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1 IN THE HOUSE

BY COLLETTA AND HOLM

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 239

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to architecture, engineering and
7 land surveying; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 08.48.010 - 08.48.430 are repealed.

10 * Sec. 2. AS 08.48 is amended by adding new sections to read:

11 CHAPTER 48. ARCHITECTS, ENGINEERS AND LAND SURVEYORS.

12 Sec. 08.48.011. GENERAL PROVISIONS. In order to safeguard life,
13 health and property, and to promote the public welfare, the practice
14 of the profession of architecture, engineering and land surveying in
15 this state is hereby declared to be subject to regulation in the
16 public interest. It is unlawful for a person to practice or to offer
17 to practice the profession of architecture, engineering or land survey-
18 ing in Alaska, as defined in this chapter, or to use in connection
19 with his name or otherwise assume, or advertise a title or description
20 tending to convey the impression that he is an architect, engineer or
21 land surveyor, unless the person or business entity has been duly
22 registered, authorized, waived or exempted under the provisions of
23 this chapter. The right to engage in the practice of architecture,
24 engineering or land surveying is considered a personal and individual
25 right, based on the qualifications of the individual as evidenced by
26 his certificate of registration, which is not transferable.

27 Sec. 08.48.021. APPLICATION OF CHAPTER. A person practices or
28 offers to practice architecture, engineering or land surveying who

29 (1) practices a branch of the profession of architecture,

1 engineering or land surveying as defined in sec. 301 of this chapter;

2 (2) by verbal claim, sign, advertisement, letterhead, card,
3 or other means represents himself to be an architect, engineer or land
4 surveyor, or through the use of some other title implies that he is
5 an architect, engineer or land surveyor;

6 (3) holds himself out as able to perform or who does perform
7 an architectural, engineering or land surveying service recognized by
8 the professions regulated by the provisions of this chapter as archi-
9 tectural, engineering or land surveying.

10 Sec. 08.48.031. PRACTICE BY OTHER THAN INDIVIDUALS. (a) This
11 chapter does not prevent a corporation from offering architectural,
12 engineering or land surveying services; however such a corporation
13 shall file with the board

14 (1) an application for certificate of authorization upon
15 a form to be prescribed by the board and containing information
16 required to enable the board to determine whether the corporation is
17 qualified in accordance with the provisions of this chapter to offer to
18 practice architecture, engineering or land surveying in this state;

19 (2) a certified copy of a resolution of the board of
20 directors of the corporation which shall designate persons holding
21 certificates of registration under this chapter as responsible for
22 the practice of architecture, engineering or land surveying by the
23 corporation in this state and shall provide that full authority to
24 make all final architectural, engineering or land surveying decisions
25 on behalf of the corporation with respect to work performed by the
26 corporation in this state shall be granted and delegated by the board
27 of directors to the person designated in the resolution; however, the
28 filing of this resolution does not relieve the corporation of any
29 responsibility or liability imposed upon it by law or by contract;

1 (3) a designation in writing setting out the name or
2 names of a person or persons holding certificates of registration
3 under this chapter who is in responsible charge of each major branch
4 of the architectural, engineering or land surveying activities in
5 which the corporation specializes in this state; if a change in the
6 person in responsible charge of a major branch of the architectural,
7 engineering or land surveying activities is made, these changes
8 shall be designated in writing and filed with the board within 30
9 days after the effective date of the changes.

10 (b) Upon the filing with the board of the application for
11 certificate for authorization, certified copy of resolution,
12 affidavit, and designation of persons specified in this chapter,
13 the board may issue to the corporation a certificate of authorization
14 to practice architecture, engineering or land surveying in this
15 state upon a determination by the board that

16 (1) the bylaws of the corporation contain provisions
17 that all architectural, engineering or land surveying decisions
18 pertaining to architectural, engineering or land surveying activities
19 in this state will be made by the specified architect, engineer
20 or land surveyor in responsible charge, or other registered
21 architects, engineers or land surveyors under his direction or
22 supervision;

23 (2) the application for certificate of authorization
24 states the type of architecture, engineering or land surveying
25 practiced or to be practiced by the corporation;

26 (3) the applicant corporation has the ability
27 to provide architectural, engineering or land surveying
28 services;

29 (4) the application for certificate of authorization

1 states the professional records of the designated person who is
2 in responsible charge of each major branch of architectural,
3 engineering or land surveying activities in which the corporation
4 specializes;

5 (5) the application for certificate of authorization
6 states the experience of the corporation, if any, in furnishing
7 architectural, engineering or land surveying services during the
8 preceding five-year period;

9 (6) the applicant corporation meets other requirements
10 related to professional competence in the furnishing of architectural,
11 engineering or land surveying services as may be established and
12 promulgated by the board in furtherance of the objectives and
13 provisions of this chapter and upon a determination by the board
14 based upon an evaluation of the findings and information available
15 to the board that the applicant corporation is possessed of the
16 ability and competence to furnish architectural, engineering or land
17 surveying services in the public interest.

18 (c) The board may, in the exercise of its discretion, refuse
19 to issue, or may suspend or revoke a certificate of authorization
20 to a corporation if the board finds that any of the officers,
21 directors, incorporators or the stockholders holding a majority of
22 stock of the corporation has committed misconduct or malpractice,
23 or has been found personally responsible for misconduct or malpractice
24 under the provisions of this chapter.

25 (d) The certificate of authorization shall specify the major
26 branches of architecture, engineering or land surveying of which the
27 corporation has designated a person in responsible charge as provided
28 in this section. The certificate of authorization shall be conspicuously
29 displayed in the place of business of the corporation, together with the

1 names of persons designated as being in responsible charge of the
2 professional activities.

3 (e) If a corporation, organized solely by a group of architects,
4 engineers or land surveyors, each holding a certificate of registration
5 under this chapter, applies for a certificate of authorization, the
6 board may, in its discretion, grant a certificate of authorization
7 to the corporation based on a review of the professional records of
8 the incorporators, in lieu of the required qualifications set out in
9 this section. If the ownership of the corporation is altered, the
10 corporation shall apply for a revised certificate of authorization,
11 based upon the professional records of the owners, if exclusively
12 architects, engineers or land surveyors or otherwise, under the qualifi-
13 cations required by (b)(1) - (4) of this section.

14 (f) A corporation authorized to offer architecture, engineering
15 or land surveying service under this chapter, together with its
16 directors and officers for their own individual acts, are responsible
17 to the same degree as the designated individual registered architect,
18 engineer or land surveyor, and must conduct its business without
19 misconduct or malpractice in the practice of architecture, engineering
20 or land surveying as defined in this chapter.

21 (g) A corporation which has been certified under the provisions
22 of this chapter and has engaged in the practice of architecture,
23 engineering or land surveying shall have its certificate of authoriza-
24 tion either suspended or revoked by the board if, after a proper
25 hearing, the board finds that the corporation has committed misconduct
26 or malpractice. An individual architect, engineer or land surveyor
27 holding a certificate of registration under this chapter, involved in
28 malpractice or misconduct, will have his certificate of registration
29 suspended or revoked by the board if, after a proper hearing, the

1 board finds that the individual has committed misconduct or malpractice.

2 (h) Plans, specifications, designs and reports when issued in
3 connection with work performed by a corporation under its certificate
4 of authorization shall be prepared by or under the responsible charge
5 of and shall be signed by and shall be stamped with the official seal
6 of a person holding a certificate of registration under this chapter.

7 (i) For each certificate of authorization issued corporations
8 under the provisions of this chapter, there shall be paid an initial
9 fee not to exceed \$200.

10 (j) This chapter does not prevent the practice of architecture,
11 engineering or land surveying by partnership if all of the members of
12 the partnership are architects, engineers or land surveyors legally
13 registered and authorized by the board to practice architecture,
14 engineering or land surveying.

15 Sec. 08.48.041. PERSONS NOT AFFECTED. This chapter does not
16 apply to

17 (1) the execution as a contractor of work designed by a
18 professional architect or engineer, or the supervision of the construc-
19 tion of this work as a foreman or superintendent for a contractor;

20 (2) superintendents, foremen, inspectors, or building trades
21 craftsmen in the performance of their customary duties;

22 (3) an officer or employee of the United States government
23 practicing architecture, engineering or land surveying when required
24 by his official capacity;

25 (4) the work of an employee or a subordinate of a person
26 lawfully registered and authorized under this chapter to practice, if
27 the work or service does not include final designs or decisions, or
28 surveys and is done under the direct supervision of and verified by a
29 person holding a lawful certificate of registration and authorization

1 to practice under this chapter;

2 (5) the services ordinarily performed by locomotive,
3 stationary and marine engine men, power plant operators, and manufac-
4 turers who supervise the operation of, operate machinery or equipment,
5 or supervise construction within their own plant which affects only
6 the property or interest of the manufacturer, unless the public health
7 or safety is involved;

8 (6) the practice of any other lawfully recognized profession;

9 (7) associates, consultants or specialists retained by an
10 individual, partnership legally registered, or corporation authorized
11 under this chapter, in the performance of the professional services
12 offered by the legally registered individual, partnership, or
13 authorized corporation if responsible charge of the work remains with
14 the individual, partnership or designated representative of the
15 authorized corporation;

16 (8) a person designing a building intended to be used only
17 as a residence by not more than two families.

18 Sec. 08.48.051. BOARD CREATED. (a) There is created the State
19 Board of Registration for Architects, Engineers and Land Surveyors.
20 The board shall administer the provisions of this chapter, comply with
21 the Administrative Procedure Act (AS 44.62), and adopt and have an
22 official seal. The board shall consist of 10 members, appointed by
23 the governor from a list of nominees submitted by the representative
24 professional architectural, engineering and land surveying societies
25 of the state, and shall have the qualifications as set out in sec. 71
26 of this chapter.

27 (b) The board shall consist of three architects, one land surveyor,
28 and six engineers. The engineer appointments to the board shall include
29 two civil, one electrical, one mechanical, one mining and one petroleum.

1 Sec. 08.48.061. APPOINTMENTS AND TERMS. (a) Each member of
2 the board shall receive a certificate of his appointment from the
3 governor and shall file with the lieutenant governor his written oath
4 or affirmation for faithful discharge of his official duty.

5 (b) The term of office for board members is six years. The
6 first board shall be appointed with two members having two-year terms,
7 two members having three-year terms, two members having four-year
8 terms, two members having five-year terms and two members having six-
9 year terms. A member of the board may be appointed to succeed himself.
10 Each member shall hold office until the expiration of the term for
11 which he is appointed or until his successor has been appointed. If
12 a vacancy occurs on the board due to resignation, death or other cause,
13 the governor shall appoint a qualified person to serve the unexpired
14 term.

15 Sec. 08.48.071. QUALIFICATIONS. Each member of the board shall
16 be a citizen of the United States, have been a resident and registered
17 in the state for three consecutive years preceding his appointment,
18 and have been registered to practice architecture, engineering or
19 land surveying not less than eight years.

20 Sec. 08.48.081. COMPENSATION AND EXPENSES. Each member of the
21 board shall receive per diem and travel expenses as authorized by law
22 for other boards and commissions but may not receive any other compen-
23 sation.

24 Sec. 08.48.091. REMOVAL OF MEMBERS. The governor
25 may remove a member of the board for misconduct, incompetency or
26 neglect of duty.

27 Sec. 08.48.101. ORGANIZATION AND MEETINGS. The board shall hold
28 at least four regular meetings each year. Special meetings may be
29 held as the bylaws of the board provide. The board shall elect or

1 appoint annually from its members the following officers: president,
2 vice president and secretary. A quorum of the board consists of not
3 less than six members.

4 Sec. 08.48.111. FINANCES. All money derived under the provisions
5 of this chapter shall be deposited in the general fund.

6 Sec. 08.48.121. CLERICAL AND PROFESSIONAL ASSISTANCE. The board
7 may employ professional and clerical or other assistants necessary
8 for the proper performance of its work, and shall make expenditures
9 from appropriated funds for any purpose which, in the opinion of the
10 board, is reasonably necessary for the proper performance of its
11 duties under this chapter. This may include the expenses of the board
12 delegates to meetings of councils of architect examiners, engineering
13 examiners or land surveyors, or any of its subdivisions. The total
14 amount of warrants issued in payments of the expenses and compensation
15 provided for in this chapter may not exceed the amount of money
16 appropriated by the legislature.

17 Sec. 08.48.131. RECORDS AND REPORTS. (a) The board shall keep
18 a record of its proceedings and of all applications for registration,
19 which record shall show

- 20 (1) the name, age and last known address of each applicant;
- 21 (2) the date of application;
- 22 (3) the place of business of the applicant;
- 23 (4) education, experience and other qualifications;
- 24 (5) type of examination required;
- 25 (6) whether or not the applicant was rejected;
- 26 (7) whether or not a certificate of registration or
27 authorization was granted or endorsed;
- 28 (8) the date of the action of the board;
- 29 (9) whether or not a waiver or exemption was granted; and

1 (10) such other information as may be considered necessary
2 by the board.

3 (b) The record of the board shall be prima facie evidence of
4 the proceedings of the board, and a transcript, certified by the
5 secretary under seal, shall be admissible as evidence with the same
6 force and effect as if the original were produced.

7 (c) Annually, as of the end of the fiscal year, the board shall
8 submit to the governor a report of its transactions of the preceding
9 year, and shall transmit to him a complete statement of the receipts
10 and expenditures of the board, attested by affidavits of its president
11 and its secretary. Board records and papers of the following class
12 are of a confidential nature and are not public records: examination
13 material for examinations not yet given, file records of examination
14 problems, solutions, letters of inquiry and reference concerning
15 applicants, board inquiry forms concerning applicants, investigation
16 files if an investigation is still pending, and all other matters of
17 like confidential nature.

18 Sec. 08.48.141. ROSTER. A complete roster showing the name and
19 last known address of all architects, engineers and land surveyors
20 shall be published by the secretary once each year, or at lesser
21 intervals as established by board regulations, and shall include the
22 registrants' authorization numbers if applicable. Copies of this
23 roster shall be mailed to each person registered, placed on file with
24 the lieutenant governor, borough and city officials, upon request,
25 and may be distributed or sold to the public.

26 Sec. 08.48.151. POWERS OF THE BOARD. (a) The board has the
27 power to adopt and amend all bylaws and rules of procedure not incon-
28 sistent with the proper performance of its duties, and the regulations
29 of its proceedings, meetings, records, examinations, including the

1 adoption and promulgation of a code of ethics or rules of professional
2 conduct on those regulated by this chapter, including professional
3 and business corporations. The bylaws and rules of procedure as
4 adopted or amended by the board shall be published yearly in the annual
5 report to the governor. In carrying into effect the provisions of
6 this chapter, the board, under the hand of its president and the
7 seal of the board, may subpoena witnesses and compel their attendance,
8 and also may require the submission of books, papers, documents or
9 other pertinent data, in disciplinary matters or alleged violations
10 of this chapter. Upon failure or refusal to comply with an order of
11 the board, or upon failure to honor its subpoena, the board may apply
12 to a court of any jurisdiction to enforce compliance with its orders
13 or subpoenas.

14 Sec. 08.48.161. INJUNCTIVE RELIEF. The board is authorized in
15 the name of the state to apply for relief by injunction in the estab-
16 lished manner provided in cases of civil procedure, without bond,
17 to enforce the provisions of this chapter, or to restrain an alleged
18 violation of this chapter. In these proceedings it is not necessary
19 to allege or prove that either an adequate remedy at law does not
20 exist, or substantial or irreparable damage would result from the
21 continued violation. The members of the board are not personally
22 liable under this proceeding.

23 Sec. 08.48.171. POWERS TO REVOKE OR SUSPEND CERTIFICATE. The
24 board has the power to suspend, refuse to renew, or revoke the certifi-
25 cate, or reprimand a registrant or corporation who is found guilty
26 of fraud or deceit in obtaining a certificate, or gross negligence,
27 incompetence, or misconduct, or violation of the code of ethics or
28 rules of professional conduct as promulgated by the board, in the
29 practice of architecture, engineering or land surveying, or a crime

1 involving moral turpitude. The code of ethics or rules of professional
2 conduct shall be made known in writing to every registrant and appli-
3 cant for registration under this chapter, and shall be published in
4 the roster provided for in sec.141 of this chapter. This publication
5 constitutes due notice to all registrants. The board may revise and
6 amend its code or rules from time to time and shall immediately notify
7 each registrant in writing of these revisions or amendments. The
8 board may, upon petition of the registrant or corporation, reissue a
9 certificate, provided that a majority of the members of the board vote
10 in favor of such reissuance.

11 Sec. 08.48.181. DISCIPLINARY ACTION AND PROCEDURE. Any person
12 may prefer charges of fraud, deceit, gross negligence, incompetence,
13 misconduct or violation of the code and rules of the board. These
14 charges shall be in writing and sworn to by the person making them
15 and shall be filed with the secretary of the board. All charges,
16 unless dismissed by the board as unfounded or trivial, shall be
17 promptly heard by the board. Hearings shall be conducted under the
18 provisions of the Administrative Procedure Act (AS 44.62). If after
19 a hearing a majority of the board vote in favor of sustaining the
20 charges, the board shall take appropriate action. An individual or
21 corporation aggrieved by any action of the board may appeal or file
22 a writ of review to the proper court under the Alaska Court Rules.

23 Sec. 08.48.191. VIOLATIONS AND PENALTIES. A person who practices
24 or offers to practice architecture, engineering or land surveying in
25 Alaska without being registered and authorized to practice in accor-
26 dance with the provisions of this chapter, or a person, firm, partner-
27 ship, organization, association, corporation or other entity using
28 or employing the words "architect", "architecture", "engineer",
29 "engineering", "land surveyor", or "land surveying", or any

1 modification or derivative of these words in its name or form of
2 business or activity except as authorized in this chapter, or a person
3 presenting or attempting to use the certificate or the seal of
4 another, or a person who gives false or forged evidence of any kind
5 to the board or to a member of the board in obtaining or attempting
6 to obtain a certificate, or a person who falsely impersonates a
7 registrant of like or different name, or a person who attempts to
8 use an expired or revoked or nonexistent certificate, or who practices
9 or offers to practice when not registered and authorized to practice,
10 or a person who falsely claims that he is registered and authorized
11 to practice under this chapter, or a person who violates any of the
12 provisions of this chapter, is guilty of a misdemeanor and upon con-
13 viction is punishable by a fine of not more than \$10,000, or by
14 imprisonment for not more than one year, or by both. The attorney
15 general of the state shall act as legal advisor to the board and
16 render legal assistance, or the board may employ counsel and necessary
17 assistance to aid in the enforcement of this chapter and compensation
18 and expenses shall be paid from appropriated funds of the board.

19 Sec. 08.48.201. GENERAL REQUIREMENTS AND QUALIFICATIONS FOR
20 REGISTRATION. An applicant for registration as an architect, engineer
21 or land surveyor must be of good character and reputation and must submit
22 evidence satisfactory to the board of his education, training and
23 experience.

24 Sec. 08.48.211. APPLICATION FOR REGISTRATION AND FEES FOR
25 REGISTRATION. (a) Application for registration as a professional
26 architect, a professional engineer or a professional land surveyor
27 shall be on a form prescribed and furnished by the board; shall contain
28 statements made under oath, showing the applicant's education and a
29 detailed summary of his technical experience, and shall contain five

1 references with the application for registration, three of whom shall
2 be architects for architectural registration, engineers for engineering
3 registration, and land surveyors for land surveying registration,
4 having personal knowledge of the applicant's architectural, engineering
5 or land surveying education, training or experience.

6 (b) The registration fee for professional architects, profes-
7 sional engineers and professional land surveyors shall be established
8 by the board in an amount not to exceed \$50 and shall accompany the
9 application for registration.

10 Sec. 08.48.221. WRITTEN EXAMINATIONS AND EXAMINATION FEES.

11 Written examinations shall be held at least once each year at places
12 determined by the board. A candidate failing an examination may apply
13 for reexamination. The board shall determine the acceptable grade
14 on examinations. The examination fee for applicants shall be estab-
15 lished by the board in an amount not to exceed \$50 and shall
16 accompany the application.

17 Sec. 08.48.231. CERTIFICATE OF REGISTRATION. (a) An applicant
18 who fulfills the requirements set out by the board shall be awarded
19 a certificate of registration as a professional architect, engineer
20 or land surveyor, authorizing the holder to offer or perform archi-
21 tectural, engineering or land surveying services or work to the public,
22 or to certify, or sign architectural, engineering or land surveying
23 documents. Certificates of registration issued under this section
24 shall be inscribed on their face in a manner as determined by the
25 board.

26 (b) The certificate of registration sealed by the board shall
27 be prima facie evidence that the person named in it is entitled to
28 all rights and privileges of a professional architect, professional
29 engineer or professional land surveyor, while the certificate remains

1 unrevoked or unexpired.

2 Sec. 08.48.241. SEALS. Each registrant may obtain a seal of
3 the design authorized by the board, bearing the registrant's name, reg-
4 istration number, and the legend "Registered Professional Architect",
5 "Registered Professional Engineer", or "Registered Professional Land
6 Surveyor". Final drawings, specifications, surveys, plats, plates,
7 reports and other similar documents shall, when issued, be stamped
8 and signed with the seal. It is unlawful for an architect, engineer
9 or land surveyor to affix or permit his seal and signature to be
10 affixed to an instrument after the expiration of a certificate or for
11 the purpose of aiding or abetting another person to evade or attempt
12 to evade a provision of this chapter. The registrant, by affixing
13 his seal to final drawings, specifications, surveys, plats, plates,
14 reports and other similar documents, and signing them, certifies that
15 these documents were prepared by or under his direct supervision,
16 unless he certifies on the face of the document to the extent of his
17 responsibility.

18 Sec. 08.48.251. CERTIFICATE OF AUTHORIZATION. The board may
19 issue a certificate authorizing a corporation to offer architectural,
20 engineering or land surveying services as set out in this chapter.
21 These certificates shall be inscribed on their face as the board
22 determines.

23 Sec. 08.48.261. EXPIRATIONS AND RENEWALS. (a) Certificates
24 expire on the last day of the month of December following their
25 issuance and become invalid after that date unless renewed. It is
26 the duty of the secretary of the board to notify each person registered
27 or corporation authorized under this chapter, of the date of the expira-
28 tion of his certificate, and the amount of the renewal fee required.
29 Notice shall be mailed to the registrant or corporation at his last

1 known address at least one month in advance of the date of the expira-
2 tion of the certificate. Renewal may be effected at any time during
3 the month of December by the payment of the renewal fee if the certifi-
4 cate has not been suspended or revoked, in which case the board may
5 take action independent of this section.

6 (b) The annual renewal of a certificate does not require reappli-
7 cation if the certificate has not been suspended, revoked or expired.
8 The annual renewal fee for a certificate of registration shall not
9 exceed \$50.

10 (c) The annual renewal fee for a certificate of authorization
11 shall not exceed \$100.

12 (d) Renewal of an expired certificate may be effected under
13 rules promulgated by the board regarding requirements of reexamination
14 and penalty fees.

15 Sec. 08.48.271. QUALIFICATIONS FOR REGISTRATION. For registra-
16 tion as a professional architect, professional engineer or professional
17 land surveyor, a person shall be examined in accordance with the rules
18 of procedure adopted and published by the board, and in no event
19 less than those requirements adopted by recognized national examining
20 councils or less than eight years of satisfactory experience shall
21 be required.

22 Sec. 08.48.281. REGISTRATION BY COMITY OR ENDORSEMENT. (a) A
23 person holding a certificate of registration authorizing him to
24 practice architecture in a state, territory or possession of the United
25 States, the District of Columbia or a foreign country, or holding a
26 certificate of qualification issued by the National Council of Archi-
27 tectural Registration Board, who, in the opinion of the board, meets
28 the requirements of this chapter, based on verified evidence, may,
29 upon application, be registered in accordance with the rules and

1 regulations of the board.

2 (b) A person holding a certificate of registration to practice
3 engineering in a state, territory or possession of the United States,
4 the District of Columbia or a foreign country, who, in the opinion
5 of the board meets the requirements of this chapter, based on verified
6 evidence, may, upon application, be registered in accordance with
7 rules and regulations of the board. A person holding a certificate
8 of qualification issued by the National Council of Engineering
9 Examiners Committee on National Engineering Certification, whose
10 qualifications meet the requirements of this chapter, may, upon appli-
11 cation, be registered in accordance with the rules and regulations
12 of the board.

13 (c) A person holding a certificate of registration authorizing
14 him to practice land surveying issued on comparable qualifications
15 from a state, territory or possession of the United States, may,
16 upon application, be registered in accordance with the rules and
17 regulations of the board.

18 Sec. 08.48.291. SAVINGS CLAUSE. (a) Persons holding a valid
19 certificate of registration entitling them to practice architecture,
20 engineering or land surveying under prior provisions of this chapter
21 shall, on the effective date of secs. 11 - 311 of this chapter be
22 entitled to practice under this chapter in architecture, engineering
23 or land surveying for which the original certificate of registration
24 was issued. An engineer holding a valid registration under prior
25 provisions of this chapter, who may by inherent right under these
26 prior provisions practice land surveying, shall be entitled to be
27 registered as a land surveyor and receive authorization to practice
28 land surveying if he makes application for registration and authoriza-
29 tion to the board within 365 calendar days after the effective date

1 of this chapter, at which time his right to practice land surveying
2 under prior provisions of this chapter expires.

3 (b) Persons serving on the Board of Engineers and Architects
4 Examiners, under AS 08.48.010 - 08.48.430, shall be continued in office
5 as the State Board of Registration for Architects, Engineers and
6 Land Surveyors under completion of their term.

7 (c) Persons certified or registered under prior provisions of
8 this chapter as engineer-in-training and architect-in-training shall
9 be required to pass only that part of the written examination required
10 in this chapter as may be determined by the board to cover material
11 not contained in the previous examination.

12 Sec. 08.48.301. DEFINITIONS. In this chapter

13 (1) "architect" means a professional architect;

14 (2) "board" means the State Board of Registration for
15 Architects, Engineers and Land Surveyors;

16 (3) "certificate of authorization" means a certificate issued
17 by the board authorizing a corporation to provide professional services
18 in architecture, engineering or land surveying through individuals
19 legally registered by the board;

20 (4) "certificate of registration" means a certificate issued
21 by the board recognizing the individual named in the certificate as
22 meeting the requirements for registration within this chapter;

23 (5) "engineer" means a professional engineer;

24 (6) "land surveyor" means a professional land surveyor;

25 (7) "practice of architecture" means professional service
26 or creative work dealing with the functional and aesthetic design of
27 the interior and exterior of structures to be occupied or utilized by
28 man; the planning of land areas for man's use; the teaching of advanced
29 architectural courses in institutions of higher learning; and including

1 but not limited to services of consultation, investigation, evaluation,
2 planning, design and inspection of construction for the purpose of
3 assuring compliance with specifications and designs, in connection
4 with public or private structures, buildings, works or projects, and
5 architectural review of plans and specifications by regulatory agencies,
6 but does not include the design of complete mechanical, electrical or
7 structural systems for buildings or other structures, but may by regu-
8 lation of the board include mechanical, electrical or structural design
9 as is of relatively minor importance to the project as a whole; a
10 person shall be considered as practicing or offering to practice
11 architecture who, by verbal claim, sign, advertisement, letterhead,
12 card, or in any way represents himself to be an architect, or through
13 the use of some other title implies that he is an architect or that he
14 is registered under this chapter, or who holds himself out as able to
15 perform or who does perform any service or work the board shall by
16 regulation define as the practice of architecture;

17 (8) "practice of engineering" means professional or creative
18 work, the adequate performance of which requires the application of
19 specialized knowledge of mathematics and sciences, dealing with the
20 functional and economic design of buildings, structures, machines,
21 equipment, utilities systems, materials, processes, works or projects,
22 public or private; the planning of portions of the earth's surface
23 for man's use, the teaching of advanced engineering courses in insti-
24 tutions of higher learning, the direction of or the performance of
25 engineering surveys, and including but not limited to services of
26 consultation, investigation, evaluation, planning, design, and inspec-
27 tion for the purpose of assuring compliance with the designs and
28 specifications in connection with public and private structures,
29 buildings, works or projects and engineering review of plans and

1 specifications by regulatory agencies; and the practice of engineering
2 may by regulation of the board include such architectural design as
3 is of relatively minor importance to the project as a whole, but shall
4 not be construed to include comprehensive architectural services; a
5 person shall be considered as practicing or offering to practice
6 engineering who, by verbal claim, sign, advertisement, letterhead,
7 card, or in any other way represents himself to be an engineer, or
8 through the use of some other title implies that he is an engineer or
9 that he is registered under this chapter, or who holds himself out as
10 able to perform or who does perform any service or work the board shall
11 by regulation define as the practice of engineering;

12 (9) "practice of land surveying" means any service or work
13 the adequate performance of which involves the application of special
14 knowledge of the principles of mathematics, the related sciences, and
15 the relevant requirements of law for adequate evidence of the act of
16 measuring and locating land, geodetic and cadastral surveys for the
17 location and monumentation of property boundaries, for the platting
18 and planning of lands and subdivisions, and for the preparation and
19 perpetuation of maps, record plats, field note records and property
20 descriptions that represent these surveys; a person shall be considered
21 as practicing or offering to practice land surveying who, by verbal
22 claim, sign, letterhead, card, or in any other way represents himself
23 to be a professional land surveyor, or through the use of some other
24 title implies that he is a professional land surveyor, or who repre-
25 sents himself as able to perform or who does perform any land surveying
26 service or work, or any other service the board shall by regulation
27 define as the practice of land surveying;

28 (10) "professional architect" means a person who has been
29 legally registered as an architect by the board;

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(11) "professional engineer" means a person who has been legally registered as a professional engineer by the board;

(12) "professional land surveyor" means a person who has been legally registered as a professional land surveyor by the board;

(13) "responsible charge" means the direct control and personal supervision of work.

Sec. 08.48.311. SHORT TITLE. This chapter may be cited as the Architects, Engineers and Land Surveyors Registration Act.

* Sec. 3. AS 08.01.010(8) is repealed and re-enacted to read:

(8) State Board of Registration for Architects, Engineers and Land Surveyors

* Sec. 4. This Act takes effect on July 1, 1971.