nominees.”

Proposed R.S. 37:142(B)(3) – The board approved the proposed change to existing (B)(3) as drafted. As proposed, the election of nominees can be done by either mail ballot or online voting. In the third sentence, “three candidates” was changed to “five candidates.”

¹ “As drafted” means as drafted in the base documents reviewed. As set forth above, for the law revisions, the base documents reviewed were “Draft 3 – Revision of Law Policy and Board Provisions Special Board Meeting 11.21.24” and “Draft 5 – Revision of Law, Licensing Sections Special Board Meeting 11.21.24” For the rules revisions, the base documents reviewed were “Draft 2 - Revision of Rules Policy and Board sections Special Board meeting 11.21.24,” and “Draft 3 - Revision of Rules, Licensure sections Special Board meeting 11.21.24.”

Proposed R.S. 37:142(B)(4) – The board approved proposed (B)(4) as drafted. Proposed (B)(4) makes no changes.

Proposed R.S. 37:142(C) – The board approved proposed (C) as drafted, except the clause “at a NAAB accredited school in Louisiana” should be added after “architectural education” and “or who for seven years ... has been an administrator of building design ...” should be deleted.

Proposed R.S. 37:142(D) – The board approved proposed (D) as drafted. Proposed (D) adds the word “public” before “member” for clarification purposes.

R.S. 37:142(E) R.S. 37:142(F) R.S. 37:142(G), and R.S. 37:142(H) – The board approved the addition of these paragraphs to existing §142. These paragraphs are all modeled after the NCARB Model Law (“ML”), specifically ML §§203(3), 203(4), 206, and 207.

R.S. 37:143 (Term of Office)

The board approved all of the proposed changes to R.S. 37:143 as drafted. The proposed changes to (A) will stagger the roll-offs of board members at the end of their terms, as originally intended by the legislature. The addition of proposed (B), which is new, makes clear that, in the event of death or resignation of any board member, the appointment by the governor of his successor shall be only for the remainder of the unexpired term. The addition of proposed (C), which is new, makes clear that senate confirmation is necessary and that each board member shall serve until his successor has been appointed and confirmed. Existing (B) will be redesignated (D); otherwise, no changes are being proposed to existing (B).

R.S. 37:144 (Powers, authority, and domicile of the board)

The board approved all of the proposed change to existing R.S. 37:144 as drafted, except the changes to proposed (A), (E), and (H) shall be amended as follows:

Proposed R.S. 37:144(A) – The language “[f]our members of the board constitute a quorum” in proposed (A) should be deleted and replaced with “[A] majority of the total membership of the board constitutes a quorum.”

Proposed R.S. 37:144(E) – The language “certificate of authority to a firm” in proposed (E) should be deleted and replaced with “a firm.”

Proposed R.S. 37:144(H) – The word “office” before “assistants” in proposed (H) should be deleted.

R.S. 37:145 (Architects; requirements for; certificate; continuing education)

Proposed R.S. 37:145(A) – The board approved the changes in proposed (A) as drafted, except “certificate of authority” in (A) should be deleted.

Proposed R.S. 37:145(B) – The board approved the changes in proposed (B) as drafted. The changes to (B) are modeled after NCARB ML §304.

R.S. 37:146 (Examination before board; qualifications)

Proposed R.S. 37:146(A)(1) and (2) – The board approved the changes in proposed (A)(1) and (2), as drafted. Existing §146 (A), (B), (C), and (D) will be deleted and replaced with proposed (A). Proposed (A)(1) and (2) are modeled after NCARB ML §301(1)(a) and (b).

Proposed R.S. 37:146(A)(3) – The board approved proposed (A)(3), as drafted, except “of” between “Misstatement” and “misrepresentation” in (A)(3)(c) should be changed to “or.” Proposed (A)(3) is modeled after MS § 73-1-13.

Proposed R.S. 37:146(A)(4) – The board approved proposed (A)(4), as drafted. Proposed (A)(4) is existing §146(D).

R.S. 37:147 (Reciprocal license qualifications)

Proposed R.S. 37:147 – The board approved proposed §147, as drafted. Existing §146.1 and existing §147 (Rules governing examination) will be deleted. Proposed §147 is new. Proposed §147 (Reciprocal license qualifications) is modeled after NCARB ML §302 (Reciprocal license qualifications).

R.S. 37:148 (Firm registration)

Proposed R.S. 37:148 – The board approved proposed §148, as drafted. Existing §148 (Examinations; persons exempt) will be deleted. Proposed §148 is new. Proposed §148 (Firm registration) is modeled after NCARB ML §303 (Firm registration).

R.S. 37:149 (Fees)

Proposed R.S. 37:149 – The board approved proposed §149, as drafted, except the reference to “certificate of authority” in the fourth sentence of proposed §149 should be deleted and replaced with “firm license.” No fee increases are being proposed.

R.S. 37:150 (Renewal of license; renewal fees)

Proposed R.S. 37:150 – The board approved proposed §150, as drafted, except the reference to “certificate of authority” in (E) of proposed §150 should be deleted and replaced with “license” or “firm license.” The continuing education requirements for license renewal added to Subsection (A) and (B) are modeled after NCARB ML §305(1) and (2). The expiration of the license resulting from failure to renew added to Subsection (C) is modeled after NCARB ML §306. No fee increases are being proposed.

R.S. 37:151 (Architect emeritus and reinstatement of license following disciplinary action)

Proposed R.S. 37:151 – The board approved proposed §151, as drafted. Existing §151 (Roster of Architects to be published annually) will be deleted. The references to “Architect Emeritus” in (A) are modeled after NCARB ML §308; the references to reinstatement of license following disciplinary action in (B) are modeled after NCARB ML §309.

RULES

Proposed Chapter 1. General Provisions

Proposed §101 (Authority) – The board approved proposed Rule §101, as drafted. Proposed Rule §101 proposed no changes to existing Rule §101.

Proposed §103 (Rule Making Process) – The board approved proposed Rule §103 as drafted, except the reference to “certificate of authority” should be deleted.

Proposed Chapter 3. Organization

Proposed §301 (Executive Director) – The board approved proposed Rule §301 as drafted, except the reference to “certificate of authority” in (B)(1) should be deleted.

Proposed §303 (Officers) – The board approved proposed Rule §303 as drafted, except the reference to “certificate of authority” in (B) should be deleted, and (C)(4) should be added to the duties of the secretary to provide, “4. Assume the responsibilities of the president in his absence.”

Proposed §305 (Other Personnel) – The board approved proposed Rule §305 as drafted, except the reference to “stenographic and office” in (A) should be replaced with “clerical and other”

Proposed §307 (Meetings) – The board approved proposed Rule §307 as drafted.

Proposed §309 (Minutes) – The board approved proposed Rule §309 as drafted.

Proposed §311 (Conduct of Meetings) – The board approved proposed Rule §311 as drafted.

Proposed §313 (Quorum) – The board approved proposed Rule §313 as drafted, except the word “total” should be inserted before “membership” in the first sentence.

Proposed §315 (Official Records) – The board approved proposed Rule §315 as drafted, except in (A)(2) the word “license” should replace the word “registration” as the adjective before the word “number,” and the words “of registration” should be deleted; in (A)(3) the word “license” should replace the word “certificate” before the word “number” and also replace the word “certificate of authority,” and in (A)(6) the words “and certificates of authority” should be deleted.

Proposed §317 (NCARB) – The board approved proposed Rule §317 as drafted.

Proposed §319 (Powers and duties delegated to the board) – The board approved proposed Rule §319 as drafted, except in the Title of such proposed Rule the word “of” should replace the words “delegated to,” and in (A)(10) the words “and registered” should be deleted.

Proposed Chapter 5. Election of Nominees to Fill Vacancy, if required

The board approved the proposed title to Chapter 5, except the words “if required” should be added so that the title will read, “Chapter 5. Election of Nominees to Fill Vacancy, if required.”

Proposed §501 (Vacancy) – The board approved proposed Rule §501 as drafted.

Proposed §503 (Waiver of Election) – The board approved proposed Rule §503 as drafted.

Proposed §505 (Ballots) – The board approved proposed Rule §505 as drafted.

Proposed §507 (Voting) – The board approved proposed Rule §507 as drafted.

Proposed §509 (Tabulation) – The board approved proposed Rule §509 as drafted, except in (A) the words “online and” should be deleted so that it reads: “A. Tabulation of ballots will be done electronically.”

Proposed §511 (Tie) – The board approved proposed Rule §511 as drafted.

Proposed §513 (Vacancy of Person Elected as Nominee) – The board approved proposed Rule §513 as drafted.

Proposed §515 (Election Contest) – The board approved proposed Rule §515 as drafted.

Proposed Chapter 7. Licensure

Proposed Rule §701 (Initial License Qualifications) – The board approved proposed Rule §701 as drafted.

Proposed Rule §703 (Education) – The board approved proposed Rule §703 as drafted.

Proposed Rule §705 (Experience) – The board approved proposed Rule §705 as drafted.

Proposed Rule §707 (Examination) – The board approved proposed Rule §707 as drafted.

Proposed Rule §709 (Members of the Military and Spouses and Dependents of Members of the Military) – The board approved proposed Rule §709 as drafted. Proposed Rule §709 is our existing Board Rule §1109.

Proposed Rule §711 (Dependents of Healthcare Professionals) – The board approved proposed Rule §711 (Dependents of Healthcare Professionals) as drafted. Proposed Rule §711 is our existing and recently adopted Board Rule §1111.

Proposed Rule §713 (Qualifications for Practice Under Disaster Declaration) – The board approved proposed Rule §713 (Qualifications for Practice Under Disaster Declaration) as drafted. This proposed rule is modeled after NCARB MR §305.1. A definition of “disaster assessment services” is contained in proposed (B), such definition from NCARB MR 301(5) footnote at p. 33 (July 2022 edition).

Proposed Rule §715 (Initial License for Foreign Applicants) – The board approved proposed Rule §715 (Initial License for Foreign Applicants) as drafted. This proposed rule is modeled after NCARB MR §301.6.

Proposed Rule §717 (Reciprocal License Qualifications) – The board approved proposed Rule §717 (Reciprocal License Qualifications) as drafted. This proposed rule is modeled after NCARB MR §302.0.

Proposed Rule §719 (Reciprocal License for Foreign Applicants) – The board approved proposed Rule §719 (Reciprocal License for Foreign Applicants) as drafted. This proposed rule is modeled after NCARB MR §302.1.

Proposed Rule §721 (Firm Registration) – The board approved proposed Rule §721 (Firm Registration) as drafted, except the words “firm license” should be substituted for the words “certificate of authority” in the first sentence.

Proposed Rule §723 (License Renewal) – The board approved proposed Rule §723 (License Renewal) as drafted. Proposed Rule §723 is a combination of our existing Rule §1301 and MR §305.

Proposed Rule §725 (Architect Emeritus Status) – The board approved proposed Rule §725 (Architect Emeritus Status) as drafted, except (i) the sentence “An individual granted architect emeritus status may use the title

“Architect emeritus” on any letter, title, sign, card, or device” should be added to (A), and (ii) the sentence in paragraph (A) concerning fees (“[t]he initial registration fee is \$10, and the annual renewal fee thereafter for an approved emeritus registrant is \$10) should be deleted, since such fees are now included in the fee table contained in proposed Rule §1101. Fees.

Proposed Rule §727 (Reinstatement of License Following Disciplinary Action) – The board approved proposed Rule §727 as drafted. Proposed Rule §727 is modeled after MR §309.

Proposed Rule §729 (Sources of Data) – The board approved proposed Rule §729 (Sources of Data) as drafted. Proposed Rule §729 is modeled after MR §311.

Proposed Chapter 9. Continuing Education

Chapter 9. Continuing Education – The board approved proposed Chapter 9 (Continuing Education), which is our existing Rule §1315, except: (i) the Continuing Education Disciplinary Guidelines currently found in existing §1315(I) will be moved to the General Disciplinary Guidelines found in proposed Chapter 19; (ii) existing paragraph (J) concerning Reinstatement will be reworked with the help of staff, and (iii) the typographical errors found in proposed paragraphs (g), (h), and (i) will be corrected.

Proposed Chapter 11. Fees

Chapter 11. Fees – Although the discussion was very brief, the board approved the proposed fee table found in Rule §1101 Fees.

Proposed Chapter 17. Professional Architectural Corporations, Architectural-Engineering Corporations, and Architectural Firms

Proposed Rule §1701 (Professional Architectural Corporations) – The board approved proposed Rule §1701 as drafted, except the board website address in proposed §1701(F) needs to be corrected to www.lsbae.com.

Proposed Rule §1703 (Architectural-Engineering Corporations) – The board approved proposed Rule §1703 as drafted, except the board website address in proposed §1703(F) needs to be corrected to www.lsbae.com.

Proposed Rule §1705 (Architectural Firms) – The board approved proposed Rule §1705 as drafted, except the board website address in proposed §1705(E) needs to be corrected to www.lsbae.com.

Throughout Chapter 17, all references to “certificate of authority” will be changed to “firm license.”

After discussion, the board unanimously approved Mr. Holly's motion, seconded by Mr. Elberson, to accept the statute rewrites as presented with the discussed changes and forward the document to AIA Louisiana for comments.

Adjournment

The board unanimously approved the motion by Mr. Holly, seconded by Ms. Kobila, to adjourn the meeting.

The meeting was adjourned at 5:30 P.M.

Respectfully submitted,


Kevin J. Singh, Board President


David K. Brossett, Board Secretary