

Original sponsors: Colletta and Holm

Offered: 4/25/72
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 239

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND 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 AS 08.48.010 - 08.48.430 are repealed.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. PURPOSE. The object of this Act is to safeguard life, health
11 and property, and to promote the public welfare.

12 * Sec. 3. AS 08.48 is amended by adding new sections to read:

13 CHAPTER 48. ARCHITECTS, ENGINEERS AND LAND SURVEYORS.

14 ARTICLE 1. BOARD OF REGISTRATION.

15 Sec. 08.48.011. BOARD CREATED. (a) There is created the State
16 Board of Registration for Architects, Engineers and Land Surveyors.
17 The board shall administer the provisions of this chapter and comply
18 with the Administrative Procedure Act (AS 44.62).

19 (b) The board consists of nine members appointed by the governor
20 having the qualifications as set out in sec. 31 of this chapter. The
21 board consists of two civil engineers, one land surveyor, one
22 mining engineer, two engineers from other branches of the profession
23 of engineering, and three architects. At least six members of
24 the board shall be registered engineers.

25 Sec. 08.48.021. APPOINTMENTS AND TERMS. (a) The governor shall
26 give each member of the board a certificate of his appointment, and
27 the member shall file with the lieutenant governor his written oath
28 or affirmation for faithful discharge of his official duty.

29 (b) The term of office for board members is six years. The

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

10 Sec. 08.48.031. QUALIFICATIONS. Each member of the board must
11 have been a resident in the state for three consecutive years immediate-
12 ly preceding his appointment.

13 Sec. 08.48.041. REMOVAL OF MEMBERS. The governor may remove a
14 member of the board for misconduct, incompetency or neglect of duty.

15 Sec. 08.48.051. ORGANIZATION AND MEETINGS. The board shall
16 hold at least four regular meetings each year. Special meetings may
17 be held as the bylaws of the board provide. the board shall elect or
18 appoint annually from its members the following officers: president,
19 vice president and secretary. A quorum of the board consists of not
20 less than five members.

21 Sec. 08.48.061. FINANCES. (a) All money derived under the
22 provisions of this chapter shall be deposited in the general fund.

23 (b) Each member of the board is entitled to receive per diem and
24 travel expenses as authorized by law for other boards and commissions.

25 (c) The board may make expenditures from appropriated funds for
26 any purpose which is reasonably necessary for the proper performance of
27 its duties under this chapter. This may include the expenses of the
28 board delegates to meetings of councils of architect examiners, engi-
29 neering examiners or land surveyor examiners, or any of their subdi-

1 visions. The total amount of warrants issued in payments of the
2 expenses incurred under this chapter may not exceed the amount
3 of money appropriated by the legislature.

4 Sec. 08.48.071. RECORDS AND REPORTS. (a) The following
5 record of the board's proceedings and of all applications for
6 registration or authorization shall be kept by the Department
7 of Commerce under AS 08.01.050;

8 (1) the name, age and last known address of each
9 applicant;

10 (2) the date of application;

11 (3) the place of business of the applicant;

12 (4) education, experience and other qualifications;

13 (5) type of examination required;

14 (6) whether or not the applicant was rejected;

15 (7) whether or not a certificate of registration or
16 authorization was granted or endorsed;

17 (8) the date of the action of the board;

18 (9) other action taken by the board;

19 (10) other information which may be considered necessary
20 by the board.

21 (b) The record of the board is prima facie evidence of the
22 proceedings of the board, and a transcript, certified by the
23 secretary is admissible as evidence with the same effect as if the
24 original were produced.

25 (c) Annually, as of the end of the fiscal year, the
26 board shall submit to the governor a report of its transactions
27 of the preceding year, and shall transmit to him a complete state-
28 ment of the receipts and expenditures of the board, attested by
29 affidavits of its president and its secretary. Board records and

1 papers of the following class are of a confidential nature and
2 are not public records: examination material for examinations
3 not yet given, file records of examination problems, solutions,
4 letters of inquiry and reference concerning applicants, board
5 inquiry forms concerning applicants, investigation files if an
6 investigation is still pending, and all other matters of like
7 confidential nature.

8 Sec. 08.48.081. ROSTER. A complete roster showing the
9 name and last known address of all architects, engineers and
10 land surveyors, based on the register prepared under AS 08.01.050(12),
11 shall be published by the secretary of the board once each
12 year, or at lesser intervals as established by board regulations,
13 and shall include the registrants' authorization numbers if
14 applicable. Copies of this roster shall be mailed to each
15 person registered, placed on file with the lieutenant governor and
16 borough and city officials, and, upon request, may be distributed
17 or sold to the public.

18 Sec. 08.48.091. WRITTEN EXAMINATIONS AND EXAMINATION FEES.
19 Written examinations shall be held at least twice each year at
20 places determined by the board. A candidate failing an examination
21 may apply for reexamination. The examination fee for applicants
22 shall be established by the board in an amount not to exceed
23 \$50 and shall accompany the application.

24 Sec. 08.48.101. REGULATIONS: BYLAWS: CODE OF ETHICS.
25 (a) The board may adopt regulations to carry out the purpose
26 of this chapter, including, but not limited to

- 27 (1) describing the contents of an examination;
- 28 (2) establishing the conduct of an examination;
- 29 (3) establishing a minimum score for passing an

1 examination;

2 (4) establishing bylaws governing its meetings and
3 activities;

4 (5) publishing a code of ethics or professional
5 conduct for those persons regulated by this chapter,
6 including corporations under sec. 241 of this chapter.

7 (b) The regulations, bylaws and code of ethics or
8 professional conduct promulgated by the board shall be published
9 in the annual report to the governor.

10 Sec. 08.48.111. INJUNCTION. The board may bring an action
11 in the superior court to enforce compliance with this chapter
12 or an order of the board, or to enjoin a person from doing an
13 act that violates this chapter.

14 Sec. 08.48.121. POWER TO REVOKE OR SUSPEND CERTIFICATE.
15 The board may suspend, refuse to renew, or revoke the certificate
16 of or reprimand a registrant or corporation who is found guilty
17 of (1) fraud or deceit in obtaining a certificate; (2) gross
18 negligence, incompetence, or misconduct in the practice of
19 architecture, engineering or land surveying; (3) violation of
20 this chapter, a regulation adopted under it, or the code of
21 ethics or professional conduct as promulgated by the board; or
22 (4) a crime involving moral turpitude relevant to one of those
23 professions. The code of ethics or professional conduct shall
24 be made known in writing to every registrant and applicant for
25 registration under this chapter, and shall be published with
26 the roster provided for in sec. 81 of this chapter. This
27 publication constitutes due notice to all registrants. The
28 board may revise and amend its code and upon doing so shall
29 immediately notify each registrant in writing of the revisions

1 or amendments. The board may, upon petition of the registrant
2 or corporation, reissue a certificate if a majority of the
3 members of the board vote in favor of the reissuance.

4 Sec. 08.48.131. DISCIPLINARY ACTION AND PROCEDURE. Any
5 person may file with the secretary of the board a charge of
6 fraud, deceit, gross negligence, incompetence, misconduct or
7 violation of this chapter, a regulation adopted under it,
8 or the code of ethics of the board. Such a charge, constituting
9 an accusation under the Administrative Procedure Act (AS 44.62),
10 shall be in writing and sworn to by the person making it.
11 A charge may be dismissed by the board as unfounded or
12 trivial.

13 Sec. 08.48.151. LEGAL COUNSEL. The attorney general
14 of the state shall act as legal advisor to the board and
15 render legal assistance upon request of its president.

16 ARTICLE 2. REGISTRATION AND PRACTICE.

17 Sec. 08.48.171. GENERAL REQUIREMENTS AND QUALIFICATIONS
18 FOR REGISTRATION. An applicant for registration as an architect,
19 engineer or land surveyor must be of good character and reputation
20 and must submit evidence satisfactory to the board of his educa-
21 tion, training and experience.

22 Sec. 08.48.181. REGISTRATION UPON EXAMINATION. Except as
23 provided in sec. 191 of this chapter, for registration as a
24 professional arthitect, professional engineer or professional
25 land surveyor, a person shall be examined in this state in
26 accordance with the regulations of procedure and standards
27 adopted by the board in accordance with the Administrative
28 procedure Act (AS 44.62), which procedure and standards shall
29 at least meet the requirements adopted by recognized national

1 examining councils for these professions.

2 Sec. 08.48.191. REGISTRATION BY COMITY OR ENDORSEMENT.

3 (a) A person holding a certificate of registration authorizing him
4 to practice architecture in a state, territory or possession
5 of the United States, the District of Columbia, or a foreign
6 country, or holding a certificate of qualification issued by the
7 National Council of Architectural Registration Board, which,
8 in the opinion of the board, meets the requirements of this
9 chapter, based on verified evidence, may upon application, be
10 registered in accordance with the regulations of the board.

11 (b) a person holding a certificate of registration
12 authorizing him to practice engineering in a state, territory
13 or possession of the United States, the District of Columbia,
14 or a foreign country, which, in the opinion of the board meets
15 the requirements of this chapter, based on verified evidence,
16 may, upon application, be registered in accordance with regulations
17 of the board. A person holding a certificate of qualification issued
18 by the National Council of Engineering Examiners Committee on
19 National Engineering Certification may, upon application, be
20 registered in accordance with the regulations of the board.

21 (c) A person holding a certificate of registration
22 authorizing him to practice land surveying in a state, territory
23 or possession of the United States, the District of Columbia,
24 or a foreign country, may, upon application, be registered
25 in accordance with the regulations of the board if his
26 certificate was issued under requirements comparably to those
27 in this state.

28 Sec. 08.48.201. APPLICATION AND FEES FOR REGISTRATION.

29 (a) Application for registration as a professional architect, a

1 professional engineer or a professional land surveyor shall be
2 on a form prescribed and furnished by the board; shall contain
3 statements made under oath, showing the applicant's education
4 and a detailed summary of his technical experience; and shall
5 contain five references, three of whom must be architects for
6 architectural registration, engineers for engineering registration,
7 and land surveyors for land surveying registration, having
8 personal knowledge of the applicant's architectural, engineering or
9 land surveying education, training or experience.

10 (b) The registration fee for professional architects, professional
11 engineers and professional land surveyors shall be established by the
12 board in an amount not to exceed \$100 and shall accompany the application
13 for registration.

14 Sec. 08.48.211. CERTIFICATE OF REGISTRATION. (a) An applicant who
15 fulfills the requirements set out by the board shall be awarded a certifi-
16 cate of registration as a professional architect, engineer or land
17 surveyor, authorizing the holder to offer or perform architectural,
18 engineering or land surveying services or work to the public, or to
19 certify, or sign architectural, engineering or land surveying documents.
20 Certificates of registration issued under this section shall be inscribed
21 on their face in a manner determined by the board.

22 (b) The certificate of registration sealed by the board is prima
23 facie evidence that the person named in it is entitled to all rights and
24 privileges of a professional architect, professional engineer or profes-
25 sional land surveyor, while the certificate remains unrevoked or unexpired.

26 Sec. 08.48.221. SEALS. Each registrant may obtain a seal of the
27 design authorized by the board, bearing the registrant's name,
28 registration number, and the legend "Registered Professional Architect,"
29 "Registered Professional Engineer," or "Registered Professional Land

1 Surveyor," as appropriate. Final drawings, specifications, surveys,
2 plats, plates, reports and other similar documents shall, when issued,
3 be signed and stamped with the seal. It is unlawful for an architect,
4 engineer or land surveyor to affix or permit his seal and signature to
5 be affixed to an instrument after the expiration of a certificate or for
6 the purpose of aiding or abetting another person to evade or attempt to
7 evade a provision of this chapter. The registrant, by affixing his seal
8 to final drawings, specifications, surveys, plats, plates, reports and
9 other similar documents, and signing them, certifies that these documents
10 were prepared by or under his direct supervision, unless he certifies on
11 the face of the document to the extent of his responsibility.

12 Sec. 08.48.231. EXPIRATIONS AND RENEWALS. (a) To remain valid,
13 certificates shall be renewed in accordance with AS 08.01.100. Notice
14 of renewal dates, given under AS 08.01.050(11), shall be mailed to
15 the registrant or corporation at his or its last known address at least
16 one month in advance of the date of the expiration of the certificate.
17 If the certificate has been suspended or revoked, the board may take
18 action independent of this section.

19 (b) The renewal of a certificate does not require reapplication
20 if the certificate has not expired or has not been suspended or revoked.
21 The renewal fee for a certificate may not exceed \$100.

22 (c) Renewal of an expired certificate may be effected under
23 regulations promulgated by the board regarding requirements of reexami-
24 nation and penalty fees.

25 Sec. 08.48.241. CORPORATIONS. (a) This chapter does not prevent
26 a corporation from offering architectural, engineering or land surveying
27 services; however, the corporation shall file with the board

28 (1) an application for a certificate of authorization upon
29 a form to be prescribed by the board and containing information re-

1 quired to enable the board to determine whether the corporation is
2 qualified in accordance with the provisions of this chapter to offer
3 to practice architecture, engineering or land surveying in this state;

4 (2) a certified copy of a resolution of the board of directors
5 of the corporation designating persons holding certificates of registra-
6 tion under this chapter as responsible for the practice of architecture,
7 engineering or land surveying by the corporation in this state and provid-
8 ing that full authority to make all final architectural, engineering or
9 land surveying decisions on behalf of the corporation with respect to
10 work performed by the corporation in this state is granted by the board
11 of directors to the person designated in the resolution; however, the
12 filing of this resolution does not relieve the corporation of any
13 responsibility or liability imposed upon it by law or by contract;

14 (3) a designation in writing setting out the name of one or
15 more persons holding certificates of registration under this chapter
16 who are in responsible charge of each major branch of the architectural,
17 engineering or land surveying activities in which the corporation
18 specializes in this state; if a change in the person in responsible charge
19 of a major branch of the architectural, engineering or land surveying
20 activities is made, the change shall be designated in writing and filed
21 with the board within 30 days after the effective date of the change.

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

28 (1) the bylaws of the corporation contain provisions that
29 all architectural, engineering or land surveying decisions pertaining

1 to architectural, engineering or land surveying activities in this
2 state will be made by the specified architect, engineer or land sur-
3 veyor in responsible charge, or other registered architects, engineers
4 or land surveyors under his direction or supervision;

5 (2) the application for certificate of authorization states
6 the type of architecture, engineering or land surveying practiced or
7 to be practiced by the corporation;

8 (3) the applicant corporation has the ability to provide
9 architectural, engineering or land surveying services;

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

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

18 (6) the applicant corporation meets other requirements
19 related to professional competence in the furnishing of architectural,
20 engineering or land surveying services as may be established and
21 promulgated by the board in furtherance of the objectives and provi-
22 sions of this chapter.

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

1 (d) The certificate of authorization shall specify the major
2 branches of architecture, engineering or land surveying of which the
3 corporation has designated a person in responsible charge as provided
4 in this section. The certificate of authorization shall be conspicu-
5 ously displayed in the place of business of the corporation, together
6 with the names of persons designated as being in responsible charge
7 of the professional activities.

8 (e) If a corporation, organized solely by either a group of archi-
9 tects, a group of engineers, or a group of land surveyors, each holding
10 a certificate of registration under this chapter, applies for a certi-
11 ficate of authorization, the board may, in its discretion, grant a
12 certificate of authorization to the corporation based on a review of
13 the professional records of the incorporators, in place of the required
14 qualifications set out in this section. If the ownership of the
15 corporation is altered, the corporation shall apply for a revised
16 certificate of authorization, based upon the professional records of
17 the owners, if exclusively architects, engineers or land surveyors,
18 or otherwise under the qualifications required by (b)(1) - (4) of this
19 section.

20 (f) A corporation authorized to offer architectural, engineering
21 or land surveying service under this chapter, together with its
22 directors and officers for their own individual acts, is responsible
23 to the same degree as the designated individual registered architect,
24 engineer or land surveyor, and must conduct its business without
25 misconduct or malpractice in the practice of architecture, engineering
26 or land surveying as defined in this chapter.

27 (g) If the board, after a proper hearing, finds that a corpora-
28 tion holding a certificate of authorization has committed misconduct
29 or malpractice, the board shall suspend or revoke the certificate of

1 authorization. The board shall also suspend or revoke the certificate
2 of registration of any registered individual architect, engineer or
3 land surveyor who, after a proper hearing, is found by the board to
4 have participated in committing the misconduct or malpractice.

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

10 (i) For each certificate of authorization issued a corporation
11 under the provisions of this chapter, there shall be paid an initial
12 fee not to exceed \$300.

13 Sec. 08.48.251. PARTNERSHIPS. This chapter does not prevent
14 the practice of architecture, engineering or land surveying by partner-
15 ship if all of the members of the partnership are architects, engineers
16 or land surveyors legally registered under this chapter.

17 Sec. 08.48.261. STATE EMPLOYEES. The head of each principal
18 department in which there are positions necessitating use of archi-
19 tectural, engineering, or land surveying knowledge or skills shall
20 specify, in the job descriptions, the positions for which registration
21 under this chapter is required. This requirement for any position in
22 a department may be waived by the head of the department. When the
23 requirement is waived, the head of the department shall transmit to
24 the division of personnel a written statement to the effect that the
25 person filling the position is qualified to perform the duties of that
26 position and a statement of the reasons for waiving the requirement,
27 explaining why the employee was hired or was retained as an employee
28 even though not registered under this chapter. The head of the depart-
29 ment shall send a copy of the statement to the board.

1 ARTICLE 3. UNLAWFUL ACTS.

2 Sec. 08.48.281. PROHIBITED PRACTICE. No person may practice or
3 offer to practice the profession of architecture, engineering or land
4 surveying in Alaska, as defined in this chapter, or use in connection
5 with his name or otherwise assume or advertise a title or description
6 tending to convey the impression that he is a registered architect,
7 engineer or land surveyor unless he has been registered under the
8 provisions of this chapter or is a person to whom these provisions do
9 not apply, or, in the case of a corporation, unless it has been
10 authorized under this chapter.

11 Sec. 08.48.291. VIOLATIONS AND PENALTIES. A person who practices
12 or offers to practice architecture, engineering or land surveying in
13 Alaska without being registered or authorized to practice in accordance
14 with the provisions of this chapter, or a person presenting or attempt-
15 ing to use the certificate or the seal of another, or a person who gives
16 false or forged evidence of any kind to the board or to a member of the
17 board in obtaining or attempting to obtain a certificate, or a person
18 who impersonates a registrant, or a person who uses or attempts to use
19 an expired or revoked or nonexistent certificate, knowing of the
20 certificate's status, or a person who falsely claims that he is regis-
21 tered and authorized to practice under this chapter, or a person who
22 violates any of the provisions of this chapter, is guilty of a mis-
23 demeanor and upon conviction is punishable by a fine of not more than
24 \$10,000, or by imprisonment for not more than one year, or by both.

25 ARTICLE 4. GENERAL PROVISIONS.

26 Sec. 08.48.311. INDIVIDUAL RIGHT. The right to engage in the
27 practice of architecture, engineering or land surveying is considered
28 a personal and individual right, based on the qualifications of the
29 individual as evidenced by his certificate of registration, which is

1 not transferable.

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

4 (1) practices a branch of the profession of architecture,
5 engineering or land surveying as defined in sec. 341 of this chapter;

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

10 (3) holds himself out as able to perform or who does perform
11 an architectural, engineering or land surveying service recognized by
12 the professions covered by this chapter, and specified in regulations
13 of the board, as architectural, engineering or land surveying.

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

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

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

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

23 (4) an officer or employee of the state practicing archi-
24 tecture, engineering or land surveying as required by his official
25 capacity and registration is not required in his job description;

26 (5) the work of an employee or a subordinate of a person
27 legally registered under this chapter, if the work or service does not
28 include final designs or decisions or surveys, and is done under the
29 direct supervision of and verified by a person legally registered

1 under this chapter;

2 (6) the services ordinarily performed by locomotive,
3 stationary and marine engine men, power plant operators, and manufac-
4 turers who supervise the operation of or 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 (7) the practice of any other lawfully recognized profession;

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

16 (9) a person preparing plans, drawings, or specifications for

17 (A) a building for his own use and occupancy unless
18 the public health, safety, or welfare is substantially involved;

19 (B) farm or ranch buildings unless the public health,
20 safety, or welfare is substantially involved;

21 (C) a building intended to be used only as a residence
22 by not more than four families and not more than two stories high;

23 (D) a building with a total of not more than 500 square
24 feet of floor space;

25 (10) a specialty contractor licensed under appropriate
26 Alaska Statutes, while engaged in the business of contracting, designing
27 systems or facilities as otherwise permitted by law for work within
28 the specialty for which his license was issued to be performed or
29 supervised by the contractor, or any licensed contractor preparing

1 shop or field drawings for work which he has contracted to perform;

2 (11) a person furnishing, either alone or with subcontractors,
3 labor and materials, with or without plans, drawings, specifications,
4 instruments of service, or other data covering the labor and materials
5 to be used for any of the following:

6 (A) store fronts (facades), interior alterations or
7 additions, fixtures, cabinetwork, furniture, or other appliances
8 or equipment;

9 (B) work necessary to provide for installation of an
10 item listed in (A) of this paragraph;

11 (C) alterations or additions to a building necessary
12 to or attendant upon installation of an item listed in (A) of
13 this paragraph, if the alteration or addition does not change or
14 affect the structural system or safety of the building;

15 (12) an officer or employee of an individual, firm, partner-
16 ship, association or corporation which officer or employee practices
17 architecture, engineering or land surveying when required by his official
18 capacity or work duties connected with his employment if such individual
19 firm, partnership, association or corporation is not engaged in the
20 business of offering architectural, engineering or land surveying
21 services to the public.

22 Sec. 08.48.341. DEFINITIONS. In this chapter

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

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

26 (3) "certificate of authorization" means a certificate
27 issued by the board authorizing a corporation to provide professional
28 services in architecture, engineering or land surveying through
29 individuals legally registered by the board;

1 (4) "certificate of registration" means a certificate issued
2 by the board recognizing the individual named in the certificate as
3 meeting the requirements for registration under this chapter;

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

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

6 (7) "practice of architecture" means professional service
7 or creative work in the functional and aesthetic design of structures,
8 the teaching of advanced architectural courses in institutions of
9 higher learning, consultation, investigation, evaluation, planning,
10 design and professional observation of construction of public or private
11 structures, buildings, works or projects, and architectural review of
12 plans and specifications by regulatory agencies; it may by regulation
13 of the board include mechanical, electrical or structural design of
14 relatively minor importance to the project as a whole;

15 (8) "practice of engineering" means professional or creative
16 work, the adequate performance of which requires the application of
17 specialized knowledge of mathematics and sciences, dealing with the
18 functional and economic design of buildings, structures, machines,
19 equipment, utilities systems, materials, processes, works or projects,
20 public or private; the teaching of advanced engineering courses in
21 institutions of higher learning, the direction of or the performance
22 of engineering surveys, consultation, investigation, evaluation,
23 planning, design, and professional observation of construction of
24 public and private structures, buildings, works or projects and engi-
25 neering review of plans and specifications by regulatory agencies;
26 it may by regulation of the board include architectural design of
27 relatively minor importance to the project as a whole, but it does
28 not include comprehensive architectural services;

29 (9) "practice of land surveying" means any service or work

1 the adequate performance of which involves the application of special
2 knowledge of the principles of mathematics, the related sciences, and
3 the relevant requirements of law for adequate evidence of the act of
4 measuring and locating land, geodetic and cadastral surveys for the
5 location and monumentation of property boundaries, for the platting
6 and planning of land and subdivisions, and for the preparation and
7 perpetuation of maps, record plats, field note records and property
8 descriptions that represent these surveys;

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

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

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

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

17 Sec. 08.48.351. SHORT TITLE. This chapter may be cited as the
18 Architects, Engineers and Land Surveyors Registration Act.

19 * Sec. 4. AS 08.01.010(8) is amended to read:

20 (8) State Board of Registration for Architects, Engineers
21 and Land Surveyors [BOARD OF ENGINEERS AND ARCHITECTS EXAMINERS];

22 * Sec. 5. AS 44.62.330(a)(4) is amended to read:

23 (4) State Board of Registration for Architects, Engineers
24 and Land Surveyors [BOARD OF ENGINEERS AND ARCHITECTS EXAMINERS]

25 * Sec. 6. (a) A person holding a valid certificate of registration
26 entitling him to practice architecture, engineering or land surveying under
27 prior provisions of AS 08.48 on the effective date of this Act is entitled
28 to practice under the new provisions of AS 08.48 in architecture, engineering
29 or land surveying for which the original certificate of registration was

1 issued. An engineer holding a valid registration under prior provisions of
2 AS 08.48, who may by inherent right under those prior provisions practice
3 land surveying, is entitled to be registered as a land surveyor if he makes
4 application for registration to the board within 365 calendar days after
5 the effective date of this Act, at which time his right to practice land
6 surveying under prior provisions of AS 08.48 expires.

7 (b) A person serving on the Board of Engineers and Architects
8 Examiners under prior provisions of AS 08.48 may continue in office as a
9 member of the State Board of Registration for Architects, Engineers and Land
10 Surveyors until completion of his term.

11 (c) A person certified or registered under prior provisions of AS 08.-
12 48 as engineer-in-training or architect-in-training is required to pass only
13 that part of the written examination required by the new provisions of
14 AS 08.48 as may be determined by the board.

15 * Sec. 7. This Act takes effect July 1, 1972.
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