

SENATE BILL NO. 126

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Introduced: 4/11/23

Referred:

A BILL

FOR AN ACT ENTITLED

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

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

5 * **Section 1.** AS 08.48.011(c) is amended to read:

6 (c) Notwithstanding (b) of this section,

7 (1) if **no** [A] mining engineer who qualifies for appointment to the
8 board [AND] is **available to serve** [INTERESTED IN SERVING] on the board [IS
9 NOT AVAILABLE], the governor may appoint a petroleum or chemical engineer to
10 the seat designated for a mining engineer;

11 (2) **if an electrical engineer occupies the seat designated for an**
12 **electrical or mechanical engineer, the governor may appoint a mechanical**
13 **engineer to the seat designated for an engineer from another branch of the**
14 **profession of engineering; or**

1 **(3) if a mechanical engineer occupies the seat designated for an**
 2 **electrical or mechanical engineer, the governor may appoint an electrical**
 3 **engineer to the seat designated for an engineer from another branch of the**
 4 **profession of engineering.**

5 * **Sec. 2.** AS 08.48.021(c) is amended to read:

6 (c) For purposes of determining appointments and terms under AS 08.01.035,
 7 notwithstanding the reference in that section relating to eligibility for reappointment
 8 after serving a full or partial term,

9 (1) a member who has served all of two successive terms on the board
 10 may not be reappointed to the board unless **two** [FOUR] years have elapsed since the
 11 person last served on the board; and

12 (2) for purposes of (1) of this subsection, a person who serves for two
 13 years or more of a four-year term is considered to have served a full term.

14 * **Sec. 3.** AS 08.48.055(a) is amended to read:

15 (a) The department, in consultation with the board, shall employ two persons
 16 who are not members of the board. One shall serve as the executive **administrator**
 17 [SECRETARY] of the board. The other shall serve as investigator for the board. The
 18 executive **administrator** [SECRETARY] is the principal executive officer of the
 19 board and is in the partially exempt service under AS 39.25.120.

20 * **Sec. 4.** AS 08.48.055(b) is amended to read:

21 (b) The executive **administrator** [SECRETARY] of the board shall perform
 22 duties as prescribed by the board, **including the review and approval of comity**
 23 **applications.**

24 * **Sec. 5.** AS 08.48.071(f) is amended to read:

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

27 (1) the number of architects, engineers, land surveyors, and landscape
 28 architects registered over a five-year period;

29 (2) the rate of passage of examinations **required** [ADMINISTERED]
 30 by the board;

31 (3) the number of **applicants** [PERSONS MAKING APPLICATION]

1 for registration [AS A PROFESSIONAL ARCHITECT, ENGINEER, LAND
2 SURVEYOR, OR LANDSCAPE ARCHITECT] over a five-year period;

3 (4) an account of registration fees collected under AS 08.01.065;

4 (5) a measure of the correspondence workload of staff [ANY
5 LICENSING EXAMINER EMPLOYED BY THE DEPARTMENT TO CARRY
6 OUT THIS CHAPTER].

7 * **Sec. 6.** AS 08.48.091 is amended to read:

8 **Sec. 08.48.091. Examinations.** Examinations shall be held at least once each
9 year [AT PLACES DETERMINED BY THE BOARD]. A candidate failing an
10 examination may apply for reexamination in accordance with regulations adopted by
11 the board.

12 * **Sec. 7.** AS 08.48.101(a) is amended to read:

13 (a) The board may adopt regulations and provide policy guidance to
14 accomplish [CARRY OUT] the purpose of this chapter by [, INCLUDING
15 REGULATIONS]

16 (1) describing the contents of an examination;

17 (2) establishing the conduct of an examination;

18 (3) establishing a minimum score for passing an examination;

19 (4) establishing bylaws governing its meetings and activities;

20 (5) publishing a code of ethics or professional conduct for registrants
21 and entities authorized [THOSE PERSONS REGULATED BY THIS CHAPTER,
22 INCLUDING CORPORATIONS, LIMITED LIABILITY COMPANIES, AND
23 LIMITED LIABILITY PARTNERSHIPS] under AS 08.48.241;

24 (6) establishing continuing education requirements for registrants
25 [PERSONS REGULATED BY THIS CHAPTER] that must be completed before a
26 certificate may be renewed; the [CONTINUING EDUCATION] requirements may not
27 exceed standards established by a national accrediting body or other recognized
28 professional organization;

29 (7) establishing the types of work and providing guidance on
30 design of minor importance and other areas of overlapping jurisdiction among
31 regulated professions, branches, and disciplines.

1 * **Sec. 8.** AS 08.48.111 is amended to read:

2 **Sec. 08.48.111. Power to revoke, suspend, or reissue certificate.** The board
 3 may suspend, refuse to renew, or revoke the certificate of or reprimand a registrant,
 4 corporation, limited liability company, [OR] limited liability partnership, **or limited**
 5 **partnership** who is found guilty of (1) fraud or deceit in obtaining a certificate; (2)
 6 gross negligence, incompetence, or misconduct in the practice of architecture,
 7 engineering, land surveying, or landscape architecture; or (3) a violation of this
 8 chapter, a regulation adopted under this chapter, or the code of ethics or professional
 9 conduct as adopted by the board. The code of ethics or professional conduct shall be
 10 distributed in writing to every registrant and applicant for registration under this
 11 chapter. This publication and distribution of the code of ethics or professional conduct
 12 constitutes due notice to all registrants. The board may revise and amend its code and,
 13 upon doing so, shall immediately notify each registrant in writing of the revisions or
 14 amendments. The board may, upon petition of the registrant, corporation, limited
 15 liability company, [OR] limited liability partnership, **or limited partnership,** reissue a
 16 certificate if a majority of the members of the board vote in favor of the reissuance.

17 * **Sec. 9.** AS 08.48.121 is amended to read:

18 **Sec. 08.48.121. Disciplinary action and procedure.** Any person may file with
 19 the **investigator** [SECRETARY] of the board a charge of fraud, deceit, gross
 20 negligence, incompetence, misconduct, or violation of this chapter, a regulation
 21 adopted under it, or the code of ethics of the board. The charge, constituting an
 22 accusation under AS 44.62 (Administrative Procedure Act), shall be in writing and
 23 sworn to by the person making it. A charge may be dismissed by the board **or the**
 24 **investigator** as unfounded or trivial.

25 * **Sec. 10.** AS 08.48.171 is amended to read:

26 **Sec. 08.48.171. General requirements and qualifications for registration.**
 27 An applicant for registration as an architect, engineer, land surveyor, or landscape
 28 architect must be of good character and reputation and shall submit evidence
 29 satisfactory to the board of the applicant's education, training, and experience.
 30 [HOWEVER, AN APPLICANT FOR REGISTRATION AS A LAND SURVEYOR
 31 MAY NOT BE REQUIRED TO SUBMIT EVIDENCE OF MORE THAN EIGHT

1 YEARS OF ANY COMBINATION OF EDUCATION, EXPERIENCE, OR
2 TRAINING.]

3 * **Sec. 11.** AS 08.48.191(a) is amended to read:

4 (a) A person holding a certificate of registration authorizing the person to
5 practice architecture in a state, territory, or possession of the United States, the District
6 of Columbia, or a foreign country, or holding a certificate of qualification issued by
7 the National Council of Architectural Registration Boards, [THAT, IN THE OPINION
8 OF THE BOARD, MEETS THE REQUIREMENTS OF THIS CHAPTER, BASED
9 ON VERIFIED EVIDENCE,] may, upon application, be registered in accordance with
10 the regulations of the board **if the person's certificate was issued under**
11 **requirements comparable to the requirements in this state.**

12 * **Sec. 12.** AS 08.48.191(b) is amended to read:

13 (b) A person holding a certificate of registration authorizing the person to
14 practice engineering in a state, territory, or possession of the United States, the District
15 of Columbia, or a foreign country [, THAT, IN THE OPINION OF THE BOARD
16 MEETS THE REQUIREMENTS OF THIS CHAPTER, BASED ON VERIFIED
17 EVIDENCE,] may, upon application, be registered in accordance with regulations of
18 the board **if the person's certificate was issued under requirements comparable to**
19 **the requirements in this state.**

20 * **Sec. 13.** AS 08.48.191(d) is amended to read:

21 (d) A person holding a certificate of registration authorizing the person to
22 practice landscape architecture in a state, territory, or possession of the United States,
23 the District of Columbia, or a foreign country [, THAT IN THE OPINION OF THE
24 BOARD MEETS THE REQUIREMENTS OF THIS CHAPTER, BASED ON
25 VERIFIED EVIDENCE,] may upon application [,] be registered under the regulations
26 of the board **if the person's certificate was issued under requirements comparable**
27 **to the requirements in this state.** A person holding a certificate of qualification
28 issued by the Council of Landscape Architectural Registration Boards may upon
29 application be registered under regulations of the board.

30 * **Sec. 14.** AS 08.48.201(a) is amended to read:

31 (a) Application for registration as a professional architect, a professional

1 engineer, a professional land surveyor, or a professional landscape architect shall

2 [(1)] be **submitted in the manner** [ON A FORM] prescribed [AND
3 FURNISHED] by the board [;

4 (2) CONTAIN STATEMENTS MADE UNDER OATH, SHOWING
5 THE APPLICANT'S EDUCATION AND A DETAILED SUMMARY OF THE
6 APPLICANT'S TECHNICAL EXPERIENCE; AND

7 (3) CONTAIN FIVE REFERENCES, THREE OF WHOM MUST BE
8 ARCHITECTS FOR ARCHITECTURAL REGISTRATION, ENGINEERS FOR
9 ENGINEERING REGISTRATION, LAND SURVEYORS FOR LAND
10 SURVEYING REGISTRATION, AND LANDSCAPE ARCHITECTS FOR
11 LANDSCAPE ARCHITECTURAL REGISTRATION, HAVING PERSONAL
12 KNOWLEDGE OF THE APPLICANT'S ARCHITECTURAL, ENGINEERING,
13 LAND SURVEYING, OR LANDSCAPE ARCHITECTURAL EDUCATION,
14 TRAINING, OR EXPERIENCE].

15 * **Sec. 15.** AS 08.48.211 is amended to read:

16 **Sec. 08.48.211. Certificate of registration.** (a) An applicant who fulfills the
17 requirements set out by the board shall be awarded a certificate of registration [AS A
18 PROFESSIONAL ARCHITECT, ENGINEER, LAND SURVEYOR, OR
19 LANDSCAPE ARCHITECT,] authorizing the holder to offer or perform
20 [ARCHITECTURAL, ENGINEERING, LAND SURVEYING, OR LANDSCAPE
21 ARCHITECTURAL] services or work for the public, or to certify or sign
22 [ARCHITECTURAL, ENGINEERING, LAND SURVEYING, OR LANDSCAPE
23 ARCHITECTURAL] documents. Certificates of registration [ISSUED UNDER THIS
24 SECTION] shall be **designed as** [INSCRIBED ON THEIR FACE IN A MANNER]
25 determined by the board.

26 (b) The certificate of registration [SEALED BY THE BOARD] is prima facie
27 evidence that the person named in it is entitled to all rights and privileges of a
28 professional architect, professional engineer, professional land surveyor, or
29 professional landscape architect while the certificate remains unrevoked or unexpired.

30 * **Sec. 16.** AS 08.48.215(a) is amended to read:

31 (a) On retiring from practice and payment of an appropriate one-time fee, [AN

1 INDIVIDUAL WHO IS] a registrant in good standing with the board may apply for
 2 the conversion of a certificate of registration to a retired status registration. **The**
 3 **registrant** [AN INDIVIDUAL HOLDING A RETIRED STATUS REGISTRATION]
 4 may not practice architecture, engineering, land surveying, or landscape architecture in
 5 the state. A retired status registration is valid for the life of the registration holder and
 6 does not require renewal.

7 * **Sec. 17.** AS 08.48.221 is amended to read:

8 **Sec. 08.48.221. Seals.** (a) Each registrant may obtain a seal of the design
 9 authorized by the board, bearing the registrant's name, registration number, and the
 10 [LEGEND "REGISTERED PROFESSIONAL ARCHITECT," "REGISTERED
 11 PROFESSIONAL ENGINEER," "REGISTERED PROFESSIONAL LAND
 12 SURVEYOR," OR "REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT,"
 13 AS] appropriate **legend for architect, engineer, land surveyor, or landscape**
 14 **architect**. When a registrant issues final drawings, specifications, surveys, plats,
 15 plates, reports, or similar documents, the registrant shall stamp the documents with the
 16 seal and sign the seal. The board shall adopt regulations governing the use of seals by
 17 the registrant. An architect, engineer, land surveyor, or landscape architect may not
 18 affix or permit a seal and signature to be affixed to an instrument after the expiration
 19 of a certificate or for the purpose of aiding or abetting another person to evade or
 20 attempt to evade a provision of this chapter. The registrant, by **sealing and signing**
 21 **the document** [AFFIXING THE REGISTRANT'S SEAL TO FINAL DRAWINGS,
 22 SPECIFICATIONS, SURVEYS, PLATS, PLATES, REPORTS, OR SIMILAR
 23 DOCUMENTS, AND BY SIGNING THE SEAL], certifies that the **document was**
 24 [DOCUMENTS WERE] prepared by or under the registrant's **responsible charge and**
 25 **is** [DIRECT SUPERVISION ARE] within the registrant's field of practice, or **is**
 26 [CONSTITUTE] design work of minor importance.

27 (b) Final drawings, specifications, surveys, plats, plates, reports, or similar
 28 documents containing the work of multiple fields of practice shall be sealed and
 29 signed by a registrant in each field of practice covered by the document. The registrant
 30 shall certify on the face of the document the extent of the registrant's responsibility for
 31 all work prepared under the registrant's seal. [WHEN CERTIFYING DESIGN WORK

1 OF MINOR IMPORTANCE, THE REGISTRANT SHALL IDENTIFY THAT
 2 WORK ON THE DOCUMENT NEAR THE REGISTRANT'S SEAL AND TAKE
 3 RESPONSIBILITY FOR ALL WORK PREPARED UNDER THE REGISTRANT'S
 4 SEAL.]

5 * **Sec. 18.** AS 08.48.231(a) is amended to read:

6 (a) To remain valid, certificates shall be renewed in accordance with
 7 AS 08.01.100. Notice of renewal dates, given under AS 08.01.050(a)(11), shall be
 8 **transmitted** [MAILED] to the registrant, corporation, limited liability company, [OR]
 9 limited liability partnership, **or limited partnership** [AT THE REGISTRANT'S,
 10 CORPORATION'S, LIMITED LIABILITY COMPANY'S, OR LIMITED
 11 LIABILITY PARTNERSHIP'S LAST KNOWN ADDRESS] at least one month in
 12 advance of the date of the expiration of the certificate. If the certificate has been
 13 suspended or revoked, the board may take action independent of this section.

14 * **Sec. 19.** AS 08.48.241(a) is amended to read:

15 (a) This chapter does not prevent a corporation, limited liability company,
 16 [OR] limited liability partnership, **or limited partnership** from offering architectural,
 17 engineering, land surveying, or landscape architectural services; however, the
 18 corporation, limited liability company, [OR] limited liability partnership, **or limited**
 19 **partnership** shall file with the board

20 (1) an application for a certificate of authorization **on** [UPON] a form
 21 to be prescribed by the board and containing information required to enable the board
 22 to determine whether the corporation, limited liability company, [OR] limited liability
 23 partnership, **or limited partnership** is qualified in accordance with the provisions of
 24 this chapter to offer to practice architecture, engineering, land surveying, or landscape
 25 architecture in this state;

26 (2) a certified copy of a resolution of the board of directors of the
 27 corporation, the managing members or manager of the limited liability company, [OR]
 28 the general partners of a limited liability partnership, **or the general partners of a**
 29 **limited partnership** designating persons holding certificates of registration under this
 30 chapter as responsible for the practice of architecture, engineering, land surveying, or
 31 landscape architecture by the corporation, limited liability company, [OR] limited

1 liability partnership, or limited partnership in this state and providing that full
 2 authority to make all final architectural, engineering, land surveying, or landscape
 3 architectural decisions on behalf of the corporation, limited liability company, [OR]
 4 limited liability partnership, or limited partnership with respect to work performed
 5 by the corporation, limited liability company, [OR] limited liability partnership, or
 6 limited partnership in this state is granted by the board of directors of the
 7 corporation, the managing members or manager of the limited liability company, [OR]
 8 the general partners of the limited liability partnership, or the general partners of the
 9 limited partnership to the persons designated in the resolution; however, the filing of
 10 this resolution does not relieve the corporation, limited liability company, [OR]
 11 limited liability partnership, or limited partnership of any responsibility or liability
 12 imposed on [UPON] it by law or by contract;

13 (3) a designation in writing setting out the name of one or more
 14 persons holding certificates of registration under this chapter who are in responsible
 15 charge of each major branch of the architectural, engineering, land surveying, or
 16 landscape architectural activities in which the corporation, limited liability company,
 17 [OR] limited liability partnership, or limited partnership specializes in this state; if a
 18 change is made in the person in responsible charge of a major branch of the
 19 architectural, engineering, land surveying, or landscape architectural activities, the
 20 change shall be designated in writing and filed with the board within 30 days after the
 21 effective date of the change.

22 * **Sec. 20.** AS 08.48.241(b) is amended to read:

23 (b) Upon filing with the board the application for certificate of authorization,
 24 certified copy of resolution, affidavit, and designation of persons specified in this
 25 section, the board shall, subject to (c) of this section, issue to the corporation, limited
 26 liability company, [OR] limited liability partnership, or limited partnership a
 27 certificate of authorization to practice architecture, engineering, land surveying, or
 28 landscape architecture in this state upon a determination by the board that

29 (1) the bylaws of the corporation, the articles of organization or
 30 operating agreement of the limited liability company, [OR] the partnership agreement
 31 of the limited liability partnership, or the partnership agreement of the limited

1 **partnership** contain provisions that all architectural, engineering, land surveying, or
 2 landscape architectural decisions pertaining to architectural, engineering, land
 3 surveying, or landscape architectural activities in this state will be made by the
 4 specified architect, engineer, land surveyor, or landscape architect in responsible
 5 charge, or other registered architects, engineers, land surveyors, or landscape
 6 architects under the direction or supervision of the architect, engineer, land surveyor,
 7 or landscape architect in responsible charge;

8 (2) the application for certificate of authorization states the type of
 9 architecture, engineering, land surveying, or landscape architecture practiced or to be
 10 practiced by the corporation, limited liability company, [OR] limited liability
 11 partnership, **or limited partnership**;

12 (3) the applicant corporation, limited liability company, [OR] limited
 13 liability partnership, **or limited partnership** has the ability to provide architectural,
 14 engineering, land surveying, or landscape architectural services;

15 (4) the application for certificate of authorization states the
 16 professional records of the designated person who is in responsible charge of each
 17 major branch of architectural, engineering, land surveying, or landscape architectural
 18 activities in which the corporation, limited liability company, [OR] limited liability
 19 partnership, **or limited partnership** specializes;

20 (5) the application for certificate of authorization states the experience,
 21 if any, of the corporation, limited liability company, [OR] limited liability partnership,
 22 **or limited partnership** in furnishing architectural, engineering, land surveying, or
 23 landscape architectural services during the preceding five-year period;

24 (6) the applicant corporation, limited liability company, [OR] limited
 25 liability partnership, **or limited partnership** meets other requirements related to
 26 professional competence in the furnishing of architectural, engineering, land
 27 surveying, or landscape architectural services as may be adopted by the board in
 28 furtherance of the objectives and provisions of this chapter.

29 * **Sec. 21.** AS 08.48.241(c) is amended to read:

30 (c) The board may [, IN THE EXERCISE OF ITS DISCRETION,] refuse to
 31 issue, or may suspend or revoke a certificate of authorization to a corporation, limited

1 liability company, [OR] limited liability partnership, **or limited partnership** if the
2 board finds that any of the corporation's officers, directors, or incorporators, any of the
3 stockholders holding a majority of the stock of the corporation, any of the limited
4 liability company's organizers, managers, or managing members, [OR] any of the
5 limited liability partnership's general partners, **or any of the limited partnership's**
6 **general partners** has committed misconduct or malpractice, or has been found
7 personally responsible for misconduct or malpractice under the provisions of this
8 chapter.

9 * **Sec. 22.** AS 08.48.241(d) is amended to read:

10 (d) The certificate of authorization must specify the major branches of
11 architecture, engineering, land surveying, or landscape architecture of which the
12 corporation, limited liability company, [OR] limited liability partnership, **or limited**
13 **partnership** has designated a person in responsible charge as provided in this section.
14 The certificate of authorization shall be conspicuously displayed in the place of
15 business of the corporation, limited liability company, [OR] limited liability
16 partnership, **or limited partnership**, together with the names of persons designated as
17 being in responsible charge of the professional activities.

18 * **Sec. 23.** AS 08.48.241(e) is amended to read:

19 (e) If a corporation, limited liability company, [OR] limited liability
20 partnership, **or limited partnership** that is organized solely by either a group of
21 architects, a group of engineers, a group of land surveyors, or a group of landscape
22 architects, each holding a certificate of registration under this chapter, applies for a
23 certificate of authorization, the board may, in its discretion, grant a certificate of
24 authorization to the corporation, limited liability company, [OR] limited liability
25 partnership, **or limited partnership** based on a review of the professional records of
26 the incorporators of the corporation, organizers of the limited liability company, [OR]
27 partners who formed the limited liability partnership, **or partners who formed the**
28 **limited partnership** in place of the required qualifications set out in this section. If
29 the ownership of the corporation is altered, the membership of the limited liability
30 company is altered, [OR] the partners of the limited liability partnership change, **or**
31 **the general partners of the limited partnership change**, the corporation, limited

1 liability company, [OR] limited liability partnership, **or limited partnership** shall
 2 apply for a revised certificate of authorization, based **on** [UPON] the professional
 3 records of the owners of the corporation, the members of the limited liability
 4 company, [OR] the partners of the limited liability partnership, **or the general**
 5 **partners of the limited partnership,** if exclusively architects, engineers, land
 6 surveyors, or landscape architects, or otherwise under the qualifications required by
 7 (b)(1) - (4) of this section.

8 * **Sec. 24.** AS 08.48.241(f) is amended to read:

9 (f) A corporation, limited liability company, [OR A] limited liability
 10 partnership, **or limited partnership** authorized to offer architectural, engineering,
 11 land surveying, or landscape architectural services under this chapter, together with its
 12 directors, officers, managing members, manager, and partners for their own individual
 13 acts, is responsible to the same degree as the designated individual **registrant**
 14 [REGISTERED ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE
 15 ARCHITECT], and shall conduct its business without misconduct or malpractice in
 16 the practice of architecture, engineering, land surveying, or landscape architecture as
 17 defined in this chapter.

18 * **Sec. 25.** AS 08.48.241(g) is amended to read:

19 (g) If the board, after a proper hearing, finds that a corporation, limited
 20 liability company, [OR] limited liability partnership, **or limited partnership** holding a
 21 certificate of authorization has committed misconduct or malpractice, the board shall
 22 suspend or revoke the certificate of authorization. The board shall also suspend or
 23 revoke the certificate of registration of any **registrant** [REGISTERED INDIVIDUAL
 24 ARCHITECT, ENGINEER, LAND SURVEYOR, OR LANDSCAPE ARCHITECT]
 25 who, after a proper hearing, is found by the board to have participated in committing
 26 the misconduct or malpractice.

27 * **Sec. 26.** AS 08.48.241(h) is amended to read:

28 (h) Drawings, specifications, designs, and reports, when issued in connection
 29 with work performed by a corporation, limited liability company, [OR] limited
 30 liability partnership, **or limited partnership** under its certificate of authorization,
 31 shall be prepared by or under the responsible charge of and shall be signed by and

1 stamped with the official seal of a person holding a certificate of registration under
2 this chapter.

3 * **Sec. 27.** AS 08.48.251 is amended to read:

4 **Sec. 08.48.251. Certain partnerships.** This chapter does not prevent the
5 practice of architecture, engineering, land surveying, or landscape architecture by a
6 partnership if all of the members of the partnership are **registrants** [ARCHITECTS,
7 ENGINEERS, LAND SURVEYORS, OR LANDSCAPE ARCHITECTS LEGALLY
8 REGISTERED] under this chapter. In this section, "partnership" does not include a
9 limited liability partnership **or a limited partnership.**

10 * **Sec. 28.** AS 08.48.281(a) is amended to read:

11 (a) A person may not practice or offer to practice the profession of
12 architecture, engineering, land surveying, or landscape architecture in the state, or use
13 in connection with the person's name or otherwise assume or advertise a title or
14 description tending to convey the impression that the person is an architect, an
15 engineer, a land surveyor, or a landscape architect, unless the person has been
16 registered under the provisions of this chapter [OR IS A PERSON TO WHOM
17 THESE PROVISIONS DO NOT APPLY,] or, in the case of a corporation, limited
18 liability company, [OR] limited liability partnership, **or limited partnership,** unless it
19 has been authorized under this chapter.

20 * **Sec. 29.** AS 08.48.331(a) is amended to read:

21 (a) This chapter does not apply to

22 (1) a contractor performing work designed by a professional architect,
23 engineer, or landscape architect or the supervision of the construction of the work as a
24 supervisor or superintendent for a contractor;

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

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

31 (4) an employee or a subordinate of a **registrant** [PERSON

1 REGISTERED UNDER THIS CHAPTER] if the work or service is done under the
 2 direct supervision of a **registrant** [PERSON REGISTERED UNDER THIS
 3 CHAPTER];

4 (5) associates, consultants, or specialists retained by a **registrant**
 5 [REGISTERED INDIVIDUAL], a partnership of registered individuals, a corporation,
 6 a limited liability company, [OR] a limited liability partnership, **or a limited**
 7 **partnership** authorized to practice architecture, engineering, land surveying, or
 8 landscape architecture under this chapter, in the performance of professional services
 9 if responsible charge of the work remains with the **registrant** [INDIVIDUAL], the
 10 partnership, or a designated representative of the corporation, limited liability
 11 company, [OR] limited liability partnership, **or limited partnership**;

12 (6) a person preparing drawings or specifications for

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

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

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

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

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

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

29 (7) a specialty contractor licensed under AS 08.18 while engaged in
 30 the business of construction contracting for work designed by an architect, engineer,
 31 or landscape architect that is within the specialty to be performed or supervised by the

1 specialty contractor, or a contractor preparing shop or field drawings for work that the
2 specialty contractor has contracted to perform;

3 (8) a person furnishing drawings, specifications, instruments of
4 service, or other data for alterations or repairs to a building or its grounds that do not
5 change or affect the structural system or the safety of the building, or that do not affect
6 the public health, safety, or welfare;

7 (9) a person who is employed by a postsecondary educational
8 institution to teach engineering, architectural, or landscape architectural courses; in
9 this paragraph, "postsecondary educational institution" has the meaning given in
10 AS 14.48.210;

11 (10) an officer or employee of an individual, firm, partnership,
12 association, utility, corporation, limited liability company, [OR] limited liability
13 partnership, **or limited partnership**, who practices engineering, architecture, land
14 surveying, or landscape architecture involved in the operation of the employer's
15 business only, and further **if** [PROVIDED THAT] neither the employee nor the
16 employer offers engineering, architecture, land surveying, or landscape architecture
17 services to the public; exclusions under this paragraph do not apply to buildings or
18 structures whose primary use is public occupancy;

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

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

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

1 (14) a person who is designing fire **protection** [DETECTION OR
 2 SUPPRESSION] systems and is authorized by the Department of Public Safety to
 3 design fire **protection** [DETECTION OR SUPPRESSION] systems.

4 * **Sec. 30.** AS 08.48.341(4) is amended to read:

5 (4) "certificate of authorization" means a certificate issued by the
 6 board authorizing a corporation, a limited liability company, [OR] a limited liability
 7 partnership, **or limited partnership** to provide professional services in architecture,
 8 engineering, land surveying, or landscape architecture through individuals legally
 9 registered by the board;

10 * **Sec. 31.** AS 08.48.341(7) is amended to read:

11 (7) "design of minor importance" means **work** [A DESIGN] that is
 12 incidental to the discipline of a registrant and is within the **experience** [DISCIPLINE]
 13 of the registrant, but does not include comprehensive design services of any particular
 14 building type, structure, building system, engineering system, or site development;

15 * **Sec. 32.** AS 08.48.341(16) is amended to read:

16 (16) "practice of landscape architecture" means professional services
 17 or creative work in **the design of landscape, the adequate performance of which**
 18 **requires the specialized knowledge of applied mathematics and physical and**
 19 **social sciences; consulting on, evaluating, planning, and designing public and**
 20 **private landscape architecture projects; the teaching of advanced landscape**
 21 **architectural courses in institutions of higher learning; consultation and the**
 22 **direction or performance of preparing, filing, and administering related plans,**
 23 **drawings, specifications, permits, and other contract documents involving**
 24 **projects that direct, inform, or advise on the functional use and preservation of**
 25 **natural and built environments; the review of drawings and specifications by**
 26 **regulatory agencies; and minor architectural and engineering design work as**
 27 **authorized by the board under AS 08.48.101(a)(7);** [SITE INVESTIGATION,
 28 RECONNAISSANCE, RESEARCH, PLANNING, DESIGN, AND PREPARATION
 29 SERVICES RELATED TO DRAWINGS AND CONSTRUCTION DOCUMENTS,
 30 OBSERVATION OF CONSTRUCTION, AND LOCATION, ARRANGEMENT,
 31 AND DESIGN OF INCIDENTAL AND NECESSARY TANGIBLE OBJECTS AND

1 FEATURES FOR THE PURPOSE OF

2 (A) PRESERVATION AND ENHANCEMENT OF LAND
3 USES AND NATURAL LAND FEATURES;

4 (B) LOCATION AND CONSTRUCTION OF
5 AESTHETICALLY PLEASING AND FUNCTIONAL APPROACHES FOR
6 STRUCTURES, ROADWAYS, AND WALKWAYS;

7 (C) ESTABLISHING OR MAINTAINING TRAILS,
8 PLANTINGS, LANDSCAPE IRRIGATION, LANDSCAPE LIGHTING,
9 AND LANDSCAPE GRADING; OR

10 (D) GENERALIZED PLANNING OF THE DEVELOPMENT
11 OF LAND AREAS IN A MANNER THAT IS SENSITIVE TO THE AREA'S
12 NATURAL AND CULTURAL RESOURCES];

13 * **Sec. 33.** AS 08.48.341(17) is amended to read:

14 (17) "professional architect" means a person [WHO HAS BEEN
15 LEGALLY] registered as a professional architect by the board;

16 * **Sec. 34.** AS 08.48.341(18) is amended to read:

17 (18) "professional engineer" means a person [WHO HAS BEEN
18 LEGALLY] registered as a professional engineer by the board;

19 * **Sec. 35.** AS 08.48.341(19) is amended to read:

20 (19) "professional land surveyor" means a person [WHO HAS BEEN
21 LEGALLY] registered as a professional land surveyor by the board;

22 * **Sec. 36.** AS 08.48.341(22) is amended to read:

23 (22) "shop drawing" or "field drawing" means a drawing prepared by a
24 contractor, subcontractor, or vendor that shows how a particular aspect of the work is
25 to be fabricated and installed and demonstrates how an aspect of the work will satisfy
26 the requirements of the construction document [, BUT DOES NOT INCLUDE A
27 FINAL DRAWING, SPECIFICATION, SURVEY, PLAT, PLATE, REPORT, OR
28 OTHER SIMILAR DOCUMENT];

29 * **Sec. 37.** AS 08.48.341 is amended by adding new paragraphs to read:

30 (24) "fire protection system" means a fire alarm device or system or
31 fire-extinguishing device or system, or combination of both, that is designed and

1 installed for detecting, controlling, or extinguishing a fire or otherwise alerting an
2 occupant or the fire department, or both, that a fire has occurred;

3 (25) "limited partnership" has the meaning given in AS 32.11.900;

4 (26) "registrant" means a person registered by the board as a
5 professional architect, engineer, land surveyor, or landscape architect.

6 * **Sec. 38.** AS 08.48.061 is repealed.

7 * **Sec. 39.** This Act takes effect immediately under AS 01.10.070(c).