

Introduced: 4/14/80  
Referred: Commerce

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 HOUSE BILL NO. 1005 am S

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act continuing the existence of the State Board of  
7 Registration for Architects, Engineers and Land Sur-  
8 veyors and amending the statutes relating to its powers  
9 and responsibilities; and providing for an effective  
10 date."

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

12 \* Section 1. AS 08.48.071 is amended to read:

13 Sec. 08.48.071. RECORDS AND REPORTS. (a) The following record of  
14 the board's proceedings and of all applications for registration or  
15 authorization shall be kept by the Department of Commerce and Economic  
16 Development under AS 08.01.050:

- 17 (1) the name, age and last known address of each applicant;  
18 (2) the date of application;  
19 (3) the place of business of the applicant;  
20 (4) the education, experience and other qualifications;  
21 (5) the type of examination required;  
22 (6) whether or not the applicant was rejected;  
23 (7) whether or not a certificate of registration or autho-  
24 rization was granted or endorsed;  
25 (8) the date of the action of the board;  
26 (9) other action taken by the board;  
27 (10) other information which may be considered necessary by  
28 the board.

29 (b) The record of the board is prima facie evidence of the pro-

1 ceedings of the board, and a transcript, certified by the secretary, is  
2 admissible as evidence with the same effect as if the original were  
3 produced.

4 (c) Annually, at the end of the fiscal year, the board shall  
5 submit to the governor and the legislature

6 (1) a report of its transactions of the preceding year;

7 (2) [, AND SHALL TRANSMIT TO HIM] a complete statement of the  
8 receipts and expenditures of the board, attested by affidavits of its  
9 president and its secretary;

10 (3) a report of attendance of members of the board at meet-  
11 ings of the board;

12 (4) a list of the regulations adopted, amended or repealed  
13 since the last report;

14 (5) a report of the current purposes and goals of the board;  
15 and

16 (6) significant developments in the field of architecture,  
17 engineering, or land surveying of concern to the board.

18 (d) Board records and papers of the following class are of a  
19 confidential nature and are not public records: examination material for  
20 examinations not yet given, file records of examination problems, solu-  
21 tions, letters of inquiry and reference concerning applicants, board  
22 inquiry forms concerning applicants, investigation files if an investi-  
23 gation is still pending, and all other matters of a like confidential  
24 nature.

25 (e) The Department of Commerce and Economic Development shall,  
26 under AS 08.01.050 preserve the records under (a) of this section for  
27 the previous five years.

28 (f) The Department of Commerce and Economic Development shall  
29 assemble statistics relating to the performance of its staff and that of

1 the board, including but not limited to,

2 (1) the number of architects, engineers and land surveyors  
3 registered over a five-year period;

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

6 (3) the number of persons making application for registration  
7 as a professional architect, engineer, or land surveyor over a five-year  
8 period;

9 (4) an account of registration fees collected under AS 08.48.  
10 201(b);

11 (5) a measure of the correspondence workload of any licensing  
12 examiner employed by the board.

13 \* Sec. 2. AS 08.48.091 is amended to read:

14 Sec. 08.48.091. WRITTEN EXAMINATIONS AND EXAMINATION FEES. Written  
15 examinations shall be held at least twice each year at places determined  
16 by the board unless the examination administered by the board is a  
17 national examination prepared only once each year, in which case the  
18 examination shall be held at least once each year. A candidate failing  
19 an examination may apply for reexamination. The examination fee for  
20 applicants shall be established by the board [IN AN AMOUNT NOT TO  
21 EXCEED \$50] and shall accompany the application.

22 \* Sec. 3. AS 08.48.111 is amended to read:

23 Sec. 08.48.111. POWER TO REVOKE, SUSPEND, OR REISSUE CERTIFICATE.  
24 The board may suspend, refuse to renew, or revoke the certificate of or  
25 reprimand a registrant or corporation who is found guilty of (1) fraud  
26 or deceit in obtaining a certificate; (2) gross negligence, incompetence,  
27 or misconduct in the practice of architecture, engineering or land  
28 surveying; or (3) a violation of this chapter, a regulation adopted  
29 under it, or the code of ethics or professional conduct as adopted [PRO-

1 MULGATED] by the board [; OR (4) A CRIME INVOLVING MORAL TURPITUDE RELE-  
2 VANT TO ONE OF THOSE PROFESSIONS]. The code of ethics or professional  
3 conduct shall be made known in writing to every registrant and applicant  
4 for registration under this chapter, and shall be published with the  
5 roster provided for in AS 08.48.081. This publication constitutes due  
6 notice to all registrants. The board may revise and amend its code and,  
7 upon doing so, shall immediately notify each registrant in writing of  
8 the revisions or amendments. The board may, upon petition of the regis-  
9 trant or corporation, reissue a certificate if a majority of the members  
10 of the board vote in favor of the reissuance.

11 \* Sec. 4. AS 08.48.171 is amended to read:

12 Sec. 08.48.171. GENERAL REQUIREMENTS AND QUALIFICATIONS FOR REGIS-  
13 TRATION. An applicant for registration as an architect, engineer or  
14 land surveyor must be of good character and reputation and must submit  
15 evidence satisfactory to the board of his education, training and ex-  
16 perience. However, an applicant for registration as a land surveyor may  
17 not be required to submit evidence of more than eight years of any com-  
18 bination of education, experience or training.

19 \* Sec. 5. AS 08.48.221 is amended to read:

20 Sec. 08.48.221. SEALS. Each registrant may obtain a seal of the  
21 design authorized by the board, bearing the registrant's name, regis-  
22 tration number, and the legend, "Registered Professional Architect,"  
23 "Registered Professional Engineer," or "Registered Professional Land  
24 Surveyor," as appropriate. Final drawings, specifications, surveys,  
25 plats, plates, reports and other similar documents shall, when issued,  
26 be signed and stamped with the seal. The board shall adopt regulations  
27 governing the use of seals by the registrant. It is unlawful for an  
28 architect, engineer or land surveyor to affix or permit his seal and  
29 signature to be affixed to an instrument after the expiration of a

1 certificate or for the purpose of aiding or abetting another person to  
2 evade or attempt to evade a provision of this chapter. The registrant,  
3 by affixing his seal to final drawings, specifications, surveys, plats,  
4 plates, reports and other similar documents, and signing them, certifies  
5 that these documents were prepared by or under his direct supervision,  
6 unless he certifies on the face of the document to the extent of his  
7 responsibility.

8 \* Sec. 6. AS 08.03.010(c) is amended by adding a new paragraph to read:

9 (2) State Board of Registration for Architects, Engineers,  
10 and Land Surveyors (AS 08.48.011) -- June 30, 1984.

11 \* Sec. 7. AS 08.03.010(b)(6) is repealed.

12 \* Sec. 8. This Act takes effect July 1, 1980.

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