

HOUSE BILL NO. 268

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE MCGUIRE

Introduced: 4/15/03

Referred: Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to an exemption for specialty contractors under the laws regulating**
2 **architects, engineers, land surveyors, and landscape architects."**

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

4 *** Section 1.** AS 08.48.331(a) is amended to read:

5 (a) This chapter does not apply to

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

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

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

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

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

11 (6) a person preparing drawings or specifications for

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

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

16 (C) a building that is intended to be used only as a residence by
 17 not more than four families and that is not more than two stories high and the
 18 grounds of the building;

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

22 (7) a specialty contractor licensed under AS 08.18 while [ENGAGED
 23 IN THE BUSINESS OF CONSTRUCTION CONTRACTING OR DESIGNING
 24 SYSTEMS FOR WORK WITHIN THE SPECIALTY TO BE PERFORMED OR
 25 SUPERVISED BY THE SPECIALTY CONTRACTOR, OR A CONTRACTOR]
 26 preparing shop or field drawings for work **designed by a professional architect,**
 27 **engineer, or landscape architect** [THAT THE SPECIALTY CONTRACTOR HAS
 28 CONTRACTED TO PERFORM];

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

1 the public health, safety, or welfare;

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

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

12 (11) a person while involved in revegetation, restoration, reclamation,
13 rehabilitation, or erosion control for disturbed land;

14 (12) a person while maintaining or directing the placement of plant
15 material;

16 (13) an employee, officer, or agent of a regulatory agency of the state
17 or a municipality when reviewing drawings and specifications for compliance with the
18 building codes of the state or a municipality if the drawings and specifications have
19 been signed and sealed by a professional architect or professional engineer or the
20 preparation of the drawings and specifications is exempt under this section from the
21 requirements of this chapter; in this paragraph, "building codes" includes codes
22 relating to building, mechanical, plumbing, electrical, and fire standards.