

SENATE BILL NO. 320

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY SENATOR LEMAN

Introduced: 2/14/94  
Referred: L&C, JUD, FIN

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to occupational licensing boards and commissions; and relating  
2 to architects, engineers, and land surveyors."

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

4 \* Section 1. AS 08.01.035 is amended to read:

5           Sec. 08.01.035. APPOINTMENTS AND TERMS. Members of boards subject  
6 to this chapter are appointed for staggered terms of four years. A member of a board  
7 serves until a successor is appointed. An appointment to fill a vacancy on a board is  
8 for the remainder of the unexpired term. A member who has served all [OR PART]  
9 of two successive terms on a board may not be reappointed to that board unless four  
10 years have elapsed since the person has last served on the board. For purposes of  
11 this section, a person who serves for two years or more of a term shall be  
12 considered as having served a full term.

13 \* Sec. 2. AS 08.48.011(b) is amended to read:

14           (b) The board consists of nine members appointed by the governor having the

1 qualifications as set out in AS 08.48.031. The board consists of two civil engineers,  
2 three [ONE LAND SURVEYOR, ONE MINING ENGINEER, TWO] engineers from  
3 other branches of the profession of engineering, two architects, one land surveyor, and  
4 one public member.

5 \* Sec. 3. AS 08.48.041 is amended to read:

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

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

9 Sec. 08.48.171. GENERAL REQUIREMENTS AND QUALIFICATIONS FOR  
10 REGISTRATION. An applicant for registration as an architect, engineer, or land  
11 surveyor must be of good character and reputation and shall submit evidence  
12 satisfactory to the board of the applicant's education, training, and experience.  
13 [HOWEVER, AN APPLICANT FOR REGISTRATION AS A LAND SURVEYOR  
14 MAY NOT BE REQUIRED TO SUBMIT EVIDENCE OF MORE THAN EIGHT  
15 YEARS OF ANY COMBINATION OF EDUCATION, EXPERIENCE, OR  
16 TRAINING.]

17 \* Sec. 5. AS 08.48.191(b) is amended to read:

18 (b) A person holding a certificate of registration authorizing the person to  
19 practice engineering in a state, territory, or possession of the United States, the District  
20 of Columbia, or a foreign country, that, in the opinion of the board meets the  
21 requirements of this chapter, based on verified evidence, may, upon application, be  
22 registered in accordance with regulations of the board. [A PERSON HOLDING A  
23 CERTIFICATE OF QUALIFICATION ISSUED BY THE NATIONAL COUNCIL OF  
24 ENGINEERING EXAMINERS COMMITTEE ON NATIONAL ENGINEERING  
25 CERTIFICATION MAY, UPON APPLICATION, BE REGISTERED IN  
26 ACCORDANCE WITH THE REGULATIONS OF THE BOARD.]

27 \* Sec. 6. AS 08.48.321 is amended to read:

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

30 (1) practices a branch of the profession of architecture, engineering, or  
31 land surveying as defined in AS 08.48.341;

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

4 (3) holds out as able to perform or who does perform an architectural,  
5 engineering, or land surveying service recognized by the professions covered by this  
6 chapter, and specified in regulations of the board, as architectural, engineering, or land  
7 surveying.

8 \* Sec. 7. AS 08.48.331 is amended to read:

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

10 (1) a contractor performing work designed by a professional architect  
11 or engineer or the supervision of the construction of the work as a supervisor or  
12 superintendent for a contractor;

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

15 (3) an officer or employee of the United States government practicing  
16 architecture, engineering, or land surveying as required by the person's official  
17 capacity;

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

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

26 (6) a person preparing drawings or specifications for

27 (A) a building for the person's own use and occupancy as a  
28 single family residence;

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

31 (C) a building that is intended to be used only as a residence

- 1 by not more than four families and that is not more than two stories high;
- 2 (D) a garage, workshop, or similar building that contains less
- 3 than 2,000 square feet of floor space to be used for a private noncommercial
- 4 purpose;
- 5 (7) a specialty contractor licensed under AS 08.18 while engaged in the
- 6 business of construction contracting or designing systems for work within the specialty
- 7 to be performed or supervised by the specialty contractor, or a contractor preparing
- 8 shop or field drawings for work that the specialty contractor has contracted to perform;
- 9 (8) a person furnishing drawings, specifications, instruments of service,
- 10 or other data for alterations or repairs to a building that do not change or affect the
- 11 structural system or the safety of the building, or that do not affect the public health,
- 12 safety, or welfare;
- 13 (9) a person who is employed by a postsecondary educational
- 14 institution to teach engineering or [,] architectural [, OR LAND SURVEYING]
- 15 courses; in this paragraph, "postsecondary educational institution" has the meaning
- 16 given in AS 14.48.210.

17 \* Sec. 8. AS 08.48.341(10) is amended to read:

- 18 (10) "practice of land surveying" means the teaching of land
- 19 surveying courses at an institution of higher learning, or any service or work
- 20 adequate performance of which involves the application of special knowledge of the
- 21 principles of mathematics, the related sciences, and the relevant requirements of law
- 22 for adequate evidence of the act of measuring and locating land, geodetic and cadastral
- 23 surveys for the location and monumentation of property boundaries, for the platting
- 24 and planning of land and subdivisions, including the topography, alignment, and
- 25 grades for streets, and for the preparation and perpetuation of maps, record plats, field
- 26 note records, and property descriptions that represent these surveys;