

AIA California Council

The American Institute of Architects



**Testimony of Betsey Olenick Dougherty, FAIA
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To
Little Hoover Commission
On Governor's Reorganization Plan 1
California State Capitol
January 26, 2005**

Chairman Alpert and Commissioners, thank you for inviting me to comment on the Governor's Reorganization Plan 1.

I am Betsey Olenick Dougherty, a licensed architect in private practice and a former President of the American Institute of Architects, California Council (AIACC). I am speaking today on behalf of the AIACC, an association of nearly 10,000 architects in California, to share our thoughts on GRP1.

Of the 88 boards and commissions GRP1 affects, there are three on which the AIACC can offer comments.

- 1) The California Architects Board (CAB), which regulates the practice of architecture in California.
- 2) The California Building Standards Commission (CBSC), which adopts the California Building Code, has an architect member by statute, and whose current structure is the result of legislation sponsored by the AIACC.
- 3) The Seismic Safety Commission (SSC), because seismic design is an integral part of our profession.

We are pleased to see that GRP1 does not eliminate the function of these three bodies, which exist solely for the protection of the health, safety, and welfare of the public, and thank the Governor for recognizing their importance to the people of California. We do, however, respectively disagree that transferring their duties to bureaus will improve their performance or make them more efficient. We strongly believe that the function of these bodies and their duty to protect the public are carried out more efficiently and effectively under the control and direction of a board or commission than they would under the control and direction of a bureau within the state bureaucracy.

There are several reasons why we believe the functions of the CAB, CBSC, and SSC are better carried out under a board or commission. Some of those reasons are:

- **Increases Public and Professional Participation**
These bodies allow members of the public and licensed professionals to participate as board or commission members, and allow the public and licensed professionals to attend and participate at their scheduled public meetings.
- **Allows for Creative Thinking and Strong Vision**
Independent boards and commissions have more creative energy and vision than the state bureaucracy, which is necessary to regulate the evolving practice of architecture, develop new building codes, or recommend new seismic safety standards. The ability to freely consider new ideas allows for a culture of innovation.
- **Promotes Continuity of Programs**
Independent boards and commissions, with members appointed to staggered terms, promote a continuity of programs and standard of care not easily affected by political changes.
- **Allows for Participation at National and Regional Level**
The architectural profession, unlike any other profession, promotes reciprocity between the states through nationwide standards on the licensing and regulation of architecture, from the licensing exams to the Intern Development Program. A board regulating the practice of architecture, which consists of licensed architects as members, will continue California's participation and cooperation at the national level.
- **Recognizes and Promotes Technical Diversity**
The CAB, CBSC, and SSC consist of volunteer members with different technical backgrounds. This diversity of professions and knowledge delivers a level of service that would be difficult for the state bureaucracy to match.
- **These Bodies are Self-Supporting**
The CAB, CBSC, and SSC are self-supporting and funded by fees.

Conversely, we believe eliminating the CAB, CBSC, and SSC and transferring their duties to bureaus would have a negative effect in carrying out the functions of these bodies. Some examples of the negative effects are:

- **Loss of Transparency**
Bureaus can conduct their business outside of public view.
- **Loss of Continuity**
A change in the Administration can result in a change in the senior staff at the bureaus, negatively affecting the continuity of the programs and historical knowledge of the staff.
- **Delay Decision Making in a Bureaucratic Bottleneck and Unable to Quickly Adapt to Evolving Issues**
Bureaus are more likely to be hampered in making important decisions, creating a bureaucratic bottleneck. As a result, they are less likely to quickly adapt to evolving practices or issues.
- **Endangering Interstate Business**
Eliminating the California Architects Board could jeopardize the ability of California to participate in the National Council of Architectural Registration Boards, which may affect the ability of architects licensed in California from having their California license recognized by other states.
- **Increases Political Influence through Centralization of Power**
Independent boards and commissions serve as a buffer between those affected by the boards and commissions and the politics of the moment. Centralizing the power of regulation will enhance the political influence in making decisions.
- **Bureaus Have a Poor Record During Legislative Sunset Reviews**
In recent reviews by the Joint Legislative Sunset Review Committee, bureaus consistently have had the most contentious issues and have drawn the most attention from the Joint Committee.

Again, thank you for the opportunity to express our views on GRP1 to the Little Hoover Commission.