

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 196

H. P. 179

House of Representatives, January 15, 1975

Referred to the Committee on Business Legislation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Hewes of Cape Elizabeth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Revise the Laws Relating to the State Board for Registration of Architects.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 32 MRSA, § 102, first ¶, is amended to read:

Nothing in this chapter shall be construed to apply to the supervision of construction ~~of residential property~~ or to landscape architects and marine or naval architects when acting within the scope of their profession or occupation, or to officers or employees of the Government of the United States while engaged within the State in the practice of architecture for said government, or to any person while in the regular employment of a public utility, or to any person who is qualified under the law to use the title "professional engineer," provided such person may do such architectural work as is incidental to his engineering work and any person registered hereunder may do such engineering work as is incidental to his architectural work.

Sec. 2. 32 MRSA, § 151, 2nd ¶, first sentence, is amended to read:

The board shall be composed of 5 practicing architects, or 4 practicing architects and one professor of architecture, who shall be appointed by the Governor with the advice and consent of the Council. ~~to serve for 3 years and~~ The term of office of each present member of the board shall expire as now provided. The successors to the first 3 terms of office to expire shall be appointed for 2-year terms, thereafter all members shall be appointed for 3-year terms. All board members shall serve until their successors are duly appointed and qualified.

Sec. 3. 32 MRSA, § 152, is amended to read:

§ 152. Qualifications for members

Each member of the board shall be a citizen of the United States, a resident of this State and an architect of recognized standing who shall have been engaged in the independent practice of architecture for at least ~~10~~ 5 years previous to his appointment, with the exception of one member who may be ~~the head of a department~~ a professor of architecture in any college or university of this State and whose combined experience in practice and teaching shall not be less than ~~10~~ 5 years, at least 2 of which shall have been in the active practice of architecture as a profession.

Sec. 4. 32 MRSA, § 153, first ¶, 3rd sentence, is amended to read:

The members of the board shall each receive as compensation for their services ~~\$10~~ \$50 a day for the time actually spent and their necessary expenses incurred in the discharge of their duties, to be certified by the secretary of the board.

Sec. 5. 32 MRSA, § 153, 2nd ¶, 3rd sentence, is amended to read:

The secretary may or may not be a member of the board and he shall receive an annual salary to be fixed by the board not to exceed ~~\$200~~ \$5,000, which shall be in lieu of a per diem compensation.

Sec. 6. 32 MRSA, § 154, is amended by adding a new paragraph after the first paragraph to read:

The board shall, in accordance with the purpose and intent of the law and the standards set forth in this chapter, make such other reasonable rules and regulations as are appropriate to establish and maintain a high standard of integrity and dignity among registered architects. These shall include rules and regulations concerning misconduct, relations with clients, relations with other architects, compensation, fee splitting, advertising and standards of workmanship.

Sec. 7. 32 MRSA, § 201, 2nd ¶, is amended to read:

As used in this chapter, the practice of architecture shall consist of rendering or offering to render service to clients by consultations, investigations, preliminary studies, plans, specifications, contract documents and a coordination of structural factors concerning the aesthetic or structural design and ~~supervision~~ inspection of construction of buildings or any other service in connection with the designing or ~~supervision~~ inspection of construction of buildings located within the State, regardless of whether such persons are performing one or all of these duties, or whether they are performed in person or as the directing head of an office or organization performing them.

Sec. 8. 32 MRSA, § 202, sub-§ 1, first sentence, is amended to read:

To be qualified for admission to the examination to practice architecture in this State an applicant shall be at least ~~25~~ 21 years of age, a graduate of an approved ~~1-year~~ senior high school including not less than one year in the basic science of chemistry and physics and 3 years of mathematics, or equivalent training, and after completion thereof he must have had:

Sec. 9. 32 MRSA, § 202, sub-§ 1, ¶ B, is repealed.

Sec. 10. 32 MRSA, § 202, sub-§ 1, ¶ C, is amended to read:

C. Training or practical experience, or a combination of both, which in the opinion of the board, is fully equivalent to that required in paragraphs A or B.

Sec. 11. 32 MRSA, § 204, sub-§ 1, is amended to read:

1. **Application for registration.** For an application for examination and registration, an amount to be fixed by the board which shall at no time exceed the sum of ~~\$100~~ \$50;

Sec. 12. 32 MRSA, § 204, sub-§ 1-A, is enacted to read:

1-A. **Examination fee.** For an examination fee, an amount to be fixed by the board;

Sec. 13. 32 MRSA, § 204, sub-§ 3, is amended to read:

3. **Renewal.** For the annual renewal of a registration certificate, an amount to be fixed by the board which shall at no time exceed the sum of ~~\$10~~ \$25;

Sec. 14. 32 MRSA, § 204, sub-§ 4, is amended to read:

4. **Restoration.** For the restoration of a lapsed, suspended or revoked certificate, an amount to be fixed by the board which at no time shall exceed the sum of ~~\$25~~ \$50.

Sec. 15. 32 MRSA, § 205, sub-§ 3, is amended to read:

3. **Nonresident architects.** For nonresident architects, the board may, upon application therefor and the payment of a fee ~~equivalent to that required for a regular written examination and certificate to be fixed by the board,~~ issue a certificate of registration to any such applicant who holds an unexpired certificate of registration issued to him by any state or territory or possession of the United States or any country, provided the requirements of the registration of architects under which said certificate of registration was issued do not contravene this chapter and are deemed the equivalent of requirements for registration in this State by examination, and provided the applicant submit such other evidence of his ability as may be required by the board.

Sec. 16. 32 MRSA, § 207, 2nd ¶, is repealed.

STATEMENT OF FACT

The purpose of this Act is to clarify and update the law relating to the Maine State Board of Registration of Architects.