

**MINUTES OF THE
OCCUPATIONAL AND PROFESSIONAL LICENSURE REVIEW COMMITTEE**

Tuesday, September 16, 2014 – 4:00 p.m. – Room 20 House Building

Members Present:

Sen. John L. Valentine, Senate Chair
Rep. Brian M. Greene, House Chair
Sen. Karen Mayne
Sen. Todd Weiler
Rep. Larry B. Wiley
Mr. Duane Gardner
Ms. Heather Johnston
Mr. Merlin Taylor

Members Absent:

Rep. Gregory H. Hughes

Staff Present:

Mr. Bryant R. Howe, Policy Analyst
Mr. Peter L. Asplund, Associate General Counsel
Ms. Tracey Fredman, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Valentine called the meeting to order at 4:00 p.m. and invited introductions of committee members and staff. Chair Valentine introduced himself and stated that this would be the last meeting he would chair due to his anticipated Senate confirmation in support of the nomination by Governor Herbert that he serve as chair of the Utah State Tax Commission. Many expressions of appreciation were made to Chair Valentine for his service to the Utah State Legislature by committee members and others in attendance at the meeting.

MOTION: Rep. Wiley moved to approve the minutes of the October 15, 2013, meeting. The motion passed unanimously. Sen. Weiler was absent for the vote.

2. Application for Licensure: Interior Designers

Ms. Amy Coombs, lobbyist, Interior Design Education and Legislation for Utah, introduced herself and distributed a packet containing the following handouts:

- "In Support of Interior Design Regulation,"
- text of Internet Inquisitr article "Mumbai Building Collapse: Interior Decorator Arrested for Killing 66 People,"
- a court opinion in a California designer case,
- "Architects Licensing Act," and
- student designer statistics pie charts.

Ms. Coombs indicated that there were several presenters prepared to discuss four significant arguments in support of the Interior Design Education and Legislation for Utah's (IDEAL) application for licensure, which was included in the mailing packet.

Mr. Coy Porter, State Fire Marshall, spoke in support of the application for licensure, noting the value IDEAL representatives place in providing background and education to enable interior design students to meet all code specifications for smoke and fire restrictive interior finishes and other decorative furnishings.

Ms. Jacie Johnson, Professor, Interior Design, Weber State University, indicated that she teaches a class specifically related to fire and construction codes. Ms. Johnson identified some areas in which interior design students become proficient, including codes related to finishes used on a wide variety of surfaces and furniture, as well as space planning so that emergency egresses will remain open.

Ms. Johnson responded to committee members' questions regarding the codes class curriculum and the differences between the curricula of interior design and architect programs. She also responded to questions about public safety, competition in the field of interior design, and the national certification exam administered by the National Council for Interior Design Qualification (NCIDQ).

Ms. Brianna Adams, Interior Designer, and part-time interior design educator, stated that she administers the NCIDQ exam in Utah. Ms. Adams explained that six years of combined education and interior design work experience are needed to meet eligibility requirements to take the exam. She clarified that the six years must be a combination of either a two-year associate's degree with four years of additional experience or a bachelor's degree with two years of additional experience. Ms. Adams discussed the various sections of the comprehensive exam, and the semi-annual requirement of continuing education hours to maintain NCIDQ certification.

Rep. Greene noted that one unintended consequence of licensure of interior designers may be a lack of work experience opportunities for students upon graduation. In response, Ms. Coombs stated that architects have an internship program that is similar to the interior designers' internship program.

Mr. Evan Cindrich, Commercial Interior Designer, EDA Architects, stated that current laws, such as the Architects Licensing Act, limit the ability of an interior designer to compete in the marketplace as an educated and experienced design professional. Mr. Cindrich described the scope of work he performs, including the creation of construction documents for the purpose of obtaining building permits, but noted that he is unable to legally stamp and sign those documents.

Rep. Greene asked Mr. Cindrich if registration or certification by the state would accomplish what was being sought through licensure. Rep. Greene indicated that this would require a statutory change.

Committee discussion followed about adding to Utah Code § 58-3a-304(e) an exemption from the 3,000 square foot limitation for those who have the NCIDQ certification.

Ms. Coombs supported the suggestion and noted that the national recommendation is for registration.

Ms. Kaye Christiansen Englert, American Society of Designers, Interior Design Education and Legislation Advisory Committee, discussed her professional career in interior design before the implementation of the Architects Licensing Act in 1993, and the limitations she has experienced since that time. She asked for the committee's support of the application for licensure.

Ms. Rachel Malan, student, Weber State University, spoke in support of the application for licensure for interior designers in Utah. Ms. Malan commented that states that license interior designers offer more competitive career opportunities after graduation.

There was no one who came forward to oppose the application for licensure of interior designers.

MOTION: Rep. Wiley moved that the committee direct staff to open a committee bill file to grant an exemption with authority to the Architects Licensing Act for those who have a nationally recognized certification and to provide those certified design professionals representation on the Architects Licensing Board. The motion also included conforming amendments to the respective construction and fire codes. The motion passed unanimously.

3. Sunset Review of Licensing of Dentist Educators

This item was not discussed. Chair Valentine noted that this item will be discussed at a future meeting.

4. Less Restrictive Alternatives to Licensing

This item was not discussed. Chair Valentine recommended this item be placed on an agenda for a future meeting.

5. Other Items/Adjourn

MOTION: Rep. Wiley moved to adjourn the meeting. The motion passed unanimously.

Chair Valentine adjourned the meeting at 6:01 p.m.