

CS FOR HOUSE BILL NO. 159(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered:**Referred:****Sponsor(s): HOUSE LABOR AND COMMERCE COMMITTEE****A BILL****FOR AN ACT ENTITLED**

1 "An Act relating to registered interior designers and interior design; establishing
2 requirements for the practice of registered interior design; relating to the State Board of
3 Registration for Architects, Engineers, and Land Surveyors; relating to liens for labor
4 or materials furnished; relating to the procurement of interior design services; and
5 providing for an effective date."

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

7 * **Section 1.** AS 08.48.011(b) is amended to read:

8 (b) The board consists of 13 [11] members appointed by the governor having
9 the qualifications as set out in AS 08.48.031. The board consists of two civil
10 engineers, two land surveyors, one mining engineer, one electrical engineer, one [OR]
11 mechanical engineer, one engineer from another branch of the profession of
12 engineering, two architects, one landscape architect, one interior designer, and one
13 public member.

1 * **Sec. 2.** AS 08.48.011(b), as amended by sec. 1 of this Act, is amended to read:

2 (b) The board consists of 13 members appointed by the governor having the
3 qualifications as set out in AS 08.48.031. The board consists of two civil engineers,
4 two land surveyors, one mining engineer, one electrical engineer, one mechanical
5 engineer, one engineer from another branch of the profession of engineering, two
6 architects, one landscape architect, one registered interior designer, and one public
7 member.

8 * **Sec. 3.** AS 08.48.071(f) is amended to read:

9 (f) The department shall assemble statistics relating to the performance of its
10 staff and the performance of the board, including

11 (1) the number of architects, engineers, land surveyors, registered
12 interior designers, and landscape architects registered over a five-year period;
13 (2) the rate of passage of examinations required by the board;
14 (3) the number of applicants for registration over a five-year period;
15 (4) an account of registration fees collected under AS 08.01.065;
16 (5) a measure of the correspondence workload of staff.

17 * **Sec. 4.** AS 08.48.111 is amended to read:

18 **Sec. 08.48.111. Power to revoke, suspend, or reissue certificate.** The board
19 may suspend, refuse to renew, or revoke the certificate of or reprimand a registrant,
20 corporation, limited liability company, limited liability partnership, or limited
21 partnership who is found guilty of (1) fraud or deceit in obtaining a certificate; (2)
22 gross negligence, incompetence, or misconduct in the practice of architecture,
23 engineering, land surveying, registered interior design, or landscape architecture; or
24 (3) a violation of this chapter, a regulation adopted under this chapter, or the code of
25 ethics or professional conduct as adopted by the board. The code of ethics or
26 professional conduct shall be distributed in writing to every registrant and applicant
27 for registration under this chapter. This publication and distribution of the code of
28 ethics or professional conduct constitutes due notice to all registrants. The board may
29 revise and amend its code and, upon doing so, shall immediately notify each registrant
30 in writing of the revisions or amendments. The board may, upon petition of the
31 registrant, corporation, limited liability company, limited liability partnership, or

1 limited partnership, reissue a certificate if a majority of the members of the board vote
2 in favor of the reissuance.

3 * **Sec. 5.** AS 08.48.171 is amended to read:

4 **Sec. 08.48.171. General requirements and qualifications for registration.**

5 An applicant for registration as an architect, engineer, land surveyor, registered
6 interior designer, or landscape architect must be of good character and reputation and
7 shall submit evidence satisfactory to the board of the applicant's education, training,
8 and experience.

9 * **Sec. 6.** AS 08.48.181 is amended to read:

10 **Sec. 08.48.181. Registration upon examination.** Except as provided in
11 AS 08.48.191, for registration as a professional architect, professional engineer,
12 professional land surveyor, [OR] professional landscape architect, or registered
13 interior designer, a person shall be examined in this state in accordance with the
14 regulations of procedure and standards adopted by the board under AS 44.62
15 (Administrative Procedure Act). The procedure and standards shall at least meet the
16 requirements adopted by recognized national examining councils for these
17 professions.

18 * **Sec. 7.** AS 08.48.191 is amended by adding a new subsection to read:

19 (e) A person holding a certificate of registration authorizing the person to
20 practice registered interior design in a state, territory, or possession of the United
21 States, the District of Columbia, or a foreign country may, upon application, be
22 registered in accordance with regulations of the board if the person's certificate was
23 issued under requirements comparable to the requirements in this state.

24 * **Sec. 8.** AS 08.48.201(a) is amended to read:

25 (a) Application for registration as a professional architect, a professional
26 engineer, a professional land surveyor, a registered interior designer, or a
27 professional landscape architect shall be submitted in the manner prescribed by the
28 board.

29 * **Sec. 9.** AS 08.48.211(b) is amended to read:

30 (b) The certificate of registration is *prima facie* evidence that the person
31 named in it is entitled to all rights and privileges of a professional architect,

1 professional engineer, professional land surveyor, registered interior designer, or
2 professional landscape architect while the certificate remains unrevoked or unexpired.

3 * **Sec. 10.** AS 08.48.215(a) is amended to read:

4 (a) On retiring from practice and payment of an appropriate one-time fee, a
5 registrant in good standing with the board may apply for the conversion of a certificate
6 of registration to a retired status registration. The registrant may not practice
7 architecture, engineering, land surveying, registered interior design, or landscape
8 architecture in the state. A retired status registration is valid for the life of the
9 registration holder and does not require renewal.

10 * **Sec. 11.** AS 08.48.221(a) is amended to read:

11 (a) Each registrant may obtain a seal of the design authorized by the board,
12 bearing the registrant's name, registration number, and the appropriate legend for
13 architect, engineer, land surveyor, registered interior designer, or landscape
14 architect. When a registrant issues final drawings, specifications, surveys, plats, plates,
15 reports, or similar documents, the registrant shall stamp the documents with the seal
16 and sign the seal. The board shall adopt regulations governing the use of seals by the
17 registrant. An architect, engineer, land surveyor, registered interior designer, or
18 landscape architect may not affix or permit a seal and signature to be affixed to an
19 instrument after the expiration of a certificate or for the purpose of aiding or abetting
20 another person to evade or attempt to evade a provision of this chapter. The registrant,
21 by sealing and signing the document, certifies that the document was prepared by or
22 under the registrant's responsible charge and is within the registrant's field of practice
23 or is design work of minor importance.

24 * **Sec. 12.** AS 08.48.241(a) is amended to read:

25 (a) This chapter does not prevent a corporation, limited liability company,
26 limited liability partnership, or limited partnership from offering architectural,
27 engineering, land surveying, registered interior design, or landscape architectural
28 services; however, the corporation, limited liability company, limited liability
29 partnership, or limited partnership shall file with the board

30 (1) an application for a certificate of authorization on a form to be
31 prescribed by the board and containing information required to enable the board to

1 determine whether the corporation, limited liability company, limited liability
2 partnership, or limited partnership is qualified in accordance with the provisions of
3 this chapter to offer to practice architecture, engineering, land surveying, registered
4 interior design, or landscape architecture in this state;

5 (2) a certified copy of a resolution of the board of directors of the corporation, the managing members or manager of the limited liability company, the
6 general partners of a limited liability partnership, or the general partners of a limited
7 partnership designating persons holding certificates of registration under this chapter
8 as responsible for the practice of architecture, engineering, land surveying, registered
9 interior design, or landscape architecture by the corporation, limited liability
10 company, limited liability partnership, or limited partnership in this state and
11 providing that full authority to make all final architectural, engineering, land
12 surveying, registered interior design, or landscape architectural decisions on behalf
13 of the corporation, limited liability company, limited liability partnership, or limited
14 partnership with respect to work performed by the corporation, limited liability
15 company, limited liability partnership, or limited partnership in this state is granted by
16 the board of directors of the corporation, the managing members or manager of the
17 limited liability company, the general partners of the limited liability partnership, or
18 the general partners of the limited partnership to the persons designated in the
19 resolution; however, the filing of this resolution does not relieve the corporation,
20 limited liability company, limited liability partnership, or limited partnership of any
21 responsibility or liability imposed on it by law or by contract;

22
23 (3) a designation in writing setting out the name of one or more
24 persons holding certificates of registration under this chapter who are in responsible
25 charge of each major branch of the architectural, engineering, land surveying,
26 registered interior design, or landscape architectural activities in which the
27 corporation, limited liability company, limited liability partnership, or limited
28 partnership specializes in this state; if a change is made in the person in responsible
29 charge of a major branch of the architectural, engineering, land surveying, registered
30 interior design, or landscape architectural activities, the change shall be designated in
31 writing and filed with the board within 30 days after the effective date of the change.

1 * **Sec. 13.** AS 08.48.241(b) is amended to read:

2 (b) Upon filing with the board the application for certificate of authorization,
3 certified copy of resolution, affidavit, and designation of persons specified in this
4 section, the board shall, subject to (c) of this section, issue to the corporation, limited
5 liability company, limited liability partnership, or limited partnership a certificate of
6 authorization to practice architecture, engineering, land surveying, **registered interior**
7 **design**, or landscape architecture in this state upon a determination by the board that

8 (1) the bylaws of the corporation, the articles of organization or
9 operating agreement of the limited liability company, the partnership agreement of the
10 limited liability partnership, or the partnership agreement of the limited partnership
11 contain provisions that all architectural, engineering, land surveying, **registered**
12 **interior design**, or landscape architectural decisions pertaining to architectural,
13 engineering, land surveying, **registered interior design**, or landscape architectural
14 activities in this state will be made by the specified architect, engineer, land surveyor,
15 **registered interior designer**, or landscape architect in responsible charge, or other
16 registered architects, engineers, land surveyors, **registered interior designers**, or
17 landscape architects under the direction or supervision of the architect, engineer, land
18 surveyor, **registered interior designer**, or landscape architect in responsible charge;

19 (2) the application for certificate of authorization states the type of
20 architecture, engineering, land surveying, **registered interior design**, or landscape
21 architecture practiced or to be practiced by the corporation, limited liability company,
22 limited liability partnership, or limited partnership;

23 (3) the applicant corporation, limited liability company, limited
24 liability partnership, or limited partnership has the ability to provide architectural,
25 engineering, land surveying, **registered interior design**, or landscape architectural
26 services;

27 (4) the application for certificate of authorization states the
28 professional records of the designated person who is in responsible charge of each
29 major branch of architectural, engineering, land surveying, **registered interior design**,
30 or landscape architectural activities in which the corporation, limited liability
31 company, limited liability partnership, or limited partnership specializes;

(5) the application for certificate of authorization states the experience, if any, of the corporation, limited liability company, limited liability partnership, or limited partnership in furnishing architectural, engineering, land surveying, registered interior design, or landscape architectural services during the preceding five-year period;

(6) the applicant corporation, limited liability company, limited liability partnership, or limited partnership meets other requirements related to professional competence in the furnishing of architectural, engineering, land surveying, **registered interior design**, or landscape architectural services as may be adopted by the board in furtherance of the objectives and provisions of this chapter.

* **Sec. 14.** AS 08.48.241(d) is amended to read:

(d) The certificate of authorization must specify the major branches of architecture, engineering, land surveying, **registered interior design**, or landscape architecture of which the corporation, limited liability company, limited liability partnership, or limited partnership has designated a person in responsible charge as provided in this section. The certificate of authorization shall be conspicuously displayed in the place of business of the corporation, limited liability company, limited liability partnership, or limited partnership, together with the names of persons designated as being in responsible charge of the professional activities.

* **Sec. 15.** AS 08.48.241(e) is amended to read:

(e) If a corporation, limited liability company, limited liability partnership, or limited partnership that is organized solely by either a group of architects, a group of engineers, a group of land surveyors, **a group of registered interior designers**, or a group of landscape architects, each holding a certificate of registration under this chapter, applies for a certificate of authorization, the board may, in its discretion, grant a certificate of authorization to the corporation, limited liability company, limited liability partnership, or limited partnership based on a review of the professional records of the incorporators of the corporation, organizers of the limited liability company, partners who formed the limited liability partnership, or partners who formed the limited partnership in place of the required qualifications set out in this section. If the ownership of the corporation is altered, the membership of the limited

liability company is altered, the partners of the limited liability partnership change, or the general partners of the limited partnership change, the corporation, limited liability company, limited liability partnership, or limited partnership shall apply for a revised certificate of authorization, based on the professional records of the owners of the corporation, the members of the limited liability company, the partners of the limited liability partnership, or the general partners of the limited partnership, if exclusively architects, engineers, land surveyors, registered interior designers, or landscape architects, or otherwise under the qualifications required by (b)(1) - (4) of this section.

* **Sec. 16.** AS 08.48.241(f) is amended to read:

(f) A corporation, limited liability company, limited liability partnership, or limited partnership authorized to offer architectural, engineering, land surveying, registered interior design, or landscape architectural services under this chapter, together with its directors, officers, managing members, manager, and partners for their own individual acts, is responsible to the same degree as the designated individual registrant, and shall conduct its business without misconduct or malpractice in the practice of architecture, engineering, land surveying, registered interior design, or landscape architecture as defined in this chapter.

* **Sec. 17.** AS 08.48.251 is amended to read:

Sec. 08.48.251. Certain partnerships. This chapter does not prevent the practice of architecture, engineering, land surveying, registered interior design, or landscape architecture by a partnership if all of the members of the partnership are registrants under this chapter. In this section, "partnership" does not include a limited liability partnership or a limited partnership.

* **Sec. 18.** AS 08.48.281(a) is amended to read:

(a) A person may not practice or offer to practice the profession of architecture, engineering, land surveying, registered interior design, or landscape architecture in the state, or use in connection with the person's name or otherwise assume or advertise a title or description tending to convey the impression that the person is an architect, an engineer, a land surveyor, registered interior designer, or a landscape architect, unless the person has been registered under the provisions of this chapter or, in the case of a corporation, limited liability company, limited liability

1 partnership, or limited partnership, unless it has been authorized under this chapter.

2 * **Sec. 19.** AS 08.48.281 is amended by adding a new subsection to read:

3 (c) Notwithstanding (a) of this section, this chapter does not prohibit the
4 practice of registered interior design by a person who is not registered to practice
5 registered interior design if the services are being performed by a person acting within
6 the scope of practice authorized by another license that is held by the person.

7 * **Sec. 20.** AS 08.48.291 is amended to read:

8 **Sec. 08.48.291. Violations and penalties.** A person who practices or offers to
9 practice architecture, engineering, land surveying, **registered interior design**, or
10 landscape architecture in the state without being registered or authorized to practice in
11 accordance with the provisions of this chapter, or a person presenting or attempting to
12 use the certificate or the seal of another, or a person who gives false or forged
13 evidence of any kind to the board or to a member of the board in obtaining or
14 attempting to obtain a certificate, or a person who impersonates a registrant, or a
15 person who uses or attempts to use an expired or revoked or nonexistent certificate,
16 knowing of the certificate's status, or a person who falsely claims to be registered and
17 authorized to practice under this chapter, or a person who violates any of the
18 provisions of this chapter, is guilty of a misdemeanor and upon conviction is
19 punishable by a fine of not more than \$10,000, or by imprisonment for not more than
20 one year, or by both.

21 * **Sec. 21.** AS 08.48.295(a) is amended to read:

22 (a) In addition to any other provision of law, if a person practices or offers to
23 practice architecture, engineering, **registered interior design**, or land surveying in the
24 state without being registered or authorized to practice in accordance with the
25 provisions of this chapter, the board may enter an order levying a civil penalty.

26 * **Sec. 22.** AS 08.48.311 is amended to read:

27 **Sec. 08.48.311. Rights not transferable.** The right to engage in the practice of
28 architecture, engineering, land surveying, **registered interior design**, or landscape
29 architecture is considered a personal and individual right, based on the qualifications
30 of the individual as evidenced by the individual's certificate of registration, which is
31 not transferable.

1 * **Sec. 23.** AS 08.48.321 is amended to read:

2 **Sec. 08.48.321. Evidence of practice.** A person practices or offers to practice
3 architecture, engineering, land surveying, registered interior design, or landscape
4 architecture if the person [WHO]

5 (1) practices a branch of the profession of architecture, engineering,
6 land surveying, registered interior design, or landscape architecture [AS DEFINED
7 IN AS 08.48.341];

8 (2) by verbal claim, sign, advertisement, letterhead, card, or other
9 means represents to be an architect, engineer, land surveyor, registered interior
10 designer, or landscape architect, or through the use of some other title implies that the
11 person is an architect, engineer, land surveyor, registered interior designer, or
12 landscape architect; or

13 (3) holds out as able to perform or [WHO] does perform an
14 architectural, engineering, land surveying, registered interior design, or landscape
15 architectural service recognized by the professions covered by this chapter, and
16 specified in regulations of the board, as an architectural, engineering, land surveying,
17 registered interior design, or landscape architectural service.

18 * **Sec. 24.** AS 08.48.331(a) is amended to read:

19 (a) This chapter does not apply to

20 (1) a contractor performing work designed by a professional architect,
21 engineer, registered interior designer, or landscape architect or the supervision of the
22 construction of the work as a supervisor or superintendent for a contractor;

23 (2) workers in building trades crafts, earthwork, grounds keeping, or
24 nursery operations, and superintendents, supervisors, or inspectors in the performance
25 of their customary duties;

26 (3) an officer or employee of the United States government practicing
27 architecture, engineering, land surveying, registered interior design, or landscape
28 architecture as required by the person's official capacity;

29 (4) an employee or a subordinate of a registrant if the work or service
30 is done under the direct supervision of a registrant;

31 (5) associates, consultants, or specialists retained by a registrant, a

1 partnership of registered individuals, a corporation, a limited liability company, a
2 limited liability partnership, or a limited partnership authorized to practice
3 architecture, engineering, land surveying, **registered interior design**, or landscape
4 architecture under this chapter, in the performance of professional services if
5 responsible charge of the work remains with the registrant, the partnership, or a
6 designated representative of the corporation, limited liability company, limited
7 liability partnership, or limited partnership;

8 (6) a person preparing drawings or specifications for

9 (A) a building for the person's own use and occupancy as a
10 single family residence and related site work for that building;

11 (B) farm or ranch buildings and their grounds unless the public
12 health, safety, or welfare is involved;

13 (C) a building that is intended to be used only as a residence by
14 not more than

15 (i) four families and that is not more than two stories
16 high and the grounds of the building; or

17 (ii) two families and that is not more than three stories
18 high and the grounds of the building, if the building is located in a
19 municipality that has adopted a building or residential code that applies
20 to the building and if the building complies with the building or
21 residential code;

22 (D) a garage, workshop, or similar building that contains less
23 than 2,000 square feet of floor space to be used for a private noncommercial
24 purpose and the grounds of the building;

25 (7) a specialty contractor licensed under AS 08.18 while engaged in
26 the business of construction contracting for work designed by an architect, engineer,
27 **registered interior designer**, or landscape architect that is within the specialty to be
28 performed or supervised by the specialty contractor, or a contractor preparing shop or
29 field drawings for work that the specialty contractor has contracted to perform;

30 (8) a person furnishing drawings, specifications, instruments of
31 service, or other data for alterations, **construction**, or repairs to a building or its

1 grounds that do not change or affect the structural system or the safety of the building,
2 or that do not affect the public health, safety, or welfare;

3 (9) a person who is employed by a postsecondary educational
4 institution to teach engineering, architectural, interior design, or landscape
5 architectural courses; in this paragraph, "postsecondary educational institution" has the
6 meaning given in AS 14.48.210;

7 (10) an officer or employee of an individual, firm, partnership,
8 association, utility, corporation, limited liability company, limited liability partnership,
9 or limited partnership, who practices engineering, architecture, land surveying,
10 registered interior design, or landscape architecture involved in the operation of the
11 employer's business only, and further if neither the employee nor the employer offers
12 engineering, architecture, land surveying, registered interior design, or landscape
13 architecture services to the public; exclusions under this paragraph do not apply to
14 buildings or structures whose primary use is public occupancy;

15 (11) a person while involved in revegetation, restoration, reclamation,
16 rehabilitation, or erosion control for disturbed land that the board determines does not
17 affect the public health, safety, or welfare;

18 (12) a person while maintaining or directing the placement of plant
19 material that the board determines does not affect the public health, safety, or welfare;

20 (13) an employee, officer, or agent of a regulatory agency of the state
21 or a municipality when reviewing drawings and specifications for compliance with the
22 building codes of the state or a municipality if the drawings and specifications have
23 been sealed and signed by an architect, engineer, land surveyor, registered interior
24 designer, or landscape architect or the preparation of the drawings and specifications
25 is exempt under this section from the requirements of this chapter; in this paragraph,
26 "building codes" includes codes relating to building, mechanical, plumbing, electrical,
27 fire safety standards, and zoning;

28 (14) a person who is designing fire protection systems and is
29 authorized by the Department of Public Safety to design fire protection systems;

30 **(15) a person providing services limited to the planning, design,**
31 **and implementation of a kitchen or bath or the specification of products for a**

1 **kitchen or bath, if the space or area is in a building described in (6) of this**
2 **subsection.**

3 * **Sec. 25.** AS 08.48.331 is amended by adding a new subsection to read:

4 (c) The requirement to be registered as an interior designer under this chapter
5 only applies to a person who practices an aspect of interior design that the board has
6 determined affects the public health, safety, or welfare.

7 * **Sec. 26.** AS 08.48.341(4) is amended to read:

8 (4) "certificate of authorization" means a certificate issued by the
9 board authorizing a corporation, a limited liability company, a limited liability
10 partnership, or a limited partnership to provide professional services in architecture,
11 engineering, land surveying, **registered interior design**, or landscape architecture
12 through individuals legally registered by the board;

13 * **Sec. 27.** AS 08.48.341(23) is amended to read:

14 (23) "registrant" means a person registered by the board as a
15 professional architect, engineer, land surveyor, **registered interior designer**, or
16 landscape architect;

17 * **Sec. 28.** AS 08.48.341 is amended by adding new paragraphs to read:

18 (27) "practice of registered interior design" means

19 (A) professional service or creative work in the design of
20 interior spaces;

21 (B) teaching of advanced interior design courses in an
22 institution of higher learning;

23 (C) providing consultation, investigation, evaluation, planning,
24 or design for, or professional observation of, construction of the interior spaces
25 of public or private buildings; and

26 (D) review of drawings and specifications made by regulatory
27 agencies based on interior design principles;

28 (28) "registered interior designer" means a person registered as a
29 registered interior designer by the board.

30 * **Sec. 29.** AS 23.30.017(c)(1) is amended to read:

31 (1) "design professional" means a person registered under AS 08.48 as

1 an architect, engineer, [OR] land surveyor, registered interior designer, or
2 landscape architect;

3 * **Sec. 30.** AS 34.35.050 is amended to read:

4 **Sec. 34.35.050. Lien for labor or materials furnished.** A person has a lien,
5 only to the extent provided under this chapter, to secure the payment of the contract
6 price if the person

7 (1) performs labor on [UPON] real property at the request of the owner
8 or the agent of the owner for the construction, alteration, or repair of a building or
9 improvement;

10 (2) is a trustee of an employee benefit trust for the benefit of
11 individuals performing labor on the building or improvement and has a direct contract
12 with the owner or the agent of the owner for direct payments into the trust;

13 (3) furnishes materials that are delivered to real property under a
14 contract with the owner or the agent of the owner that are incorporated in the
15 construction, alteration, or repair of a building or improvement;

16 (4) furnishes equipment that is delivered to and used on [UPON] real
17 property under a contract with the owner or the agent of the owner for the
18 construction, alteration, or repair of a building or improvement;

19 (5) performs services under a contract with the owner or the agent of
20 the owner in connection with the preparation of plans, surveys, or architectural, [OR]
21 engineering, or registered interior design plans or drawings for the construction,
22 alteration, or repair of a building or improvement, whether or not actually
23 implemented on that property; or

24 (6) is a general contractor.

25 * **Sec. 31.** AS 35.15.010(c) is amended to read:

26 (c) In this section, "professional services" means architectural, engineering,
27 [OR] land surveying, or registered interior design services.

28 * **Sec. 32.** AS 36.30.270(a) is amended to read:

29 (a) Notwithstanding conflicting provisions of AS 36.30.100 - 36.30.260, a
30 procurement officer shall negotiate a contract for an agency with the most qualified
31 and suitable firm or person of demonstrated competence for architectural, engineering,

[OR] land surveying, or registered interior design services. The procurement officer shall award a contract for those services at fair and reasonable compensation as determined by the procurement officer, after consideration of the estimated value of the services to be rendered, and the scope, complexity, and professional nature of the services. When determining the most qualified and suitable firm or person, the procurement officer shall consider the

- (1) proximity to the project site of the office of the firm or person unless federal law prohibits this factor from being considered in the awarding of the contract; and
- (2) employment practices of the firm or person with regard to women and minorities.

* **Sec. 33.** AS 36.30.270(d) is amended to read:

(d) Notwithstanding the other provisions of this section, a procurement officer may include price as an added factor in selecting architectural, engineering, [AND] land surveying, and registered interior design services when, in the judgment of the procurement officer, the services required are repetitious in nature, and the scope, nature, and amount of services required are thoroughly defined by measurable and objective standards to reasonably enable firms or persons making proposals to compete with a clear understanding and interpretation of the services required. In order to include price as a factor in selection, a majority of the persons involved by the procurement officer in evaluation of the proposals must be registered in the state to perform architectural, engineering, [OR] land surveying, or registered interior design services.

* **Sec. 34.** AS 36.90.100 is amended to read:

Sec. 36.90.100. Contracts for architectural, engineering, land surveying, registered interior design, or landscape architectural services. The state or a municipality may not award a contract for architectural, engineering, land surveying, registered interior design, or landscape architectural services to

- (1) an individual who is not registered under AS 08.48 to perform the architectural, engineering, land surveying, registered interior design, or landscape architectural services required by the contract;

(2) a partnership, except as provided by (3) of this section, that is not qualified under AS 08.48.251 to provide the architectural, engineering, land surveying, registered interior design, or landscape architectural services required by the contract; or

(3) a corporation, limited liability company, or limited liability partnership that is not authorized under AS 08.48.241 to offer the architectural, engineering, land surveying, **registered interior design**, or landscape architectural services required by the contract.

* **Sec. 35.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: CURRENT INTERIOR DESIGNERS. Notwithstanding this Act, a person working as an interior designer before the effective date of secs. 2 - 34 of this Act may continue to practice interior design in the state without registration or authorization as a registered interior designer under AS 08.48 until July 1, 2025.

* **Sec. 36.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: BOARD APPOINTMENT. An interior designer appointed to the State Board of Registration for Architects, Engineers, and Land Surveyors under AS 08.48.011(b), as amended by sec. 1 of this Act, must be certified by the Council for Interior Design Qualification and have resided in the state for at least three years immediately preceding appointment. On and after the effective date of sec. 2 of this Act, an interior designer appointed to the board under AS 08.48.011(b), as amended by sec. 1 of this Act, may continue to occupy the seat on the board reserved for the registered interior designer until a registered interior designer is appointed to the seat. An interior designer appointed to the board under AS 08.48.011(b), as amended by sec. 1 of this Act, is eligible for reappointment to the board upon the effective date of sec. 2 of this Act if the interior designer meets the requirements of AS 08.48.011(b), as amended by sec. 2 of this Act.

* **Sec. 37.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. The State Board of Registration for Architects, Engineers, and Land Surveyors may adopt regulations necessary to implement this Act. The

1 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the
2 effective date of the law implemented by the regulation.

3 * **Sec. 38.** Sections 1, 36, and 37 of this Act take effect immediately under AS 01.10.070(c).

4 * **Sec. 39.** Except as provided in sec. 38 of this Act, this Act takes effect July 1, 2024.