

MAINE STATE LEGISLATURE

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9/11

January 24, 1946

To Arthur R. Savage, Secretary
Maine State Board of Architects

This department acknowledges receipt of your letter of January 11, 1946, together with the enclosures attached thereto. The Board asks for an interpretation of Section 11 of Chapter 356 of the Public Laws of 1945, "AN ACT to Regulate the Practice of Architecture and to Create a Board to Provide for the Examination and Registration of Architects." Your inquiry concerns itself with that portion of subsection 1 which is as follows:

"At any time within 3 months after this chapter becomes effective, upon due application therefor and payment of the proper fee, the board shall issue a certificate of registration without written or oral examination, to any person who shall submit evidence, under oath, that he is of good character, has been a resident of this state for at least 1 year immediately preceding the passage of this chapter, and has been engaged in the actual practice of architecture under the title 'architect', as a principal means of livelihood for a period of not less than 10 months before this chapter became effective. . ."

We understand that the Board is in doubt as to whether an employee hired as an architect and using the title "architect" for the prescribed period is entitled to be registered under this clause, or whether it applies only to a person engaged in the business of architecture on his own account as principal.

We are of the opinion that this portion of the act is not confined to persons practicing architecture on their own account; but it also embraces those persons in the employ of others as architects and who used the title "architect" in connection with their employment as a principal means of their livelihood for not less than the period prescribed by this act.

Application, of course, to be registered under this provision must be made within the period of three months after the act became effective, and the Board must be satisfied as to the truth of the facts concerning such applicant.

We are returning the application and the correspondence that passed between the Board and the applicant, which was attached to this inquiry.

Abraham Breithard
Deputy Attorney General

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