

SENATE BILL NO. 43

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY SENATOR LEMAN

Introduced: 1/23/95

Referred: L&C, FIN

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to membership on the Board of Registration for Architects,
2 Engineers, and Land Surveyors; relating to registration by the board; clarifying
3 the meaning of practicing or offering to practice architecture, engineering, or land
4 surveying; deleting teachers of postsecondary land surveying courses from a
5 registration exemption; and amending the definition of 'practice of land
6 surveying.'"

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

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

9 (b) The board consists of nine members appointed by the governor having the
10 qualifications as set out in AS 08.48.031. The board consists of two civil engineers,
11 three [ONE LAND SURVEYOR, ONE MINING ENGINEER, TWO] engineers from
12 other branches of the profession of engineering, two architects, one land surveyor, and
13 one public member.

1 * **Sec. 2.** AS 08.48.171 is amended to read:

2 Sec. 08.48.171. GENERAL REQUIREMENTS AND QUALIFICATIONS FOR
3 REGISTRATION. An applicant for registration as an architect, engineer, or land
4 surveyor must be of good character and reputation and shall submit evidence
5 satisfactory to the board of the applicant's education, training, and experience.
6 [HOWEVER, AN APPLICANT FOR REGISTRATION AS A LAND SURVEYOR
7 MAY NOT BE REQUIRED TO SUBMIT EVIDENCE OF MORE THAN EIGHT
8 YEARS OF ANY COMBINATION OF EDUCATION, EXPERIENCE, OR
9 TRAINING.]

10 * **Sec. 3.** AS 08.48.191(b) is amended to read:

11 (b) A person holding a certificate of registration authorizing the person to
12 practice engineering in a state, territory, or possession of the United States, the District
13 of Columbia, or a foreign country, that, in the opinion of the board meets the
14 requirements of this chapter, based on verified evidence, may, upon application, be
15 registered in accordance with regulations of the board. [A PERSON HOLDING A
16 CERTIFICATE OF QUALIFICATION ISSUED BY THE NATIONAL COUNCIL OF
17 ENGINEERING EXAMINERS COMMITTEE ON NATIONAL ENGINEERING
18 CERTIFICATION MAY, UPON APPLICATION, BE REGISTERED IN
19 ACCORDANCE WITH THE REGULATIONS OF THE BOARD.]

20 * **Sec. 4.** AS 08.48.321 is amended to read:

21 Sec. 08.48.321. EVIDENCE OF PRACTICE. A person practices or offers to
22 practice architecture, engineering, or land surveying who

23 (1) practices a branch of the profession of architecture, engineering, or
24 land surveying as defined in AS 08.48.341;

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

28 (3) holds out as able to perform or who does perform an architectural,
29 engineering, or land surveying service recognized by the professions covered by this
30 chapter, and specified in regulations of the board, as architectural, engineering, or land
31 surveying.

1 * **Sec. 5.** AS 08.48.331 is amended to read:

2 Sec. 08.48.331. EXEMPTIONS. This chapter does not apply to

3 (1) a contractor performing work designed by a professional architect
4 or engineer or the supervision of the construction of the work as a supervisor or
5 superintendent for a contractor;

6 (2) workers in building trades crafts, superintendents, supervisors, or
7 inspectors in the performance of their customary duties;

8 (3) an officer or employee of the United States government practicing
9 architecture, engineering, or land surveying as required by the person's official
10 capacity;

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

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

19 (6) a person preparing drawings or specifications for

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

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

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

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;

29 (7) a specialty contractor licensed under AS 08.18 while engaged in the
30 business of construction contracting or designing systems for work within the specialty
31 to be performed or supervised by the specialty contractor, or a contractor preparing

1 shop or field drawings for work that the specialty contractor has contracted to perform;
2 (8) a person furnishing drawings, specifications, instruments of service,
3 or other data for alterations or repairs to a building that do not change or affect the
4 structural system or the safety of the building, or that do not affect the public health,
5 safety, or welfare;

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

10 * **Sec. 6.** AS 08.48.341(10) is amended to read:

11 (10) "practice of land surveying" means **the teaching of land**
12 **surveying courses at an institution of higher learning, or** any service or work the
13 adequate performance of which involves the application of special knowledge of the
14 principles of mathematics, the **physical and applied** related sciences, and the relevant
15 requirements of law for adequate evidence of the act of measuring and locating land,
16 **lines, angles, elevations, natural and manmade features in the air, on the surface**
17 **of the earth, within underground workings, and on the beds of bodies of water for**
18 **the purpose of determining areas and volumes,** geodetic and cadastral surveys for
19 the location and monumentation of property boundaries, for the platting and planning
20 of land and subdivisions **of land, including the topography, alignment, and grades**
21 **for streets,** and for the preparation and perpetuation of maps, record plats, field note
22 records, and property descriptions that represent these surveys;