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4/20/23

CS FOR SENATE BILL NO. 73(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR CLAMAN

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 12 [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 or mechanical
11 engineer, one engineer from another branch of the profession of engineering, two
12 architects, one landscape architect, one interior designer, and one public member.

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

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

* **Sec. 3.** AS 08.48.061(c) is amended to read:

(c) The board may make expenditures from appropriated funds for any purpose that is reasonably necessary for the proper performance of its duties under this chapter. This may include the expenses of the board delegates to **attend** meetings of councils of architect examiners, engineering examiners, land surveyor examiners, **registered interior designer examiners**, or landscape architect examiners, or any of their subdivisions. The total amount of disbursements issued in payment of the expenses incurred under this chapter may not exceed the amount of money appropriated by the legislature.

* **Sec. 4.** AS 08.48.071(f) is amended to read:

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

- (1) the number of architects, engineers, land surveyors, **registered interior designers**, and landscape architects registered over a five-year period;
- (2) the rate of passage of examinations administered by the board;
- (3) the number of persons making application for registration as a professional architect, engineer, land surveyor, **registered interior designer**, or landscape architect over a five-year period;
- (4) an account of registration fees collected under AS 08.01.065;
- (5) a measure of the correspondence workload of any licensing examiner employed by the department to carry out this chapter.

* **Sec. 5.** AS 08.48.111 is amended to read:

Sec. 08.48.111. Power to revoke, suspend, or reissue certificate. The board may suspend, refuse to renew, or revoke the certificate of or reprimand a registrant, corporation, limited liability company, or limited liability partnership who is found

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

13 * **Sec. 6.** AS 08.48.171 is amended to read:

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

15 An applicant for registration as an architect, engineer, land surveyor, **registered**
16 **interior designer**, or landscape architect must be of good character and reputation and
17 shall submit evidence satisfactory to the board of the applicant's education, training,
18 and experience. However, an applicant for registration as a land surveyor may not be
19 required to submit evidence of more than eight years of any combination of education,
20 experience, or training.

21 * **Sec. 7.** AS 08.48.181 is amended by adding a new subsection to read:

22 (b) Except as provided in AS 08.48.191, for registration as a registered interior
23 designer, a person shall be examined in this state in accordance with the regulations of
24 procedure and standards adopted by the board under AS 44.62 (Administrative
25 Procedure Act). The procedure and standards must include successfully completing
26 the examination administered by the Council for Interior Design Qualification or its
27 successor.

28 * **Sec. 8.** AS 08.48.191 is amended by adding a new subsection to read:

29 (e) A person holding a certificate of registration authorizing the person to
30 practice registered interior design in a state, territory, or possession of the United
31 States, the District of Columbia, or a foreign country that, in the opinion of the board,

meets the requirements of this chapter, based on verified evidence, may, upon application, be registered in accordance with the regulations of the board.

* **Sec. 9.** AS 08.48.201(a) is amended to read:

(a) Application for registration as a professional architect, a professional engineer, a professional land surveyor, **a registered interior designer**, or a professional landscape architect shall

(1) be on a form prescribed and furnished by the board;

(2) contain statements made under oath, showing the applicant's education and a detailed summary of the applicant's technical experience; and

(3) contain five references, three of whom must be architects for architectural registration, engineers for engineering registration, land surveyors for land surveying registration, **architects or registered interior designers for interior design registration**, and landscape architects for landscape architectural registration, having personal knowledge of the applicant's architectural, engineering, land surveying, **interior design**, or landscape architectural education, training, or experience.

* **Sec. 10.** AS 08.48.211 is amended to read:

Sec. 08.48.211. Certificate of registration. (a) An applicant who fulfills the requirements set out by the board shall be awarded a certificate of registration as a professional architect, engineer, land surveyor, or landscape architect, **or as a registered interior designer**, authorizing the holder to offer or perform architectural, engineering, land surveying, **registered interior design**, or landscape architectural services or work for the public, or to certify or sign architectural, engineering, land surveying, **registered interior design**, or landscape architectural documents. Certificates of registration issued under this section shall be inscribed on their face in a manner determined by the board.

(b) The certificate of registration sealed by the board is prima facie evidence that the person named in it is entitled to all rights and privileges of a professional architect, professional engineer, professional land surveyor, **registered interior designer**, or professional landscape architect while the certificate remains unrevoked or unexpired.

1 * **Sec. 11.** AS 08.48.215(a) is amended to read:

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

9 * **Sec. 12.** AS 08.48.221(a) is amended to read:

10 (a) Each registrant may obtain a seal of the design authorized by the board,
11 bearing the registrant's name, registration number, and the legend "Registered
12 Professional Architect," "Registered Professional Engineer," "Registered Professional
13 Land Surveyor," **"Registered Interior Designer,"** or "Registered Professional
14 Landscape Architect," as appropriate. When a registrant issues final drawings,
15 specifications, surveys, plats, plates, reports, or similar documents, the registrant shall
16 stamp the documents with the seal and sign the seal. The board shall adopt regulations
17 governing the use of seals by the registrant. An architect, engineer, land surveyor,
18 **registered interior designer**, or landscape architect may not affix or permit a seal and
19 signature to be affixed to an instrument after the expiration of a certificate or for the
20 purpose of aiding or abetting another person to evade or attempt to evade a provision
21 of this chapter. The registrant, by affixing the registrant's seal to final drawings,
22 specifications, surveys, plats, plates, reports, or similar documents, and by signing the
23 seal, certifies that the documents were prepared by or under the registrant's direct
24 supervision, are within the registrant's field of practice, or constitute design work of
25 minor importance.

26 * **Sec. 13.** AS 08.48.241(a) is amended to read:

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

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

(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, or the general partners of a limited liability partnership designating persons holding certificates of registration under this chapter as responsible for the practice of architecture, engineering, land surveying, **registered interior design**, or landscape architecture by the corporation, limited liability company, or limited liability partnership in this state and providing that full authority to make all final architectural, engineering, land surveying, **registered interior design**, or landscape architectural decisions on behalf of the corporation, limited liability company, or limited liability partnership with respect to work performed by the corporation, limited liability company, or limited liability partnership in this state is granted by the board of directors of the corporation, the managing members or manager of the limited liability company, or the general partners of the limited liability partnership to the persons designated in the resolution; however, the filing of this resolution does not relieve the corporation, limited liability company, or limited liability partnership of any responsibility or liability imposed on [UPON] it by law or by contract;

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

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

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

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

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

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

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

(5) the application for certificate of authorization states the experience,

1 if any, of the corporation, limited liability company, or limited liability partnership in
2 furnishing architectural, engineering, land surveying, **registered interior design**, or
3 landscape architectural services during the preceding five-year period;

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

9 * **Sec. 15.** 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, **registered interior design**, or landscape
12 architecture of which the corporation, limited liability company, or limited liability
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 partnership,
16 together with the names of persons designated as being in responsible charge of the
17 professional activities.

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

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

the owners of the corporation, the members of the limited liability company, or the partners of the limited liability 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. 17.** AS 08.48.241(f) is amended to read:

(f) A corporation, limited liability company, or a limited liability 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 registered architect, engineer, land surveyor, **registered interior designer**, or landscape architect, 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. 18.** AS 08.48.241(g) is amended to read:

(g) If the board, after a proper hearing, finds that a corporation, limited liability company, or limited liability partnership holding a certificate of authorization has committed misconduct or malpractice, the board shall suspend or revoke the certificate of authorization. The board shall also suspend or revoke the certificate of registration of any registered individual architect, engineer, land surveyor, **interior designer**, or landscape architect who, after a proper hearing, is found by the board to have participated in committing the misconduct or malpractice.

* **Sec. 19.** 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 architects, engineers, land surveyors, **registered interior designers**, or landscape architects legally registered under this chapter. In this section, "partnership" does not include a limited liability partnership.

* **Sec. 20.** 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 is a person to whom these provisions do not apply, or, in the case of a corporation, limited liability company, or limited liability partnership, unless it has been authorized under this chapter.

* **Sec. 21.** AS 08.48.281 is amended by adding a new subsection to read:

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

* **Sec. 22.** AS 08.48.291 is amended to read:

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

* **Sec. 23.** AS 08.48.295(a) is amended to read:

(a) In addition to any other provision of law, if a person practices or offers to practice architecture, engineering, **registered interior design**, or land surveying in the state without being registered or authorized to practice in accordance with the

provisions of this chapter, the board may enter an order levying a civil penalty.

* **Sec. 24.** AS 08.48.311 is amended to read:

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

* **Sec. 25.** AS 08.48.321 is amended to read:

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

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

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

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

* **Sec. 26.** AS 08.48.331(a) is amended to read:

(a) This chapter does not apply to

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

(2) workers in building trades crafts, earthwork, grounds keeping, or nursery operations, and superintendents, supervisors, or inspectors in the performance

of their customary duties;

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

(4) an employee or a subordinate of a person registered under this chapter if the work or service is done under the direct supervision of a person registered under this chapter;

(5) associates, consultants, or specialists retained by a registered individual, [A] partnership of registered individuals, [A] corporation, [A] limited liability company, or [A] limited liability partnership authorized to practice architecture, engineering, land surveying, **registered interior design**, or landscape architecture under this chapter, in the performance of professional services if responsible charge of the work remains with the individual, the partnership, or a designated representative of the corporation, limited liability company, or limited liability partnership;

(6) a person preparing drawings or specifications for

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

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

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

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

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

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

purpose and the grounds of the building;

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

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

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

(10) an officer or employee of an individual, firm, partnership, association, utility, corporation, limited liability company, or limited liability partnership, who practices engineering, architecture, land surveying, **registered interior design**, or landscape architecture involved in the operation of the employer's business only **if** [AND FURTHER PROVIDED THAT] neither the employee nor the employer offers engineering, architecture, land surveying, **registered interior design**, or landscape architecture services to the public; exclusions under this paragraph do not apply to buildings or structures whose primary use is public occupancy;

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

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

(13) an employee, officer, or agent of a regulatory agency of the state or a municipality when reviewing drawings and specifications for compliance with the building codes of the state or a municipality if the drawings and specifications have been sealed and signed by an architect, engineer, land surveyor, **registered interior**

designer, or landscape architect or the preparation of the drawings and specifications is exempt under this section from the requirements of this chapter; in this paragraph, "building codes" includes codes relating to building, mechanical, plumbing, electrical, fire safety standards, and zoning;

(14) a person who is designing fire detection or suppression systems and is authorized by the Department of Public Safety to design fire detection or suppression systems;

(15) a person providing services limited to the planning, design, and implementation of a kitchen or bath or the specification of products for a kitchen or bath, if the space or area is in a building described in (6) of this subsection.

* **Sec. 27.** AS 08.48.331 is amended by adding a new subsection to read:

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

* **Sec. 28.** AS 08.48.341(4) is amended to read:

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

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

(24) "practice of registered interior design"

(A) includes

- (i) the professional service of creative work;
- (ii) teaching of advanced interior design courses in an institution of higher learning;
- (iii) providing consultation, investigation, research, evaluation, planning, and design for or professional observation of public or private buildings, works, or projects;
- (iv) interior design review of drawings and

specifications made by regulatory agencies;

(v) mechanical, electrical, and structural design of minor importance as allowed by regulations adopted by the board;

(B) does not include

(i) responsibility for design related to the practice of architecture, except as otherwise allowed in this chapter, or the practice of engineering;

(ii) changes to the construction classification of a building or structure as determined by the authority having jurisdiction;

(iii) changes of use to an occupancy of greater hazard as determined by the authority having jurisdiction;

(iv) changes to the exterior envelope of a building;

(v) altering or affecting the structural system of a building, including changing the live or dead load of a building;

(vi) changes beyond the exit access component of a system of egress;

(vii) changes to construction that materially affects a life safety system pertaining to fire safety or the fire protection of structural elements of a building, or material alterations to a smoke evacuation and compartmentalization system or to a fire rated vertical shaft in a multistory structure;

(viii) materially altering or affecting a mechanical, plumbing, heating, air conditioning, ventilation, electrical, vertical transportation, fire sprinkler, or fire alarm system in a building;

(25) "registered interior designer" means a person who has been registered by the board in the practice of registered interior design.

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

(1) "design professional" means a person registered under AS 08.48 as an architect, engineer, [OR] land surveyor, registered interior designer, or landscape architect;

* **Sec. 31.** AS 34.35.050 is amended to read:

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

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

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

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

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

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

(6) is a general contractor.

* **Sec. 32.** AS 35.15.010(c) is amended to read:

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

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

(a) Notwithstanding conflicting provisions of AS 36.30.100 - 36.30.260, a procurement officer shall negotiate a contract for an agency with the most qualified 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. 34.** 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. 35.** 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. 36.** The uncoded 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 - 35 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. 37.** The uncoded 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. 38.** The uncoded 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 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the effective date of the law implemented by the regulation.

* **Sec. 39.** Sections 1, 36, and 37 of this Act take effect immediately under AS 01.10.070(c).

1 * **Sec. 40.** Except as provided in sec. 39 of this Act, this Act takes effect July 1, 2023.