

SENATE BILL NO. 110

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY SENATOR MACKIE

Introduced: 2/27/97

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to licensure of landscape architects."

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

3 * **Section 1.** AS 08.01.010(3) is amended to read:

4 (3) State Board of Registration for Architects, Engineers, [AND] Land
5 Surveyors, and Landscape Architects (AS 08.48.011);

6 * **Sec. 2.** AS 08.01.065(c) is amended to read:

7 (c) Except as provided in (f) of this section, the [THE] department shall
8 establish fee levels under (a) of this section so that the total amount of fees collected
9 for an occupation approximately equals the actual regulatory costs for the occupation.
10 The department shall annually review each fee level to determine whether the
11 regulatory costs of each occupation are approximately equal to fee collections related
12 to that occupation. If the review indicates that an occupation's fee collections and
13 regulatory costs are not approximately equal, the department shall calculate fee
14 adjustments and adopt regulations under (a) of this section to implement the
15 adjustments. In January of each year, the department shall report on all fee levels and

1 revisions for the previous year under this subsection to the office of management and
 2 budget. If a board regulates an occupation covered by this chapter, the department
 3 shall consider the board's recommendations concerning the occupation's fee levels and
 4 regulatory costs before revising fee schedules to comply with this subsection. In this
 5 subsection, "regulatory costs" means costs of the department that are attributable to
 6 regulation of an occupation plus

7 (1) all expenses of the board that regulates the occupation if the board
 8 regulates only one occupation;

9 (2) the expenses of a board that are attributable to the occupation if the
 10 board regulates more than one occupation.

11 * **Sec. 3.** AS 08.01.065 is amended by adding a new subsection to read:

12 (f) Notwithstanding (c) of this section, the department may establish fee levels
 13 under (a) of this section so that the regulatory costs of the department and the State
 14 Board of Registration for Architects, Engineers, Land Surveyors, and Landscape
 15 Architects that are attributable to the occupation of landscape architecture can be
 16 covered in part by fees related to landscape architects and in part by fees related to
 17 architects, engineers, and land surveyors.

18 * **Sec. 4.** AS 08.03.010(c)(3) is amended to read:

19 (3) State Board of Registration for Architects, Engineers, [AND] Land
 20 Surveyors, **and Landscape Architects** (AS 08.48.011) -- June 30, 1997;

21 * **Sec. 5.** AS 08.48.011 is amended to read:

22 **Sec. 08.48.011. Board created.** (a) There is created the State Board of
 23 Registration for Architects, Engineers, [AND] Land Surveyors, **and Landscape**
 24 **Architects**. The board shall administer the provisions of this chapter and comply with
 25 **AS 44.62** ([THE] Administrative Procedure Act [(AS 44.62)]).

26 (b) The board consists of **ten** [NINE] members appointed by the governor
 27 having the qualifications as set out in AS 08.48.031. The board consists of two civil
 28 engineers, one land surveyor, one mining engineer, two engineers from other branches
 29 of the profession of engineering, two architects, **one landscape architect**, and one
 30 public member.

31 * **Sec. 6.** AS 08.48.061(c) is amended to read:

1 (c) The board may make expenditures from appropriated funds for any purpose
 2 that is reasonably necessary for the proper performance of its duties under this chapter.
 3 This may include the expenses of the board delegates to meetings of councils of
 4 architect examiners, engineering examiners, [OR] land surveyor examiners, or
 5 landscape architect examiners, or any of their subdivisions. The total amount of
 6 warrants issued in payment of the expenses incurred under this chapter may not exceed
 7 the amount of money appropriated by the legislature.

8 * **Sec. 7.** AS 08.48.071(f) is amended to read:

9 (f) The Department of Commerce and Economic Development shall assemble
 10 statistics relating to the performance of its staff and the performance of the board,
 11 including but not limited to,

12 (1) the number of architects, engineers, [AND] land surveyors, and
 13 landscape architects registered over a five-year period;

14 (2) the rate of passage of examinations administered by the board;

15 (3) the number of persons making application for registration as a
 16 professional architect, engineer, [OR] land surveyor, or landscape architect over a
 17 five-year period;

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

19 (5) a measure of the correspondence workload of any licensing
 20 examiner employed by the department to carry out this chapter.

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

22 **Sec. 08.48.091. Written examinations.** Except as provided in (b) of this
 23 section, written [WRITTEN] examinations shall be held at least twice each year at
 24 places determined by the board unless the examination administered by the board is
 25 a national examination prepared only once each year, in which case the examination
 26 shall be held at least once each year. A candidate failing an examination may apply
 27 for reexamination.

28 * **Sec. 9.** AS 08.48.091 is amended by adding a new subsection to read:

29 (b) The board shall administer a written examination at least once each year
 30 for applicants who are seeking to be registered as landscape architects.

31 * **Sec. 10.** AS 08.48.111 is amended to read:

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

14 * **Sec. 11.** AS 08.48.171 is amended to read:

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

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

22 * **Sec. 12.** AS 08.48.181 is amended to read:

23 **Sec. 08.48.181. Registration upon examination.** Except as provided in
 24 AS 08.48.191, for registration as a professional architect, professional engineer, [OR]
 25 professional land surveyor, **or professional landscape architect**, a person shall be
 26 examined in this state in accordance with the regulations of procedure and standards
 27 adopted by the board under **AS 44.62** ([THE] Administrative Procedure Act
 28 [(AS 44.62)]). The procedure and standards shall at least meet the requirements
 29 adopted by recognized national examining councils for these professions.

30 * **Sec. 13.** AS 08.48.191 is amended by adding a new subsection to read:

31 (d) A person holding a certificate of registration authorizing the person to

1 practice landscape architecture in a state, territory, or possession of the United States,
 2 the District of Columbia, or a foreign country, that in the opinion of the board meets
 3 the requirements of this chapter, based on verified evidence, may upon application, be
 4 registered under the regulations of the board. A person holding a certificate of
 5 qualification issued by the Council of Landscape Architectural Registration Boards
 6 may upon application be registered under regulations of the board.

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

8 (a) Application for registration as a professional architect, a professional
 9 engineer, [OR] a professional land surveyor, or a professional landscape architect
 10 shall

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

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

14 (3) contain five references, three of whom must be architects for
 15 architectural registration, engineers for engineering registration, [AND] land surveyors
 16 for land surveying registration, and landscape architects for landscape architectural
 17 registration, having personal knowledge of the applicant's architectural, engineering,
 18 [OR] land surveying, or landscape architectural education, training, or experience.

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

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

28 (b) The certificate of registration sealed by the board is prima facie evidence
 29 that the person named in it is entitled to all rights and privileges of a professional
 30 architect, professional engineer, [OR] professional land surveyor, or professional
 31 landscape architect while the certificate remains unrevoked or unexpired.

1 * **Sec. 16.** 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, [OR]
6 land surveying, or landscape architecture in the state. A retired status registration
7 is valid for the life of the registration holder and does not require renewal.

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

9 **Sec. 08.48.221. Seals.** Each registrant may obtain a seal of the design
10 authorized by the board, bearing the registrant's name, registration number, and the
11 legend, "Registered Professional Architect," "Registered Professional Engineer," [OR]
12 "Registered Professional Land Surveyor," or "Registered Professional Landscape
13 Architect," as appropriate. When a registrant issues final drawings, specifications,
14 surveys, plats, plates, reports, or similar documents, the registrant shall sign the
15 documents and stamp the documents with the seal. The board shall adopt regulations
16 governing the use of seals by the registrant. An architect, engineer, [OR] land
17 surveyor, or landscape architect may not affix or permit a seal and signature to be
18 affixed to an instrument after the expiration of a certificate or for the purpose of aiding
19 or abetting another person to evade or attempt to evade a provision of this chapter.
20 The registrant, by affixing the registrant's seal to final drawings, specifications,
21 surveys, plats, plates, reports, and other similar documents, and signing them, certifies
22 that these documents were prepared by or under the registrant's direct supervision,
23 unless the registrant certifies on the face of the document to the extent of the
24 registrant's responsibility.

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

26 (a) This chapter does not prevent a corporation from offering architectural,
27 engineering, [OR] land surveying, or landscape architectural services; however, the
28 corporation shall file with the board

29 (1) an application for a certificate of authorization upon a form to be
30 prescribed by the board and containing information required to enable the board to
31 determine whether the corporation is qualified in accordance with the provisions of this

1 chapter to offer to practice architecture, engineering, [OR] land surveying, **or**
 2 **landscape architecture** in this state;

3 (2) a certified copy of a resolution of the board of directors of the
 4 corporation designating persons holding certificates of registration under this chapter
 5 as responsible for the practice of architecture, engineering, [OR] land surveying, **or**
 6 **landscape architecture** by the corporation in this state and providing that full
 7 authority to make all final architectural, engineering, [OR] land surveying, **or**
 8 **landscape architectural** decisions on behalf of the corporation with respect to work
 9 performed by the corporation in this state is granted by the board of directors to the
 10 persons designated in the resolution; however, the filing of this resolution does not
 11 relieve the corporation of any responsibility or liability imposed upon it by law or by
 12 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, [OR] land surveying, **or**
 16 **landscape architectural** activities in which the corporation specializes in this state;
 17 if a change is made in the person in responsible charge of a major branch of the
 18 architectural, engineering, [OR] land surveying, **or landscape architectural** activities,
 19 the change shall be designated in writing and filed with the board within 30 days after
 20 the effective date of the change.

21 * **Sec. 19.** AS 08.48.241(b) is amended to read:

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

27 (1) the bylaws of the corporation contain provisions that all
 28 architectural, engineering, [OR] land surveying, **or landscape architectural** decisions
 29 pertaining to architectural, engineering, [OR] land surveying, **or landscape**
 30 **architectural** activities in this state will be made by the specified architect, engineer,
 31 [OR] land surveyor, **or landscape architect** in responsible charge, or other registered

1 architects, engineers, [OR] land surveyors, **or landscape architects** under the direction
 2 or supervision of the architect, engineer, [OR] land surveyor, **or landscape architect**
 3 in responsible charge;

4 (2) the application for certificate of authorization states the type of
 5 architecture, engineering, [OR] land surveying, **or landscape architecture** practiced
 6 or to be practiced by the corporation;

7 (3) the applicant corporation has the ability to provide architectural,
 8 engineering, [OR] land surveying, **or landscape architectural** services;

9 (4) the application for certificate of authorization states the professional
 10 records of the designated person who is in responsible charge of each major branch of
 11 architectural, engineering, [OR] land surveying, **or landscape architectural** activities
 12 in which the corporation specializes;

13 (5) the application for certificate of authorization states the experience
 14 of the corporation, if any, in furnishing architectural, engineering, [OR] land surveying,
 15 **or landscape architectural** services during the preceding five-year period;

16 (6) the applicant corporation meets other requirements related to
 17 professional competence in the furnishing of architectural, engineering, [OR] land
 18 surveying, **or landscape architectural** services as may be adopted by the board in
 19 furtherance of the objectives and provisions of this chapter.

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

21 (d) The certificate of authorization shall specify the major branches of
 22 architecture, engineering, [OR] land surveying, **or landscape architecture** of which
 23 the corporation has designated a person in responsible charge as provided in this
 24 section. The certificate of authorization shall be conspicuously displayed in the place
 25 of business of the corporation, together with the names of persons designated as being
 26 in responsible charge of the professional activities.

27 * **Sec. 21.** AS 08.48.241(e) is amended to read:

28 (e) If a corporation, organized solely by either a group of architects, a group
 29 of engineers, [OR] a group of land surveyors, **or a group of landscape architects**,
 30 each holding a certificate of registration under this chapter, applies for a certificate of
 31 authorization, the board may, in its discretion, grant a certificate of authorization to the

1 corporation based on a review of the professional records of the incorporators, in place
 2 of the required qualifications set out in this section. If the ownership of the
 3 corporation is altered, the corporation shall apply for a revised certificate of
 4 authorization, based upon the professional records of the owners, if exclusively
 5 architects, engineers, [OR] land surveyors, or landscape architects, or otherwise under
 6 the qualifications required by (b)(1) - (4) of this section.

7 * **Sec. 22.** AS 08.48.241(f) is amended to read:

8 (f) A corporation authorized to offer architectural, engineering, [OR] land
 9 surveying, or landscape architectural services under this chapter, together with its
 10 directors and officers for their own individual acts, is responsible to the same degree
 11 as the designated individual registered architect, engineer, [OR] land surveyor, or
 12 landscape architect, and shall conduct its business without misconduct or malpractice
 13 in the practice of architecture, engineering, [OR] land surveying, or landscape
 14 architecture as defined in this chapter.

15 * **Sec. 23.** AS 08.48.241(g) is amended to read:

16 (g) If the board, after a proper hearing, finds that a corporation holding a
 17 certificate of authorization has committed misconduct or malpractice, the board shall
 18 suspend or revoke the certificate of authorization. The board shall also suspend or
 19 revoke the certificate of registration of any registered individual architect, engineer,
 20 [OR] land surveyor, or landscape architect who, after a proper hearing, is found by
 21 the board to have participated in committing the misconduct or malpractice.

22 * **Sec. 24.** AS 08.48.251 is amended to read:

23 **Sec. 08.48.251. Partnerships.** This chapter does not prevent the practice of
 24 architecture, engineering, [OR] land surveying, or landscape architecture by
 25 partnership if all of the members of the partnership are architects, engineers, [OR] land
 26 surveyors, or landscape architects legally registered under this chapter.

27 * **Sec. 25.** AS 08.48.281 is amended to read:

28 **Sec. 08.48.281. Prohibited practice.** A person may not practice or offer to
 29 practice the profession of architecture, engineering, [OR] land surveying, or landscape
 30 architecture in the state, or use in connection with the person's name or otherwise
 31 assume or advertise a title or description tending to convey the impression that the

1 person is an architect, an engineer, [OR] a land surveyor, **or a landscape architect,**
 2 unless the person has been registered under the provisions of this chapter or is a person
 3 to whom these provisions do not apply, or, in the case of a corporation, unless it has
 4 been authorized under this chapter.

5 * **Sec. 26.** AS 08.48.291 is amended to read:

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

18 * **Sec. 27.** AS 08.48.311 is amended to read:

19 **Sec. 08.48.311. Rights not transferable.** The right to engage in the practice
 20 of architecture, engineering, [OR] land surveying, **or landscape architecture** is
 21 considered a personal and individual right, based on the qualifications of the individual
 22 as evidenced by the individual's certificate of registration, which is not transferable.

23 * **Sec. 28.** AS 08.48.321 is amended to read:

24 **Sec. 08.48.321. Evidence of practice.** A person practices or offers to practice
 25 architecture, engineering, [OR] land surveying, **or landscape architecture** who

26 (1) practices a branch of the profession of architecture, engineering,
 27 [OR] land surveying, **or landscape architecture** as defined in AS 08.48.341;

28 (2) by verbal claim, sign, advertisement, letterhead, card, or other
 29 means represents to be an architect, engineer, [OR] land surveyor, **or landscape**
 30 **architect,** or through the use of some other title implies that the person is an architect,
 31 engineer, [OR] land surveyor, **or landscape architect;** or

1 (3) holds out as able to perform or who does perform an architectural,
 2 engineering, [OR] land surveying, **or landscape architectural** service recognized by
 3 the professions covered by this chapter, and specified in regulations of the board, as
 4 **an** architectural, engineering, [OR] land surveying, **or landscape architectural**
 5 **service.**

6 * **Sec. 29.** AS 08.48.331 is amended to read:

7 **Sec. 08.48.331. Exemptions.** This chapter does not apply to

8 (1) a contractor performing work designed by a professional architect,
 9 [OR] engineer, **or landscape architect** or the supervision of the construction of the
 10 work as a supervisor or superintendent for a contractor;

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

13 (3) an officer or employee of the United States government practicing
 14 architecture, engineering, [OR] land surveying, **or landscape architecture** as required
 15 by the person's official capacity;

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

19 (5) associates, consultants, or specialists retained by a registered
 20 individual, a partnership of registered individuals, or a corporation authorized to
 21 practice architecture, engineering, [OR] land surveying, **or landscape architecture**
 22 under this chapter, in the performance of professional services if responsible charge
 23 of the work remains with the individual, the partnership, or a designated representative
 24 of the corporation;

25 (6) a person preparing drawings or specifications for

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

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

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

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

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

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

12 (9) a person who is employed by a postsecondary educational
 13 institution to teach engineering, architectural, [OR] land surveying, **or landscape**
 14 **architectural** courses; in this paragraph, "postsecondary educational institution" has
 15 the meaning given in AS 14.48.210;

16 (10) an officer or employee of an individual, firm, partnership,
 17 association, utility, or corporation, who practices engineering involved in the operation
 18 of the employer's business only, and further provided that neither the employee nor
 19 the employer offers engineering services to the public; exclusions under this paragraph
 20 do not apply to buildings or structures whose primary use is public occupancy.

21 * **Sec. 30.** AS 08.48.331 is amended by adding a new subsection to read:

22 (b) The requirement to be registered as a landscape architect under this chapter
 23 does not apply to a person who practices only an aspect of landscape architecture that
 24 the board has determined does not affect the public health, safety, or welfare.

25 * **Sec. 31.** AS 08.48.341(2) is amended to read:

26 (2) "board" means the State Board of Registration for Architects,
 27 Engineers, [AND] Land Surveyors, **and Landscape Architects**;

28 * **Sec. 32.** AS 08.48.341(4) is amended to read:

29 (4) "certificate of authorization" means a certificate issued by the board
 30 authorizing a corporation to provide professional services in architecture, engineering,
 31 [OR] land surveying, **or landscape architecture** through individuals legally registered

1 by the board;

2 * **Sec. 33.** AS 08.48.341 is amended by adding new paragraphs to read:

3 (16) "landscape architect" means a professional landscape architect;

4 (17) "practice of landscape architecture" means consultative,
5 investigative, reconnaissance, research, planning, design, and preparation services
6 relating to drawings and construction documents, observation of construction, and
7 location, arrangement, and design of incidental and necessary tangible objects and
8 features for the purpose of

9 (A) preservation and enhancement of land uses and natural land
10 features;

11 (B) location and construction of aesthetically pleasing and
12 functional approaches for structures, roadways, and walkways;

13 (C) establishing or maintaining trails, plantings, landscape
14 irrigation, landscape lighting, and landscape grading; or

15 (D) generalized planning of the development of land areas in
16 a manner that is sensitive to the area's natural and cultural resources;

17 (18) "professional landscape architect" means a person registered as a
18 professional landscape architect by the board.

19 * **Sec. 34.** AS 08.48.351 is amended to read:

20 **Sec. 08.48.351. Short title.** This chapter may be cited as the Architects,
21 Engineers, [AND] Land Surveyors, **and Landscape Architects** Registration Act.

22 * **Sec. 35.** AS 14.43.310(b) is amended to read:

23 (b) To assist the administering authority in selecting eligible applicants for
24 award of each of the memorial scholarship loans under AS 14.43.250 - 14.43.325 and
25 in reviewing the memorial scholarship loan program, the following advisory
26 committees are established:

27 (1) three Alaska state troopers, each one to be selected from and to
28 represent a state trooper region of the state by the regional commander to serve for
29 three years, for the Michael Murphy memorial scholarship;

30 (2) three members of the Governor's Commission on the
31 Administration of Justice selected annually by the commission from among its

1 membership, for the Carroll L. "Butch" Swartz memorial scholarship;

2 (3) three members of the state Board of Registration for Architects,
3 Engineers, [AND] Land Surveyors, and Landscape Architects selected annually by
4 the board from among its engineer members, for the Harvey Golub memorial
5 scholarship; and

6 (4) three members of the state Board of Education, or of the staff of
7 the Department of Education, or any combination of these, selected annually by the
8 board, for the Robert L. Thomas memorial scholarship.

9 * **Sec. 36.** AS 44.62.330(a)(4) is amended to read:

10 (4) State Board of Registration for Architects, Engineers, [AND] Land
11 Surveyors, and Landscape Architects;

12 * **Sec. 37.** TERMS OF NEW MEMBERS. Notwithstanding AS 08.01.035, the initial term
13 of the new member appointed under AS 08.48.011(b), as amended by sec. 5 of this Act, is one
14 year.

15 * **Sec. 38.** TRANSITION. (a) Notwithstanding this Act, a person may practice landscape
16 architecture without a certificate of registration issued under AS 08.48 until 60 days after the
17 first examination for landscape architects administered in the state under AS 08.48.181, as
18 amended by this Act, has been graded.

19 (b) Notwithstanding AS 08.48.031, a person appointed to fill the landscape architect
20 position on the Board of Registration for Architects, Engineers, Land Surveyors, and
21 Landscape Architects is not required to be registered until 60 days after the first examination
22 for landscape architects administered under AS 08.48.181, as amended by sec. 12 of this Act,
23 has been graded. If the appointed person is not registered as a landscape architect by that
24 date, the person is disqualified from the board position and the seat is vacant until filled in
25 compliance with this Act.