

CS FOR HOUSE BILL NO. 133(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 3/21/97

Referred: Rules

**Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND
AUDIT COMMITTEE**

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to regulation of architects, engineers, and land surveyors;
2 extending the termination date of the State Board of Registration for Architects,
3 Engineers, and Land Surveyors; and providing for an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 08.03.010(c)(3) is amended to read:

6 (3) State Board of Registration for Architects, Engineers, and Land
7 Surveyors (AS 08.48.011) -- June 30, **2001** [1997];

8 * **Sec. 2.** AS 08.48.011(b) is amended to read:

9 (b) The board consists of **10** [NINE] members appointed by the governor
10 having the qualifications as set out in AS 08.48.031. The board consists of two civil
11 engineers, **two** [ONE] land **surveyors** [SURVEYOR], one mining engineer, **one**
12 **electrical or mechanical engineer, one engineer** [TWO ENGINEERS] from **another**
13 **branch** [OTHER BRANCHES] of the profession of engineering, two architects, and
14 one public member.

1 * **Sec. 3.** AS 08.48.051 is amended to read:

2 **Sec. 08.48.051. Organization and meetings.** The board shall hold at least
3 four regular meetings each year. Special meetings may be held as the bylaws of the
4 board provide. The board shall elect or appoint annually from its members the
5 following officers: **chair, vice-chair,** [PRESIDENT, VICE-PRESIDENT] and
6 secretary. [A QUORUM OF THE BOARD CONSISTS OF NOT LESS THAN FIVE
7 MEMBERS.]

8 * **Sec. 4.** AS 08.48.091 is amended to read:

9 **Sec. 08.48.091. Written examinations.** Written examinations shall be held
10 at least **once** [TWICE] each year at places determined by the board [UNLESS THE
11 EXAMINATION ADMINISTERED BY THE BOARD IS A NATIONAL
12 EXAMINATION PREPARED ONLY ONCE EACH YEAR, IN WHICH CASE THE
13 EXAMINATION SHALL BE HELD AT LEAST ONCE EACH YEAR]. A candidate
14 failing an examination may apply for reexamination **in accordance with regulations**
15 **adopted by the board.**

16 * **Sec. 5.** AS 08.48.141 is amended to read:

17 **Sec. 08.48.141. Legal counsel.** The attorney general of the state shall act as
18 legal advisor to the board and render legal assistance upon request of its **chair**
19 [PRESIDENT].

20 * **Sec. 6.** AS 08.48.331 is amended to read:

21 **Sec. 08.48.331. Exemptions.** This chapter does not apply to
22 (1) a contractor performing work designed by a professional architect
23 or engineer or the supervision of the construction of the work as a supervisor or
24 superintendent for a contractor;
25 (2) workers in building trades crafts, superintendents, supervisors, or
26 inspectors in the performance of their customary duties;
27 (3) an officer or employee of the United States government practicing
28 architecture, engineering, or land surveying as required by the person's official
29 capacity;
30 (4) an employee or a subordinate of a person registered under this
31 chapter if the work or service is done under the direct supervision of a person

1 registered under this chapter;

2 (5) associates, consultants, or specialists retained by a registered
3 individual, a partnership of registered individuals, or a corporation authorized to
4 practice architecture, engineering, or land surveying under this chapter, in the
5 performance of professional services if responsible charge of the work remains with
6 the individual, the partnership, or a designated representative of the corporation;

7 (6) a person preparing drawings or specifications for

8 (A) a building for the person's own use and occupancy as a
9 single family residence;

10 (B) farm or ranch buildings, unless the public health, safety, or
11 welfare is involved;

12 (C) a building that is intended to be used only as a residence
13 by not more than four families and that is not more than two stories high;

14 (D) a garage, workshop, or similar building that contains less
15 than 2,000 square feet of floor space to be used for a private noncommercial
16 purpose;

17 (7) a specialty contractor licensed under AS 08.18 while engaged in the
18 business of construction contracting or designing systems for work within the specialty
19 to be performed or supervised by the specialty contractor, or a contractor preparing
20 shop or field drawings for work that the specialty contractor has contracted to perform;

21 (8) a person furnishing drawings, specifications, instruments of service,
22 or other data for alterations or repairs to a building that do not change or affect the
23 structural system or the safety of the building, or that do not affect the public health,
24 safety, or welfare;

25 (9) a person who is employed by a postsecondary educational
26 institution to teach engineering or [,] architectural [, OR LAND SURVEYING]
27 courses; in this paragraph, "postsecondary educational institution" has the meaning
28 given in AS 14.48.210;

29 (10) an officer or employee of an individual, firm, partnership,
30 association, utility, or corporation, who practices engineering involved in the operation
31 of the employer's business only, and further provided that neither the employee nor

1 the employer offers engineering services to the public; exclusions under this paragraph
2 do not apply to buildings or structures whose primary use is public occupancy.

3 * **Sec. 7.** AS 08.48.341(10) is amended to read:

4 (10) "practice of land surveying" means **the teaching of land**
5 **surveying courses at an institution of higher learning, or** any service or work the
6 adequate performance of which involves the application of special knowledge of the
7 principles of mathematics, the related physical and applied sciences, and the relevant
8 requirements of law for adequate evidence of the act of measuring and locating land,
9 geodetic and cadastral surveys for the location and monumentation of property
10 boundaries, for the platting and planning of land and subdivisions of land, including
11 the topography, alignment, and grades for streets, and for the preparation and
12 perpetuation of maps, record plats, field note records, and property descriptions that
13 represent these surveys;

14 * **Sec. 8.** AS 08.48.071(c)(1) and 08.48.071(c)(2) are repealed.

15 * **Sec. 9.** TRANSITION. Notwithstanding AS 08.48.011(b), as amended by sec. 2 of this
16 Act, a person who holds a seat on the State Board of Registration for Architects, Engineers,
17 and Land Surveyors on July 1, 1997, may serve the remainder of the person's term of office.
18 The governor shall implement the changes made by this Act as seats on the board become
19 vacant.

20 * **Sec. 10.** This Act takes effect July 1, 1997.