

**OPEN MINUTES
ARCHITECTURAL DIVISION
OF THE MISSOURI BOARD FOR ARCHITECTS,
PROFESSIONAL ENGINEERS, PROFESSIONAL LAND
SURVEYORS AND LANDSCAPE ARCHITECTS**

Friday, June 15, 2012
Division of Professional Registration, Room 380
3605 Missouri Boulevard
Jefferson City, Missouri

The Architectural Division of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects met via telephone conference call and was called to order by Mr. J.C. Rearden at 9:00 a.m. on Friday, June 15, 2012. A quorum being present, Mr. Rearden declared the meeting open for business.

Members Present

James C. "JC" Rearden, Chair of the Division
Kenneth M. Frashier, Member of the Division
Kathy W. Achelpohl, Member of the Division

Others Present

Judy Kempker, Executive Director
Sandy Robinson, Executive Assistant
Curtis Thompson, General Counsel

To better track the order in which items were taken up on the agenda, each item in the minutes will be listed in the order it was discussed in the meeting.

Discuss revisions to Section 327.091 Practice of Architecture Defined and possible revisions to Section 327.101 Unauthorized Practice Prohibited – persons excepted

Mr. Rearden reported that he had conducted an exemption analysis of surrounding states, Oklahoma, Kansas, Nebraska, Iowa, Illinois, Arkansas and Tennessee as well as National Council for Architectural Registration Boards' (NCARB) Model Law for exemptions and found that they have many similarities with Missouri's exceptions. However, Mr. Rearden felt that Missouri's law, Section 327.101, could use some updating. After much discussion, the

Architectural Division Members came to an agreement on the following draft of the proposed revisions to Section 327.101 Unauthorized practice prohibited – persons excepted:

327.101. No person shall practice architecture in Missouri as defined in section 327.091 unless and until there is issued to the person a license or a certificate of authority certifying that the person has been duly licensed as an architect or authorized to practice architecture, in Missouri, and unless such license has been renewed as hereinafter specified; provided, however, that nothing in this chapter shall apply to the following persons:

(1) Any person who is an employee of a person holding a currently valid license as an architect or who is an employee of any person holding a currently valid certificate of authority pursuant to this chapter, and who performs architectural work under the direction and continuing supervision of and is checked by one holding a currently valid license as an architect pursuant to this chapter;

(2) Any person who is a regular full-time employee who performs architectural work for the person's employer if and only if all such work and service so performed is in connection with a facility owned or wholly operated by the employer and which is occupied by the employer of the employee performing such work or service, and if and only if such work and service so performed do not endanger the public health or safety;

(3) Any holder of a currently valid license as a professional engineer who performs only such architectural work as is incidental and necessary to the completion of engineering work lawfully being performed by such licensed professional engineer;

(4) Any person who is a landscape architect, city planner or regional planner who performs work consisting only of consultations concerning and preparation of master plans for parks, land areas or communities, or the preparation of plans for and the supervision of the planting and grading or the construction of walks and paving for parks or land areas and such other minor structural features as fences, steps, walls, small decorative pools and other construction not involving structural design or stability and which is usually and customarily included within the area of work of a landscape architect or planner;

(5) Any person who renders architectural services in connection with the construction, remodeling or repairing of any privately owned building described in paragraphs (a), (b),

(c), (d), and (e) which follow, and who indicates on any drawings, specifications, estimates, reports or other documents furnished in connection with such services that the person is not a licensed architect:

(a) A dwelling house; or

(b) A multiple family dwelling house, flat or apartment containing not more than two families; or

(c) A commercial or industrial building or structure which provides for the employment, assembly, housing, sleeping or eating of not more than nine persons; or

(d) Any one structure containing less than [twenty] **two** thousand [cubic] **square** feet, except as provided in (b) and (c) above, and which is not a part or a portion of a project which contains more than one structure; or

(e) A building or structure used exclusively for farm purposes; **or**

(f) Construction observation by persons customarily engaged in contracting work.

(6) Any person who renders architectural services in connection with the remodeling or repairing of any privately owned building described in paragraphs (a), (c), (d) and (e) of subdivision (5) of this section or for a multiple family dwelling house, flat or apartment containing not more than four families, **provided that the alteration, renovation, or remodeling does not affect architectural or engineering safety features of the building,** and who indicates on any drawings, specifications, estimates, reports or other documents furnished in connection with such services that the person is not a licensed architect;

(7) Any person or corporation who is offering, but not performing or rendering, architectural services if the person or corporation is licensed to practice architecture in the state or country of residence or principal place of business.

The Architectural Division Members felt that they had completed the assignment given during the Board's May 2012 quarterly meeting. Upon completion of the draft proposed revisions to Section 327.101, Mr. Rearden directed Ms. Kempker to send the proposed revisions to Sections 327.091 and 327.101 to the Architectural Division Members and Mr. Thompson for final review. Upon agreement to the proposed revisions, Ms. Kempker is to then forward the proposed revisions to Sections 327.091 and 327.100 to the full Board so the Members can have a chance to review the changes prior to the Board's August 7, 2012 quarterly meeting.

Adjournment

There being no further discussion, a motion was made by Mr. Frashier and seconded by Ms. Achelpohl to adjourn. The motion carried unanimously. The meeting adjourned at 10:23 a.m. on June 15, 2012.

Executive Director

Date Approved: _____