

powers, and responsibilities involved in the administration of the entire state program for the conservation and development of the State's natural resources including forests, parks, and recreational areas, lands, waters, agriculture, soil conservation and minerals including petroleum and natural gas; but excluding commercial fisheries, sport fish, game, and fur-bearing animals in their natural state. The functions and authority heretofore performed and exercised by the Department of Lands, the Land Board, and the Director of Lands; by the Department of

Mines, the Commissioner of Mines, the Coal Miners' Examining Board, and the Oil and Gas Conservation Commission; the Soil Conservation Board, by the Department of Agriculture, and by the Commissioner of Agriculture, except those relating to public health, are hereby transferred to the Department of Natural Resources.

Sec. 8. Ch. 122, SLA 1959 is repealed.

Sec. 9. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 26, 1960

CHAPTER 187

AN ACT

To regulate the practice of public accounting in the public interest; to create a State Board of Public Accountancy and to prescribe its powers and duties; to provide the penalties for violations of this Act; repealing Secs. 35-2-4, 35-2-5, 35-2-6, 35-2-8, 35-2-9 and 35-2-12 of Ch. 35, ACLA 1949, all of Ch. 95, SLA 1949 (except Sec. 11 thereof), all of Ch. 18, SLA 1951, all of Ch. 161, SLA 1957, and all other Acts or parts of Acts inconsistent herewith; and providing an effective date.

(2nd C.S.H.B. 78)

Be it enacted by the Legislature of the State of Alaska:

Section 1. **Name.** This Act may be known and cited as the "Public Accountancy Act of 1960".

Sec. 2. **Board of Public Accountancy.**

(1) There is hereby created a Board of Public Accountancy in and for the State of Alaska to be known as the "Alaska State Board of Public Accountants".

(2) The Board shall consist of five members appointed by the Governor. Members of the Board shall be citizens of the United States and a resident of this State for a period of at least one year. At least three members of the Board shall be Certified Public Accountants and two members shall be Public Accountants. All appointees to the Board shall hold certificates or licenses, then in full force and effect, issued under the laws of this State and must be eligible to receive permits under Section 10 of this Act. The members of the Board first to

be appointed shall hold office as follows: one for one year, two for two years, and two for three years from the effective date of this Act, the term of each to be designated by the Governor. Their successors shall be appointed for terms of three years. Vacancies occurring during a term shall be filled by appointment for the unexpired term. Upon the expiration of his term of office a member shall continue to serve until his successor shall have been appointed and shall have qualified, formally noted acceptance of the appointment and presented himself at the next meeting of the Board. The Governor shall remove from the Board any member whose certificate, license or permit has been revoked or suspended and may, after hearing, remove any member of the Board for neglect of duty or other just cause. No person who has served two successive complete terms of one, two or three years shall be eligible for reappointment until after the lapse of one year; provided, however, that the serving of an appointment to fill an unexpired term shall not be considered as the serving of a complete term.

(3) The Board shall elect annually a president (or chairman), a secretary and a treasurer from its members. One person may hold the offices of secretary and treasurer. The Board may adopt, and amend from time to time, regulations for the orderly conduct of its affairs and for the administration of this Act, provided those regulations adopted for the administration of this Act shall be promulgated in compliance with the Alaska Administrative Procedure Act. A majority of the Board shall constitute a quorum for the transaction of business. The Board shall have a seal which shall be judicially noticed. The Board shall keep records of its proceedings and in any proceeding in court, civil or criminal, arising out of or founded on any provision of this Act, copies of such records certified as correct under the seal of the Board shall be admissible in evidence as tending to prove the content of such records.

(4) The Board may employ such personnel, including but not limited to legal counsel, and arrange for such assistance as it may require for the performance of its duties. Each member of the Board shall be paid per diem and other expenses allowed by law.

(5) The Board may promulgate, and amend from time to time, rules of professional conduct appropriate to establish and maintain a high standard of integrity and dignity in the profession of public accountancy, provided those regulations adopted shall be promulgated in compliance with the Alaska Administrative Procedure Act. At least sixty days prior to the promulgation of any such rule or amendment the Board shall mail copies of the proposed rule or amendment by certified mail, with return receipts requested, to each holder of a permit issued under Section 10 of this Act to the address of such permit holder last known to the Board with a notice advising him or them of the proposed effective date of the rule or amendment.

Sec. 3. Certified Public Accountants.

(1) The certificate of "Certified Public Accountant" shall be granted by the Board to any person who meets the requirements of subsections (2), (3) and (7) of this Section.

(2) Any person who is a citizen of

the United States or has duly declared his intention of becoming such citizen, and who is a resident of this State and who has attained the age of nineteen years, and who is of good moral character shall be deemed to have met the requirements of this subsection.

(3) Any person who meets the requirements of education and experience as hereinafter provided by subsections (4), (5) or (6) shall be deemed to have met the requirements of this subsection.

(4) During the five-year period immediately following the effective date of this Act, the educational requirements shall be graduation from a high school or what the Board determines to be substantially the equivalent thereof, and the experience requirements shall be four years of accounting experience satisfactory to the Board; or such educational and experience requirements may be those set forth in subsection (6) of this Section.

(5) After the expiration of five years immediately following the effective date of this Act, the educational requirements shall be (a) satisfactory completion of two years of study at one or more colleges or universities recognized by the Board or (b) graduation from a junior or community college in Alaska or otherwise recognized by the Board or (c) what the Board determines to be substantially the equivalent of (a) or (b); and the experience requirements shall be four years of accounting experience satisfactory to the Board; or such educational and experience requirements may be those set forth in subsection (6) of this Section.

(6) During the periods as specified in subsections (4) and (5) of this Section, the education and experience requirements may also be satisfied by: (a) the satisfactory completion of four years of study with a non-accounting major at one or more colleges or universities recognized by the Board, and three years of accounting experience satisfactory to the Board, or (b) the satisfactory completion of four years of study with an accounting major at one or more colleges or universities recognized by the Board, and two years of accounting experience satisfactory to the Board.

(7) Any person who shall have

passed a written examination in theory of accounts, in accounting practice, in auditing and in such other related subjects as the Board shall determine to be appropriate shall be deemed to have met the requirements of this subsection; provided that such examination shall have been designated in advance by the Board as an examination for the certificate of Certified Public Accountant; and provided further that the Board shall use only the Uniform Certified Public Accountants examination and Advisory Grading Service if available to it.

(8) The examination described in subsection (7) of this Section shall be held by the Board as often as the Board shall determine to be desirable but not more than three times each year; provided however that, should the Uniform Certified Public Accountants examination be available less frequently, an examination shall be held not less than once each year.

(9) A person who has met the educational requirements of subsections (4), (5) or (6) of this Section shall be eligible to take the examination described in subsection (7) of this Section without waiting until he has met the experience requirements, provided he also meets the requirements of subsection (2) of this Section. A candidate for the certificate of Certified Public Accountant who has successfully completed the examination described in subsection (7) of this Section shall have no status as a Certified Public Accountant unless and until he has met the experience requirements and has been notified by the Board that he has been granted his certificate as a Certified Public Accountant.

(10) A candidate who fails an examination shall have the right to take succeeding examinations as many times as he may choose. A candidate who receives a passing grade in at least two of the subjects indicated in subsection (7) of this Section or in accounting practice shall have the right to be re-examined in only the remaining subjects at subsequent examinations within a period of five (5) calendar years, provided he takes an examination in the remaining subjects at least once each calendar year thereafter unless excused by the Board for good cause, and if such candidate receives

a passing grade in the remaining subject or subjects he shall be deemed to have passed the entire examination. In order to pass, a candidate must receive a grade of at least 75 in each subject in which he is examined. The Board may give credit to a candidate who has passed all or part of the examination in another State if the Board determines that the standards under which the examination was held are as high as the standards established for the examination in this Act.

(11) Any candidate who, prior to the effective date of this Act, has applied to take an examination for the certificate of Certified Public Accountant, or held a valid license as a Public Accountant, or was regularly enrolled in any college or correspondence course in accounting, or any person whose registration under this Act is accepted by the Board, shall be issued a certificate as a Certified Public Accountant when he has met either the requirements of this Act, or the requirements which were effective at the time his first application was filed, at the option of the candidate.

(12) The Board shall charge each candidate a fee of \$25.00 for the initial examination provided for in subsection (7) of this Section, and \$25.00 for each subsequent re-examination, such fee to be paid by the candidate at the time he applies for examination or re-examination.

(13) Any person who has received from the Board a certificate as a Certified Public Accountant and who holds a permit issued under Section 10 of this Act, both of which are in full force and effect, shall be styled and known as a "Certified Public Accountant" and may also use the abbreviation "CPA".

(14) Persons who, on the effective date of this Act, held certificates as Certified Public Accountants theretofore issued under the Laws of the State (or Territory) of Alaska shall not be required to obtain additional certificates under this Act but shall otherwise be subject to all provisions of this Act, and such certificates theretofore issued shall for all purposes be considered certificates issued under this Act and subject to the provisions hereof.

(15) The Board may issue, upon application, a Certified Public Accountant's Certificate to any person who is the holder of a Certified Public Accountant's certificate then in full force and effect and issued under the laws of any State, or who is the holder of a certificate, license or degree, then in full force and effect in a foreign country constituting a recognized qualification for the practice of Public Accounting in such country comparable to that of a Certified Public Accountant in this State; provided, the Board finds such person possesses the qualifications specified in subsection (2) of this Section and that such person has substantially the equivalent of the applicable qualifications under subsection 3 of this Section.

Sec. 4. Registration of Foreign Accountants. The Board may, in its discretion, permit the registration of any person of good moral character who is the holder of a certificate, license or degree, then in full force and effect, in a foreign country having recognized qualifications as determined by the Board, for the practice of public accounting in such country. A person so registered shall use only the title under which he is generally known in his own country, followed by the name of the country from which he received his certificate, license or degree. The Board shall by regulation duly promulgated under the State Administrative Procedure Act prescribe the procedure to be followed in effecting such registration.

Sec. 5. Partnerships Composed of Certified Public Accountants: Registration Thereof.

(1) A partnership engaged in this State in the practice of public accounting may register with the Board as a partnership of Certified Public Accountants, provided it meets the requirements set forth in subsection (2) of this Section. The Board shall in each case determine whether the applicant is eligible for registration. Application for such registration must be made upon the affidavit of a general partner of such partnership who is a Certified Public Accountant of this State in good standing. A partnership which is so registered and which holds a permit issued under Section 10 of this Act may use the words "Certified Public Accountants" or the abbreviation

"CPAs" in connection with its partnership name. Notification shall be given the Board within one month from the date any partner is admitted to or withdraws from any partnership so registered. The Board shall by regulation duly promulgated by the State Administrative Procedure Act prescribe the procedure to be followed in effecting such registration.

(2) The Board shall permit the registration of only those partnerships which meet all the following requirements: (a) At least one general partner thereof must be a Certified Public Accountant of this State in good standing, holding a valid permit, and (b) each partner thereof (whether resident or non-resident) personally engaged within this State in the practice of public accounting must be a Certified Public Accountant in good standing and must hold a valid permit to practice issued under Section 10 of this Act, and (c) all offices of such partnership established or maintained in this State for the practice of public accounting in this State must be maintained and registered as required under Section 9 of this Act.

Sec. 6. Temporary Certificate as Certified Public Accountant. In the event an applicant for a certificate as a Certified Public Accountant meets all the requirements for such certificate other than the requirement that he be a resident of this State or have a place of business therein or as an employee be regularly employed therein, the Board may in its discretion issue to him a temporary certificate as a Certified Public Accountant which shall be effective only until the Board shall notify him that his application has been either granted or rejected. In no event shall such temporary certificate be in effect for more than six months after the date of issuance. No fee shall be charged for such a temporary certificate.

Sec. 7. Public Accountants.

(1) A license as a Public Accountant shall be granted by the Board to any person who meets the requirements of subsections (2), (3) and (4) of this Section.

(2) Any person who is a citizen of the United States or has duly declared

his intention of becoming a citizen, and who is a resident of this State or has a place of business therein or as an employee is regularly employed therein, and who has attained the age of nineteen years, and who is of good moral character shall be deemed to have met the requirements of this subsection.

(3) Any person who meets the requirements of education and experience as hereinafter provided shall be deemed to have met the requirements of this subsection. The requirements of education and experience shall be, respectively: (a) graduation from a high school or what the Board determines to be substantially the equivalent thereof, and (b) four years of accounting experience satisfactory to the Board.

(4) Any person who shall have passed a written examination on such subjects as the Board shall determine to be appropriate shall be deemed to have met the requirements of this subsection, provided that such examination shall have been designated in advance by the Board as an examination for the license of Public Accountant.

(5) The examination described in subsection (4) of this Section shall be held by the Board as often as the Board shall determine to be desirable but not less than once each year.

(6) The Board shall charge each candidate a fee of \$25.00 for any examination given in accordance with the provisions of subsection (4) of this Section, such fee to be paid by the candidate at the time he applies for examination.

(7) Any person who has received from the Board a license as a Public Accountant and who holds a permit issued under Section 10 of this Act, both of which are in full force and effect, shall be styled and known as a "Public Accountant" and may also use the abbreviation "PA".

(8) Persons who, on the effective date of this Act, held licenses as Public Accountant theretofore issued under the laws of the State (or Territory) of Alaska shall not be required to obtain "new" licenses under this Act but shall otherwise be subject to all provisions of this Act, and such licenses theretofore issued

shall for all purposes be considered licenses issued under this Act and subject to the provisions hereof.

Sec. 8. Partnerships Composed of Public Accountants: Registration Thereof.

(1) A partnership engaged in this State in the practice of public accounting may register with the Board as a partnership of Public Accountants, provided it meets the requirements of subsection (2) of this Section. The Board shall in each case determine whether the applicant is eligible for registration. Application for such registration must be made upon the affidavit of a general partner of such partnership who is a Certified Public Accountant or Public Accountant of this State in good standing. A partnership which is so registered and which holds a permit issued under Section 10 of this Act may use the words "Public Accountants" or the abbreviation "PAs" in connection with its partnership name. Notification shall be given the Board within one month from the date any partner is admitted to or withdraws from any partnership so registered. The Board shall by regulation prescribe the procedure to be followed in effecting such registration.

(2) The Board shall permit the registration of only those partnerships which meet all the following requirements: (a) At least one general partner thereof must be a Certified Public Accountant or Public Accountant of this State in good standing, and (b) each partner thereof personally engaged within this State in the practice of public accounting must be a Certified Public Accountant or Public Accountant of this State in good standing and must hold a valid permit to practice issued under Section 10 of this Act, and (c) each non-resident partner thereof must be a Certified Public Accountant of some State in good standing, and (d) all offices of such partnership established or maintained in this State for the practice of public accounting in this State must be maintained and registered as required under Section 9 of this Act.

Sec. 9. Registration of Offices.

(1) Each office established or maintained in this State for the practice of public accounting in this State by a Certified Public Accountant or partnership

of Certified Public Accountants, or by a Public Accountant or partnership of Public Accountants, or by one registered under Section 4 of this Act, shall be registered annually under this Act with the Board, but no fee shall be charged for such registration. The Board shall by regulation prescribe the procedure to be followed in effecting such registration.

(2) Each office shall be under the direct supervision of a person in residence who holds a permit under Section 10 of this Act. Such person may be either a sole proprietor, partner, principal or staff employee. Such resident person may serve in such capacity at one office only.

(3) The title or designation "Certified Public Accountant" or the abbreviation "CPA", or the plurals thereof, shall not be used in connection with any office registered under this Act unless the "person in residence" required by subsection (2) of this section is the holder of a certificate as a Certified Public Accountant under Section 3 or 6 of this Act which is then in full force and effect.

(4) The Board in its discretion may waive the requirements of subsections (2) and (3) of this Section in the following circumstances: (a) In communities having a population of 2,000 persons or less and (b) if the firm opening or maintaining such office maintains another office in this State which meets the requirements outlined in subsections (2) and (3) of this Section.

Sec. 10. Annual Permits to Practice and Fees.

(1) Permits to practice and fees under this Act shall be as provided in subsections (2) through (8) of this Section.

(2) Permits to engage in the practice of public accounting as a principal in this State shall be issued by the Board to holders of a certificate issued under Sections 3 or 6 of this Act, and to persons registered under Section 4 or licensed under Section 7 of this Act, provided all offices of such certificate holder, registrant or licensee are maintained and registered as required under Section 9 of this Act. There shall be an annual permit fee of \$25.00, provided that no permit fee for the year 1960 will be required if the

Certified Public Accountant, Public Accountant or registered foreign accountant shall have paid his license fee for 1960 under the prior law.

(3) Permits to engage in the practice of public accounting in this State as a partnership shall be issued by the Board to partnerships registered under Sections 5 or 8 of this Act. There shall be an annual permit fee of \$10.00; provided, however, that a fee of \$5.00 must accompany notification to the Board when any partner is admitted to or withdraws from any partnership holding a permit under this subsection. Such permit to practice shall be valid only for practice under the registered name of such partnership.

(4) Any person holding a certificate or license under this Act who does not desire to engage in the practice of public accounting as a principal but who desires to maintain his certificate or license in good standing shall register with the Board and shall pay an annual registration fee of \$10.00.

(5) Any Certified Public Accountant or partnership thereof in good standing in any State, neither holding a permit under subsections (2) or (3) of this Section nor maintaining an office within this State but engaging in the practice of public accounting in this State, shall apply to the Board for a permit to practice. The Board shall in each case determine whether the applicant is eligible for such permit. An annual fee of \$100.00 shall be required for the issuance of such permit.

(6) All permits and registrations under this Section, unless otherwise revoked, shall expire on the last day of December of each year and, unless otherwise revoked or suspended, shall be renewed by the Board annually upon payment by the certificate holder, licensee, or registrant of a renewal fee in the amount of the original fee.

(7) Failure of any person or partnership subject to the provisions of this Act to apply for the annual permit to practice or to pay the annual fee as provided by this Section within (a) three years from the expiration date of the permit to practice or annual registration last obtained or renewed, or (b) three

years from the date upon which the certificate holder or licensee was granted his certificate as a Certified Public Accountant or license as a Public Accountant under this Act, shall deprive him of the right to receive a permit or annual registration or renewal thereof, unless the Board in its discretion determines such failure to have been excusable. In such case the fee shall be such amount as the Board shall, from time to time, determine, but not in excess of three times the annual fee.

(8) Permits and registrations and renewals thereof under this Section shall be issued by the Board upon application of such rules and procedures, promulgated in accordance with the Administrative Procedure Act and in such form as the Board may prescribe.

Sec. 11. Revocation or Suspension of Certificate, License, Registration or Permit.

(1) After notice and hearing as provided in the State Administrative Procedure Act the Board may revoke or suspend any certificate issued under Section 3 of this Act, or any registration granted under Section 4 of this Act, or any license issued under Section 7 of this Act, or may revoke, suspend or refuse to renew any permit issued under Section 10 of this Act, or may censure any certificate holder, licensee, registrant or permit holder for any one or any combination of the following causes: (a) Fraud or deceit in obtaining a certificate as Certified Public Accountant, or license as Public Accountant, or in obtaining registration under this Act, or in obtaining a permit to practice public accounting under this Act; (b) Dishonesty or gross negligence in the practice of public accounting, fraud, or other acts discreditable to the accounting profession; (c) Violation of any of the provisions of Section 15 of this Act; (d) Violation of a rule of professional conduct or other regulation promulgated by the Board under the authority granted by this Act; (e) Conviction of a felony under the laws of any State or of the United States; (f) Conviction of any crime, an essential element of which is dishonesty or fraud, under the laws of any State or of the United States; (g) Cancellation, revocation, suspension or refusal to renew

authority to practice as a Certified Public Accountant or Public Accountant in any other State for any cause other than failure to pay an annual registration fee in such State; (h) Suspension or revocation of the right to practice before any State or Federal agency; (i) Failure to become a citizen of the United States within six years by any person not a citizen of the United States when he received a certificate as a Certified Public Accountant or license as a Public Accountant under this Act.

(2) The revocation or suspension of a certificate, license or registration required for the issuance of a permit under Section 10 of this Act shall automatically operate to revoke or suspend such permit.

Sec. 12. Revocation or Suspension of Partnership Registration or Permit.

(1) After notice and hearing as provided in the State Administrative Procedure Act, the Board shall revoke the registration and permit to practice of a partnership if at any time it does not have all the qualifications prescribed by the Section of this Act under which it qualified for registration.

(2) After notice and hearing as provided in the State Administrative Procedure Act, the Board may revoke or suspend the registration and permit to practice of a partnership or may revoke, suspend or refuse to renew its permit to practice or may censure the partnership for any of the causes enumerated in Section 11 of this Act, or for any of the following additional causes: (a) The revocation or suspension of the certificate, license or registration of any partner; (b) The revocation, suspension or refusal to renew the permit to practice of any partner; (c) The cancellation, revocation, suspension or refusal to renew the authority of the partnership or any partner thereof to practice public accounting in any other State for any cause other than failure to pay an annual registration fee in such other State.

Sec. 13. Hearings and Procedures Before Board: The procedures to be followed by the Board relative to the promulgation of rules and regulations and the holding of hearings before the Board shall be in accordance with the pro-

cedures set forth in the State Administrative Procedure Act.

Sec. 14. Reinstatement. Upon application in writing and after hearing pursuant to the Administrative Procedure Act, the Board may issue a new certificate to a Certified Public Accountant whose certificate has been revoked, or may permit the re-registration of anyone whose registration has been revoked, or may modify the suspension of or may reissue any certificate, license or permit to practice public accounting which has been revoked or suspended.

Sec. 15. Acts Declared Unlawful.

(1) No person shall assume or use the title or designation Certified Public Accountant or the abbreviation CPA or any other title, designation, words, letters, abbreviations, sign, card, or device tending to indicate that such person is a Certified Public Accountant, unless such person has received a certificate as a Certified Public Accountant under Sections 3 or 6 of this Act, holds a permit issued under Section 10 of this Act which is not revoked or suspended, hereinafter referred to as a "live" permit, and all of such person's offices in this State for the practice of public accounting are maintained and registered as required under Section 9 of this Act; provided, however, that a Certified Public Accountant in good standing in any State, not holding a certificate under Sections 3 or 6 of this Act but holding a permit under Section 10 (5) of this Act, may use the title or designation Certified Public Accountant; and provided further that a foreign accountant who has registered under the provisions of Section 4 of this Act and who holds a live permit issued under Section 10 of this Act and all of whose offices in this State for the practice of public accounting are maintained and registered as required under Section 9 of this Act may use the title under which he is generally known in his own country followed by the name of the country from which he received his certificate, license or degree.

(2) No partnership shall assume or use the title or designation Certified Public Accountants or the abbreviation CPAs or any other title, designation, words, letters, abbreviation, sign, card, or device

tending to indicate that such partnership is composed of Certified Public Accountants, unless such partnership is registered as a partnership of Certified Public Accountants under Section 5 of this Act, holds a live permit issued under Section 10 of this Act, is practicing under its registered name, and all of such partnership's offices in this State for the practice of public accounting are maintained and registered as required under Section 9 of this Act; provided, however, that a partnership of Certified Public Accountants in good standing in any State, not registered as a partnership of Certified Public Accountants under Section 5 of this Act but holding a permit under Section 10 (5) of this Act, may use the title or designation Certified Public Accountants.

(3) No person shall assume or use the title or designation Public Accountant or the abbreviation PA or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that such person is a Public Accountant, unless such person holds a live permit issued under Section 10 of this Act, and all of such person's offices in this State for the practice of public accounting are maintained and registered as required under Section 9 of this Act.

(4) No partnership shall assume or use the designation Public Accountants or the abbreviation PAs or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that such partnership is composed of Public Accountants, unless such partnership holds a live permit issued under Section 10 of this Act, is practicing under its registered name, and all of such partnership's offices in this State for the practice of public accounting are maintained and registered as required under Section 9 of this Act.

(5) No person or partnership shall assume or use the title or designation Certified Accountant, Chartered Accountant, Enrolled Accountant, Licensed Accountant, Registered Accountant, or any other title or designation likely to be confused with Certified Public Accountant or Public Accountant, or any of the abbreviations CA, EA, LA, RA, or similar abbreviations likely to be confused with CPA or PA; provided, however, that anyone who holds a live permit issued under

Section 10 of this Act and all of whose offices in this State for the practice of public accounting are maintained and registered as required under Section 9 of this Act may hold himself or itself out to the public as an Accountant or Auditor; and provided further that a foreign accountant, registered under Section 4 of this Act and who holds a live permit issued under Section 10 of this Act and all of whose offices in this State for the practice of public accounting are maintained and registered as required under Section 9 of this Act, may use the title under which he is generally known in his own country followed by the name of the country from which he received his certificate, license or degree.

(6) No corporation shall assume or use the title or designation Certified Public Accountant or Public Accountant, nor shall any corporation assume or use the title or designation Certified Accountant, Chartered Accountant, Enrolled Accountant, Licensed Accountant, Registered Accountant, or any other title or designation likely to be confused with Certified Public Accountant or Public Accountant, or either of the abbreviations CPA or PA, or any of the abbreviations CA, EA, LA, RA, or similar abbreviations likely to be confused with CPA or PA.

(7) No person shall sign or affix his name or any trade or assumed name used by him with any wording indicating that he is a Certified Public Accountant or Public Accountant, nor shall any person assume or use the title or designation Certified Accountant, Chartered Accountant, Enrolled Accountant, Licensed Accountant, Registered Accountant, or any other title or designation likely to be confused with Certified Public Accountant or Public Accountant, or either of the abbreviations CPA or PA, or any of the abbreviations CA, EA, LA, RA, or similar abbreviations likely to be confused with CPA or PA, or with any wording indicating that he has expert knowledge in accounting or auditing to any accounting or financial statement or to any opinion on, report on any accounting or financial statement, unless he holds a live permit issued under Section 10 of this Act, and all of his offices in this State for the practice of public accounting are maintained and registered as required under Section 9 of this Act; provided,

however, that the provisions of this subsection shall not prohibit any officer, employee, partner, or principal of any organization from affixing his signature to any statement or report in reference to the financial affairs of such organization together with any wording designating the position, title or office which he holds in such organization, nor shall the provisions of this subsection prohibit any act of a public official or public employee in the performance of his duties as such; nor shall the provisions of this subsection prohibit any person maintaining a bookkeeping or tax service from affixing his signature to any record, statement or report maintained or prepared by him.

(8) No person shall sign or affix a partnership name with any wording indicating that it is a partnership composed of accountants or auditors or persons having expert knowledge in accounting or auditing to any accounting or financial statement, or to any opinion on, report on or certificate to any accounting or financial statement unless the partnership holds a live permit issued under Section 10 of this Act, is practicing under its registered name, and all of its offices in this State for the practice of public accounting are maintained and registered as required under Section 9 of this Act.

(9) No person shall sign or affix a corporate name with any wording indicating that it is a corporation performing services as accountants or auditors, or composed of accountants or auditors or persons having expert knowledge in accounting or auditing, to any accounting or financial statement, or to any opinion on, report on or certificate to any accounting or financial statement.

(10) No person or partnership not holding a live permit issued under Section 10 of this Act, and no corporation, in any event shall hold himself or itself out to the public as a Certified Public Accountant or Public Accountant by use of either or both of such words or abbreviations on any sign, card, letterhead or in any advertisement or directory, without indicating thereon or therein that such person or partnership or corporation does not hold such a permit; provided, however, that this subsection shall not pro-

hibit any officer, employee partner or principal of any organization from describing himself by the position, title, or office which he holds in such organization; nor shall the provisions of this subsection prohibit any act of a public official or public employee in the performance of his duties as such; nor shall the provisions of this subsection prohibit any person from maintaining a bookkeeping or tax service.

(11) No person shall assume or use the title or designation Certified Public Accountant or Public Accountant, or the plurals thereof or any abbreviation thereof, in conjunction with a name or names indicating or implying that there is a partnership, or in conjunction with the designation "and Company" or "and Co." or any similar designation if, in any such case, there is in fact no bona fide partnership registered under such name under Sections 5 or 8 of this Act; provided, however, that a sole proprietor or partnership lawfully using such title or designation in conjunction with such names or designation on the effective date of this Act may continue to do so if he or it otherwise complies with the provisions of this Act.

Sec. 16. Exceptions: Acts Not Prohibited.

(1) Nothing contained in this Act shall prohibit any person not a Certified Public Accountant or Public Accountant from serving as an employee of or as an assistant to any person or partnership holding a live permit issued under Section 10 of this Act; provided, however, that no such employee or assistant shall issue any accounting or financial statement over, under or connected with his own name.

(2) Nothing contained in this Act shall prohibit any Certified Public Accountant or Public Accountant from indicating that he holds a certificate or license entitling him to such designation if, in fact, he does hold a valid, unrevoked certificate or license in any State; provided, however, that no such person may indicate that his services are available to the public unless he holds a live permit issued under Section 10 of this Act.

(3) Nothing contained in this Act

shall prohibit any holder of a valid certificate, license or degree from a foreign country constituting a recognized qualification for the practice of public accounting in such country from indicating that he holds such certificate, license or degree if, in fact, he does hold such certificate, license or degree; provided, however, that no such person may indicate that his services are available to the public unless he holds a live permit issued under Section 10 of this Act.

Sec. 17. Injunction Against Unlawful Act. Whenever in the judgment of the Board any person has engaged in any act or practice which constitutes, or will constitute, a violation of Section 15 of this Act, the Board may make application to the appropriate court for an order enjoining such act or practice. Upon a showing by the Board that such person has engaged in any such act or practice, the court shall grant without bond an injunction, a restraining order or such other order as may be appropriate.

Sec. 18. Misdemeanors: Penalty. Any person who violates any provision of Section 15 of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than five hundred dollars, or to imprisonment for not more than one year, or to both such fine and imprisonment. Whenever the Board has reason to believe that any person is liable to punishment under this Section it may certify the facts to the Attorney General of this state (or other appropriate enforcement officer) who may, in his discretion, cause appropriate proceedings to be brought.

Sec. 19. Single Act Evidence of Practice. The display or uttering by a person of a card, sign, advertisement or other printed, engraved or written instrument or device, bearing a person's name in conjunction with the words Certified Public Accountant, or any abbreviation thereof, or with the words Public Accountant, or any abbreviation thereof, or any words or abbreviations likely to be confused with any of them, shall be prima facie evidence in any action brought under Sections 17 or 18 of this Act that the person whose name is so displayed caused or procured the display or uttering of such card, sign, advertisement or other printed, engraved or written instrument or device, and that

such person is holding himself out to be a Certified Public Accountant or Public Accountant holding a live permit to practice under Section 10 of this Act. In any such action, evidence of the commission of a single act prohibited by this Act shall be sufficient to justify an injunction or a conviction without evidence of a general course of conduct.

Sec. 20. Ownership of Accountants Working Papers. All statements, records, schedules, working papers, and memoranda made by a Certified Public Accountant, Public Accountant, or registered foreign accountant incident to or in the course of professional service to clients by such accountant, except reports submitted by a Certified Public Accountant, Public Accountant, or registered foreign accountant to a client, shall be and remain the property of such accountant, in the absence of an express agreement between such accountant and the client to the contrary. No such statement, record, schedule, working paper, or memorandum shall be sold, transferred or bequeathed, without the consent of the client or his personal representative or assignee, to anyone other than one or more surviving partners or new partners of such accountant.

Sec. 21. Definitions.

(1) The term "Board" when used in this Act means the "Alaska State Board of Public Accountancy" created by Section 2 of this Act.

(2) Masculine terms when used in this Act shall also include the feminine.

(3) The term "state" when used in this Act includes any state, territory, or insular possession of the United States, or the District of Columbia.

Sec. 22. Construction. If any provision or provisions of this Act or the application thereof to any person or to any circumstances is held invalid, the remainder of this Act and the application of such provision or provisions to other persons or other circumstances shall not be affected thereby.

Sec. 23. Repeal Provisions. Sections 35-2-4, 35-2-5, 35-2-6, 35-2-8, 35-2-9 and 35-2-12 of Ch. 35, ACLA 1949, all of Ch. 95, SLA 1949 (except Section 11 thereof), all of Ch. 18, SLA 1951, all of Ch. 161, SLA 1957, and all other Acts or parts of Acts in conflict herewith are hereby repealed; provided, however, that nothing contained in this Act shall invalidate or affect any action taken under any law in effect prior to the effective date of this Act, and nothing contained in this Act shall invalidate or affect any proceedings instituted under such laws before the effective date of this Act.

Sec. 24. Effective Date. This Act shall take effect thirty (30) days after its passage and approval or upon its becoming law without such approval.

Became law without signature April 26, 1960