

SENATE BILL NO. 73

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY SENATOR CLAMAN

Introduced: 2/17/23

Referred: Labor & Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to registered interior designers and interior design; establishing**
2 **requirements for the practice of registered interior design; renaming the State Board of**
3 **Registration for Architects, Engineers, and Land Surveyors the State Board of**
4 **Registration for Design Professionals; relating to the State Board of Registration for**
5 **Design Professionals; relating to liens for labor or materials furnished; relating to the**
6 **procurement of interior design services; and providing for an effective date."**

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 * **Section 1.** AS 08.01.010(3) is amended to read:

9 (3) State Board of Registration for **Design Professionals**
10 [ARCHITECTS, ENGINEERS, AND LAND SURVEYORS] (AS 08.48.011);

11 * **Sec. 2.** AS 08.01.065(f) is amended to read:

12 (f) Notwithstanding (c) of this section, the department shall establish fee levels
13 under (a) of this section so that the total amount of fees collected by the State Board of

Registration for **Design Professionals** [ARCHITECTS, ENGINEERS, AND LAND SURVEYORS] approximately equals the total regulatory costs of the department and the board for all occupations regulated by the board. The department shall set the fee levels for the issuance and renewal of a certificate of registration issued under AS 08.48.211 so that the fee levels are the same for all occupations regulated by the board.

* **Sec. 3.** AS 08.03.010(c)(3) is amended to read:

(3) State Board of Registration for **Design Professionals** [ARCHITECTS, ENGINEERS, AND LAND SURVEYORS] (AS 08.48.011) - June 30, 2025;

* **Sec. 4.** AS 08.48.011(a) is amended to read:

(a) There is created the State Board of Registration for **Design Professionals** [ARCHITECTS, ENGINEERS, AND LAND SURVEYORS]. The board shall administer the provisions of this chapter and comply with AS 44.62 (Administrative Procedure Act).

* **Sec. 5.** AS 08.48.011(b) is amended to read:

(b) The board consists of **13** [11] members appointed by the governor having the qualifications as set out in AS 08.48.031. The board consists of two civil engineers, two land surveyors, one mining engineer, one electrical **engineer, one** [OR] mechanical engineer, one engineer from another branch of the profession of engineering, two architects, one landscape architect, **one registered interior designer,** and one public member.

* **Sec. 6.** AS 08.48.061(c) is amended to read:

(c) The board may make expenditures from appropriated funds for any purpose that is reasonably necessary for the proper performance of its duties under this chapter. This may include the expenses of the board delegates to **attend** meetings of councils of architect examiners, engineering examiners, land surveyor examiners, **registered interior designer examiners,** or landscape architect examiners, or any of their subdivisions. The total amount of disbursements issued in payment of the expenses incurred under this chapter may not exceed the amount of money appropriated by the legislature.

1 * **Sec. 7.** AS 08.48.071(f) is amended to read:

2 (f) The department shall assemble statistics relating to the performance of its
3 staff and the performance of the board, including

4 (1) the number of architects, engineers, land surveyors, **registered**
5 **interior designers**, and landscape architects registered over a five-year period;

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

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

10 (4) an account of registration fees collected under AS 08.01.065;

11 (5) a measure of the correspondence workload of any licensing
12 examiner employed by the department to carry out this chapter.

13 * **Sec. 8.** AS 08.48.111 is amended to read:

14 **Sec. 08.48.111. Power to revoke, suspend, or reissue certificate.** The board
15 may suspend, refuse to renew, or revoke the certificate of or reprimand a registrant,
16 corporation, limited liability company, or limited liability partnership who is found
17 guilty of (1) fraud or deceit in obtaining a certificate; (2) gross negligence,
18 incompetence, or misconduct in the practice of architecture, engineering, land
19 surveying, **registered interior design**, or landscape architecture; or (3) a violation of
20 this chapter, a regulation adopted under this chapter, or the code of ethics or
21 professional conduct as adopted by the board. The code of ethics or professional
22 conduct shall be distributed in writing to every registrant and applicant for registration
23 under this chapter. This publication and distribution of the code of ethics or
24 professional conduct constitutes due notice to all registrants. The board may revise and
25 amend its code and, upon doing so, shall immediately notify each registrant in writing
26 of the revisions or amendments. The board may, upon petition of the registrant,
27 corporation, limited liability company, or limited liability partnership, reissue a
28 certificate if a majority of the members of the board vote in favor of the reissuance.

29 * **Sec. 9.** AS 08.48.171 is amended to read:

30 **Sec. 08.48.171. General requirements and qualifications for registration.**

31 An applicant for registration as an architect, engineer, land surveyor, **registered**

1 **interior designer**, or landscape architect must be of good character and reputation and
 2 shall submit evidence satisfactory to the board of the applicant's education, training,
 3 and experience. However, an applicant for registration as a land surveyor may not be
 4 required to submit evidence of more than eight years of any combination of education,
 5 experience, or training.

6 * **Sec. 10.** AS 08.48.181 is amended by adding a new subsection to read:

7 (b) Except as provided in AS 08.48.191, for registration as a registered interior
 8 designer, a person shall be examined in this state in accordance with the regulations of
 9 procedure and standards adopted by the board under AS 44.62 (Administrative
 10 Procedure Act). The procedure and standards must include successfully completing
 11 the examination administered by the Council for Interior Design Qualification or its
 12 successor.

13 * **Sec. 11.** AS 08.48.191 is amended by adding a new subsection to read:

14 (e) A person holding a certificate of registration authorizing the person to
 15 practice registered interior design in a state, territory, or possession of the United
 16 States, the District of Columbia, or a foreign country that, in the opinion of the board,
 17 meets the requirements of this chapter, based on verified evidence, may, upon
 18 application, be registered in accordance with the regulations of the board.

19 * **Sec. 12.** AS 08.48.201(a) is amended to read:

20 (a) Application for registration as a professional architect, a professional
 21 engineer, a professional land surveyor, **a registered interior designer**, or a
 22 professional landscape architect shall

23 (1) be on a form prescribed and furnished by the board;

24 (2) contain statements made under oath, showing the applicant's
 25 education and a detailed summary of the applicant's technical experience; and

26 (3) contain five references, three of whom must be architects for
 27 architectural registration, engineers for engineering registration, land surveyors for
 28 land surveying registration, **architects or registered interior designers for interior**
 29 **design registration**, and landscape architects for landscape architectural registration,
 30 having personal knowledge of the applicant's architectural, engineering, land
 31 surveying, **interior design**, or landscape architectural education, training, or

1 experience.

2 * **Sec. 13.** AS 08.48.211 is amended to read:

3 **Sec. 08.48.211. Certificate of registration.** (a) An applicant who fulfills the
4 requirements set out by the board shall be awarded a certificate of registration as a
5 professional architect, engineer, land surveyor, or landscape architect, **or as a**
6 **registered interior designer,** authorizing the holder to offer or perform architectural,
7 engineering, land surveying, **interior design,** or landscape architectural services or
8 work for the public, or to certify or sign architectural, engineering, land surveying,
9 **interior design,** or landscape architectural documents. Certificates of registration
10 issued under this section shall be inscribed on their face in a manner determined by the
11 board.

12 (b) The certificate of registration sealed by the board is prima facie evidence
13 that the person named in it is entitled to all rights and privileges of a professional
14 architect, professional engineer, professional land surveyor, **registered interior**
15 **designer,** or professional landscape architect while the certificate remains unrevoked
16 or unexpired.

17 * **Sec. 14.** AS 08.48.215(a) is amended to read:

18 (a) On retiring from practice and payment of an appropriate one-time fee, an
19 individual who is a registrant in good standing with the board may apply for the
20 conversion of a certificate of registration to a retired status registration. An individual
21 holding a retired status registration may not practice architecture, engineering, land
22 surveying, **registered interior design,** or landscape architecture in the state. A retired
23 status registration is valid for the life of the registration holder and does not require
24 renewal.

25 * **Sec. 15.** AS 08.48.221(a) is amended to read:

26 (a) Each registrant may obtain a seal of the design authorized by the board,
27 bearing the registrant's name, registration number, and the legend "Registered
28 Professional Architect," "Registered Professional Engineer," "Registered Professional
29 Land Surveyor," **"Registered Interior Designer,"** or "Registered Professional
30 Landscape Architect," as appropriate. When a registrant issues final drawings,
31 specifications, surveys, plats, plates, reports, or similar documents, the registrant shall

stamp the documents with the seal and sign the seal. The board shall adopt regulations governing the use of seals by the registrant. An architect, engineer, land surveyor, **registered interior designer**, or landscape architect may not affix or permit a seal and signature to be affixed to an instrument after the expiration of a certificate or for the purpose of aiding or abetting another person to evade or attempt to evade a provision of this chapter. The registrant, by affixing the registrant's seal to final drawings, specifications, surveys, plats, plates, reports, or similar documents, and by signing the seal, certifies that the documents were prepared by or under the registrant's direct supervision, are within the registrant's field of practice, or constitute design work of minor importance.

* **Sec. 16.** AS 08.48.241(a) is amended to read:

(a) This chapter does not prevent a corporation, limited liability company, or limited liability partnership from offering architectural, engineering, land surveying, **interior design**, or landscape architectural services; however, the corporation, limited liability company, or limited liability partnership shall file with the board

(1) an application for a certificate of authorization **on** [UPON] a form to be prescribed by the board and containing information required to enable the board to determine whether the corporation, limited liability company, or limited liability partnership is qualified in accordance with the provisions of this chapter to offer to practice architecture, engineering, land surveying, **registered interior design**, or landscape architecture in this state;

(2) a certified copy of a resolution of the board of directors of the corporation, the managing members or manager of the limited liability company, or the general partners of a limited liability partnership designating persons holding certificates of registration under this chapter as responsible for the practice of architecture, engineering, land surveying, **registered interior design**, or landscape architecture by the corporation, limited liability company, or limited liability partnership in this state and providing that full authority to make all final architectural, engineering, land surveying, **interior design**, or landscape architectural decisions on behalf of the corporation, limited liability company, or limited liability partnership with respect to work performed by the corporation, limited liability company, or

1 limited liability partnership in this state is granted by the board of directors of the
 2 corporation, the managing members or manager of the limited liability company, or
 3 the general partners of the limited liability partnership to the persons designated in the
 4 resolution; however, the filing of this resolution does not relieve the corporation,
 5 limited liability company, or limited liability partnership of any responsibility or
 6 liability imposed on [UPON] it by law or by contract;

7 (3) a designation in writing setting out the name of one or more
 8 persons holding certificates of registration under this chapter who are in responsible
 9 charge of each major branch of the architectural, engineering, land surveying, interior
 10 design, or landscape architectural activities in which the corporation, limited liability
 11 company, or limited liability partnership specializes in this state; if a change is made
 12 in the person in responsible charge of a major branch of the architectural, engineering,
 13 land surveying, interior design, or landscape architectural activities, the change shall
 14 be designated in writing and filed with the board within 30 days after the effective date
 15 of the change.

16 * **Sec. 17.** AS 08.48.241(b) is amended to read:

17 (b) Upon filing with the board the application for certificate of authorization,
 18 certified copy of resolution, affidavit, and designation of persons specified in this
 19 section, the board shall, subject to (c) of this section, issue to the corporation, limited
 20 liability company, or limited liability partnership a certificate of authorization to
 21 practice architecture, engineering, land surveying, registered interior design, or
 22 landscape architecture in this state upon a determination by the board that

23 (1) the bylaws of the corporation, the articles of organization or
 24 operating agreement of the limited liability company, or the partnership agreement of
 25 the limited liability partnership contain provisions that all architectural, engineering,
 26 land surveying, interior design, or landscape architectural decisions pertaining to
 27 architectural, engineering, land surveying, interior design, or landscape architectural
 28 activities in this state will be made by the specified architect, engineer, land surveyor,
 29 registered interior designer, or landscape architect in responsible charge, or other
 30 registered architects, engineers, land surveyors, registered interior designers, or
 31 landscape architects under the direction or supervision of the architect, engineer, land

1 surveyor, **registered interior designer**, or landscape architect in responsible charge;

2 (2) the application for certificate of authorization states the type of
3 architecture, engineering, land surveying, **interior design**, or landscape architecture
4 practiced or to be practiced by the corporation, limited liability company, or limited
5 liability partnership;

6 (3) the applicant corporation, limited liability company, or limited
7 liability partnership has the ability to provide architectural, engineering, land
8 surveying, **interior design**, or landscape architectural services;

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

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

18 (6) the applicant corporation, limited liability company, or limited
19 liability partnership meets other requirements related to professional competence in
20 the furnishing of architectural, engineering, land surveying, **interior design**, or
21 landscape architectural services as may be adopted by the board in furtherance of the
22 objectives and provisions of this chapter.

23 * **Sec. 18.** AS 08.48.241(d) is amended to read:

24 (d) The certificate of authorization must specify the major branches of
25 architecture, engineering, land surveying, **interior design**, or landscape architecture of
26 which the corporation, limited liability company, or limited liability partnership has
27 designated a person in responsible charge as provided in this section. The certificate of
28 authorization shall be conspicuously displayed in the place of business of the
29 corporation, limited liability company, or limited liability partnership, together with
30 the names of persons designated as being in responsible charge of the professional
31 activities.

1 * **Sec. 19.** AS 08.48.241(e) is amended to read:

2 (e) If a corporation, limited liability company, or limited liability partnership
3 that is organized solely by [EITHER] a group of architects, a group of engineers, a
4 group of land surveyors, **a group of registered interior designers**, or a group of
5 landscape architects, each holding a certificate of registration under this chapter,
6 applies for a certificate of authorization, the board may, in its discretion, grant a
7 certificate of authorization to the corporation, limited liability company, or limited
8 liability partnership based on a review of the professional records of the incorporators
9 of the corporation, organizers of the limited liability company, or partners who formed
10 the limited liability partnership in place of the required qualifications set out in this
11 section. If the ownership of the corporation is altered, the membership of the limited
12 liability company is altered, or the partners of the limited liability partnership change,
13 the corporation, limited liability company, or limited liability partnership shall apply
14 for a revised certificate of authorization, based **on** [UPON] the professional records of
15 the owners of the corporation, the members of the limited liability company, or the
16 partners of the limited liability partnership, if exclusively architects, engineers, land
17 surveyors, **registered interior designers**, or landscape architects, or otherwise under
18 the qualifications required by (b)(1) - (4) of this section.

19 * **Sec. 20.** AS 08.48.241(f) is amended to read:

20 (f) A corporation, limited liability company, or a limited liability partnership
21 authorized to offer architectural, engineering, land surveying, **interior design**, or
22 landscape architectural services under this chapter, together with its directors, officers,
23 managing members, manager, and partners for their own individual acts, is responsible
24 to the same degree as the designated individual registered architect, engineer, land
25 surveyor, **registered interior designer**, or landscape architect, and shall conduct its
26 business without misconduct or malpractice in the practice of architecture,
27 engineering, land surveying, **registered interior design**, or landscape architecture as
28 defined in this chapter.

29 * **Sec. 21.** AS 08.48.241(g) is amended to read:

30 (g) If the board, after a proper hearing, finds that a corporation, limited
31 liability company, or limited liability partnership holding a certificate of authorization

has committed misconduct or malpractice, the board shall suspend or revoke the certificate of authorization. The board shall also suspend or revoke the certificate of registration of any registered individual architect, engineer, land surveyor, **interior designer**, or landscape architect who, after a proper hearing, is found by the board to have participated in committing the misconduct or malpractice.

* **Sec. 22.** AS 08.48.251 is amended to read:

Sec. 08.48.251. Certain partnerships. This chapter does not prevent the practice of architecture, engineering, land surveying, **registered interior design**, or landscape architecture by a partnership if all of the members of the partnership are architects, engineers, land surveyors, **registered interior designers**, or landscape architects legally registered under this chapter. In this section, "partnership" does not include a limited liability partnership.

* **Sec. 23.** AS 08.48.281(a) is amended to read:

(a) A person may not practice or offer to practice the profession of architecture, engineering, land surveying, **registered interior design**, or landscape architecture in the state, or use in connection with the person's name or otherwise assume or advertise a title or description tending to convey the impression that the person is an architect, [AN] engineer, [A] land surveyor, **registered interior designer**, or [A] landscape architect, unless the person has been registered under the provisions of this chapter or is a person to whom these provisions do not apply, or, in the case of a corporation, limited liability company, or limited liability partnership, unless it has been authorized under this chapter.

* **Sec. 24.** AS 08.48.281 is amended by adding a new subsection to read:

(c) Notwithstanding (a) of this section, this chapter does not prohibit the practice of registered interior design by a person who is not registered to practice registered interior design if the services are being performed by a person acting within the scope of practice authorized by another license that is held by the person.

* **Sec. 25.** AS 08.48.291 is amended to read:

Sec. 08.48.291. Violations and penalties. A person who practices or offers to practice architecture, engineering, land surveying, **registered interior design**, or landscape architecture in the state without being registered or authorized to practice in

accordance with the provisions of this chapter, or a person presenting or attempting to use the certificate or the seal of another, or a person who gives false or forged evidence of any kind to the board or to a member of the board in obtaining or attempting to obtain a certificate, or a person who impersonates a registrant, or a person who uses or attempts to use an expired or revoked or nonexistent certificate, knowing of the certificate's status, or a person who falsely claims to be registered and authorized to practice under this chapter, or a person who violates any of the provisions of this chapter, is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$10,000, or by imprisonment for not more than one year, or by both.

* **Sec. 26.** AS 08.48.295(a) is amended to read:

(a) In addition to any other provision of law, if a person practices or offers to practice architecture, engineering, **registered interior design**, or land surveying in the state without being registered or authorized to practice in accordance with the provisions of this chapter, the board may enter an order levying a civil penalty.

* **Sec. 27.** AS 08.48.311 is amended to read:

Sec. 08.48.311. Rights not transferable. The right to engage in the practice of architecture, engineering, land surveying, **registered interior design**, or landscape architecture is considered a personal and individual right, based on the qualifications of the individual as evidenced by the individual's certificate of registration, which is not transferable.

* **Sec. 28.** AS 08.48.321 is amended to read:

Sec. 08.48.321. Evidence of practice. A person practices or offers to practice architecture, engineering, land surveying, **registered interior design**, or landscape architecture **if the person** [WHO]

(1) practices a branch of the profession of architecture, engineering, land surveying, **registered interior design**, or landscape architecture [AS DEFINED IN AS 08.48.341];

(2) by verbal claim, sign, advertisement, letterhead, card, or other means represents to be an architect, engineer, land surveyor, **registered interior designer**, or landscape architect, or through the use of some other title implies that the

1 person is an architect, engineer, land surveyor, **registered interior designer**, or
 2 landscape architect; or

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

8 * **Sec. 29.** AS 08.48.331(a) is amended to read:

9 (a) This chapter does not apply to

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

13 (2) workers in building trades crafts, earthwork, grounds keeping, or
 14 nursery operations, and superintendents, supervisors, or inspectors in the performance
 15 of their customary duties;

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

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

22 (5) associates, consultants, or specialists retained by a registered
 23 individual, [A] partnership of registered individuals, [A] corporation, [A] limited
 24 liability company, or [A] limited liability partnership authorized to practice
 25 architecture, engineering, land surveying, **registered interior design**, or landscape
 26 architecture under this chapter, in the performance of professional services if
 27 responsible charge of the work remains with the individual, the partnership, or a
 28 designated representative of the corporation, limited liability company, or limited
 29 liability partnership;

30 (6) a person preparing drawings or specifications for

31 (A) a building for the person's own use and occupancy as a

1 single family residence and related site work for that building;

2 (B) farm or ranch buildings and their grounds unless the public
3 health, safety, or welfare is involved;

4 (C) a building that is intended to be used only as a residence by
5 not more than

6 (i) four families and that is not more than two stories
7 high and the grounds of the building; or

8 (ii) two families and that is not more than three stories
9 high and the grounds of the building, if the building is located in a
10 municipality that has adopted a building or residential code that applies
11 to the building and if the building complies with the building or
12 residential code;

13 (D) a garage, workshop, or similar building that contains less
14 than 2,000 square feet of floor space to be used for a private noncommercial
15 purpose and the grounds of the building;

16 (7) a specialty contractor licensed under AS 08.18 while engaged in
17 the business of construction contracting for work designed by an architect, engineer,
18 **registered interior designer**, or landscape architect that is within the specialty to be
19 performed or supervised by the specialty contractor, or a contractor preparing shop or
20 field drawings for work that the specialty contractor has contracted to perform;

21 (8) a person, **other than a person providing interior design services**,
22 furnishing drawings, specifications, instruments of service, or other data for alterations
23 or repairs to a building or its grounds that do not change or affect the structural system
24 or the safety of the building, or that do not affect the public health, safety, or welfare;

25 (9) a person who is employed by a postsecondary educational
26 institution to teach engineering, architectural, **interior design**, or landscape
27 architectural courses; in this paragraph, "postsecondary educational institution" has the
28 meaning given in AS 14.48.210;

29 (10) an officer or employee of an individual, firm, partnership,
30 association, utility, corporation, limited liability company, or limited liability
31 partnership, who practices engineering, architecture, land surveying, **registered**

1 **interior design**, or landscape architecture involved in the operation of the employer's
 2 business only **if** [, AND FURTHER PROVIDED THAT] neither the employee nor the
 3 employer offers engineering, architecture, land surveying, **interior design**, or
 4 landscape architecture services to the public; exclusions under this paragraph do not
 5 apply to buildings or structures whose primary use is public occupancy;

6 (11) a person while involved in revegetation, restoration, reclamation,
 7 rehabilitation, or erosion control for disturbed land that the board determines does not
 8 affect the public health, safety, or welfare;

9 (12) a person while maintaining or directing the placement of plant
 10 material that the board determines does not affect the public health, safety, or welfare;

11 (13) an employee, officer, or agent of a regulatory agency of the state
 12 or a municipality when reviewing drawings and specifications for compliance with the
 13 building codes of the state or a municipality if the drawings and specifications have
 14 been sealed and signed by an architect, engineer, land surveyor, **registered interior**
 15 **designer**, or landscape architect or the preparation of the drawings and specifications
 16 is exempt under this section from the requirements of this chapter; in this paragraph,
 17 "building codes" includes codes relating to building, mechanical, plumbing, electrical,
 18 fire safety standards, and zoning;

19 (14) a person who is designing fire detection or suppression systems
 20 and is authorized by the Department of Public Safety to design fire detection or
 21 suppression systems;

22 **(15) a person providing services limited to the planning, design,**
 23 **and implementation of a kitchen or bath or the specification of products for a**
 24 **kitchen or bath, if the space or area is in a building described in (6)(A) or (C) of**
 25 **this subsection.**

26 * **Sec. 30.** AS 08.48.341(2) is amended to read:

27 (2) "board" means the State Board of Registration for **Design**
 28 **Professionals** [ARCHITECTS, ENGINEERS, AND LAND SURVEYORS];

29 * **Sec. 31.** AS 08.48.341(4) is amended to read:

30 (4) "certificate of authorization" means a certificate issued by the
 31 board authorizing a corporation, a limited liability company, or a limited liability

1 partnership to provide professional services in architecture, engineering, land
 2 surveying, interior design, or landscape architecture through individuals legally
 3 registered by the board;

4 * **Sec. 32.** AS 08.48.341 is amended by adding new paragraphs to read:

5 (24) "interior technical submissions" means

6 (A) the designs, drawings, and specifications that establish the
 7 scope of the interior design to be constructed and the standard of quality for
 8 materials, work, equipment, and construction systems; and

9 (B) the studies and other technical reports and calculations
 10 prepared in the course of the practice of registered interior design;

11 (25) "practice of registered interior design"

12 (A) includes

13 (i) the professional service of creative work;

14 (ii) teaching of advanced interior design courses in an
 15 institution of higher learning;

16 (iii) providing consultation, investigation, research,
 17 evaluation, planning, and design for or professional observation of
 18 public or private buildings, works, or projects;

19 (iv) interior design review of drawings and
 20 specifications made by regulatory agencies;

21 (v) the preparation of documents and interior technical
 22 submissions related to interior construction;

23 (vi) minor mechanical, electrical, or structural design
 24 work;

25 (B) does not include

26 (i) responsibility for design related to the practice of
 27 architecture, except as otherwise allowed in this chapter, or the practice
 28 of engineering;

29 (ii) changes to the construction classification of a
 30 building or structure as determined by the authority having jurisdiction;

31 (iii) changes of use to an occupancy of greater hazard as

determined by the authority having jurisdiction;

(iv) changes to the exterior envelope of a building;

(v) altering or affecting the structural system of a building, including changing the live or dead load of a building;

(vi) changes beyond the exit access component of a system of egress;

(vii) changes to construction that materially affects a life safety system pertaining to fire safety or the fire protection of structural elements of a building, or material alterations to a smoke evacuation and compartmentalization system or to a fire rated vertical shaft in a multistory structure;

(viii) materially altering or affecting a mechanical, plumbing, heating, air conditioning, ventilation, electrical, vertical transportation, fire sprinkler, or fire alarm system in a building;

(26) "registered interior designer" means a person who has been registered by the board in the practice of registered interior design.

* **Sec. 33.** AS 08.48.351 is amended to read:

Sec. 08.48.351. Short title. This chapter may be cited as the **Design Professionals** [ARCHITECTS, ENGINEERS, LAND SURVEYORS, AND LANDSCAPE ARCHITECTS] Registration Act.

* **Sec. 34.** AS 14.43.310(b) is amended to read:

(b) To assist the administering authority in selecting eligible applicants for award of each of the memorial education loans under AS 14.43.250 - 14.43.325 and in reviewing the memorial education loan program, the following advisory committees are established:

(1) three Alaska state troopers, each one to be selected from and to represent a state trooper region of the state by the regional commander to serve for three years, for the Michael Murphy memorial education loan;

(2) [REPEALED]

(3)] three members of the **State** [STATE] Board of Registration for **Design Professionals** [ARCHITECTS, ENGINEERS, AND LAND SURVEYORS]

selected annually by the board from among its engineer members, for the Harvey Golub memorial education loan; and

(3) [(4)] three members of the state Board of Education and Early Development, or of the staff of the Department of Education and Early Development, or any combination of these, selected annually by the board, for the Robert L. Thomas memorial education loan.

* **Sec. 35.** AS 23.30.017(c)(1) is amended to read:

(1) "design professional" means a person registered under AS 08.48 as an architect, engineer, [OR] land surveyor, registered interior designer, or landscape architect;

* **Sec. 36.** AS 34.35.050 is amended to read:

Sec. 34.35.050. Lien for labor or materials furnished. A person has a lien, only to the extent provided under this chapter, to secure the payment of the contract price if the person

(1) performs labor on [UPON] real property at the request of the owner or the agent of the owner for the construction, alteration, or repair of a building or improvement;

(2) is a trustee of an employee benefit trust for the benefit of individuals performing labor on the building or improvement and has a direct contract with the owner or the agent of the owner for direct payments into the trust;

(3) furnishes materials that are delivered to real property under a contract with the owner or the agent of the owner that are incorporated in the construction, alteration, or repair of a building or improvement;

(4) furnishes equipment that is delivered to and used on [UPON] real property under a contract with the owner or the agent of the owner for the construction, alteration, or repair of a building or improvement;

(5) performs services under a contract with the owner or the agent of the owner in connection with the preparation of plans, surveys, or architectural, [OR] engineering, or interior design plans or drawings for the construction, alteration, or repair of a building or improvement, whether or not actually implemented on that property; or

(6) is a general contractor.

* **Sec. 37.** AS 35.15.010(c) is amended to read:

(c) In this section, "professional services" means architectural, engineering, [OR] land surveying, or interior design services.

* **Sec. 38.** AS 36.30.270(a) is amended to read:

(a) Notwithstanding conflicting provisions of AS 36.30.100 - 36.30.260, a procurement officer shall negotiate a contract for an agency with the most qualified and suitable firm or person of demonstrated competence for architectural, engineering, [OR] land surveying, or interior design services. The procurement officer shall award a contract for those services at fair and reasonable compensation as determined by the procurement officer, after consideration of the estimated value of the services to be rendered, and the scope, complexity, and professional nature of the services. When determining the most qualified and suitable firm or person, the procurement officer shall consider the

(1) proximity to the project site of the office of the firm or person unless federal law prohibits this factor from being considered in the awarding of the contract; and

(2) employment practices of the firm or person with regard to women and minorities.

* **Sec. 39.** AS 36.30.270(d) is amended to read:

(d) Notwithstanding the other provisions of this section, a procurement officer may include price as an added factor in selecting architectural, engineering, [AND] land surveying, and interior design services when, in the judgment of the procurement officer, the services required are repetitious in nature, and the scope, nature, and amount of services required are thoroughly defined by measurable and objective standards to reasonably enable firms or persons making proposals to compete with a clear understanding and interpretation of the services required. In order to include price as a factor in selection, a majority of the persons involved by the procurement officer in evaluation of the proposals must be registered in the state to perform architectural, engineering, [OR] land surveying, or interior design services.

* **Sec. 40.** AS 36.90.100 is amended to read:

1 **Sec. 36.90.100. Contracts for architectural, engineering, land surveying,**
 2 **interior design, or landscape architectural services.** The state or a municipality may
 3 not award a contract for architectural, engineering, land surveying, **interior design**, or
 4 landscape architectural services to

5 (1) an individual who is not registered under AS 08.48 to perform the
 6 architectural, engineering, land surveying, **interior design**, or landscape architectural
 7 services required by the contract;

8 (2) a partnership, except as provided by (3) of this section, that is not
 9 qualified under AS 08.48.251 to provide the architectural, engineering, land surveying,
 10 **interior design**, or landscape architectural services required by the contract; or

11 (3) a corporation, limited liability company, or limited liability
 12 partnership that is not authorized under AS 08.48.241 to offer the architectural,
 13 engineering, land surveying, **interior design**, or landscape architectural services
 14 required by the contract.

15 * **Sec. 41.** AS 39.25.120(c)(7) is amended to read:

16 (7) the principal executive officer of the following boards, councils, or
 17 commissions:

- 18 (A) Alaska Public Broadcasting Commission;
- 19 (B) Professional Teaching Practices Commission;
- 20 (C) Parole Board;
- 21 (D) Board of Nursing;
- 22 (E) Real Estate Commission;
- 23 (F) Alaska Royalty Oil and Gas Development Advisory Board;
- 24 (G) Alaska State Council on the Arts;
- 25 (H) Alaska Police Standards Council;
- 26 (I) Alaska Commission on Aging;
- 27 (J) Alaska Mental Health Board;
- 28 (K) State Medical Board;
- 29 (L) Governor's Council on Disabilities and Special Education;
- 30 (M) Advisory Board on Alcoholism and Drug Abuse;
- 31 (N) Statewide Suicide Prevention Council;

1 (O) State Board of Registration for **Design Professionals**
 2 [ARCHITECTS, ENGINEERS, AND LAND SURVEYORS];

3 (P) Alaska Health Care Commission;

4 (Q) Board of Pharmacy;

5 * **Sec. 42.** AS 44.62.330(a)(3) is amended to read:

6 (3) State Board of Registration for **Design Professionals**
 7 [ARCHITECTS, ENGINEERS, AND LAND SURVEYORS];

8 * **Sec. 43.** The uncoded law of the State of Alaska is amended by adding a new section to
 9 read:

10 TRANSITION. Notwithstanding this Act, a person working as an interior designer
 11 before the effective date of secs. 1 - 42 of this Act may continue to practice interior design in
 12 the state without registration or authorization as a registered interior designer under AS 08.48
 13 until July 1, 2025.

14 * **Sec. 44.** The uncoded law of the State of Alaska is amended by adding a new section to
 15 read:

16 TRANSITION: REGULATIONS. The State Board of Registration for Architects,
 17 Engineers, and Land Surveyors may adopt regulations necessary to implement this Act. The
 18 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the
 19 effective date of the law implemented by the regulation.

20 * **Sec. 45.** Section 44 of this Act takes effect immediately under AS 01.10.070(c).

21 * **Sec. 46.** Except as provided in sec. 45 of this Act, this Act takes effect July 1, 2023.