

HOUSE BILL No. 5487

January 21, 1998, Introduced by Rep. Profit and referred to the Committee on Regulatory Affairs.

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending section 2001 (MCL 339.2001), as amended by 1997
PA 122.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2001. As used in this article:

2 (a) "Architect" means a person who, by reason of knowledge
3 of mathematics, the physical sciences, and the principles of
4 architectural design, acquired by professional education and
5 practical experience, is qualified to engage in the practice of
6 architecture.

7 (b) "Firm" means a sole proprietorship, partnership, corpo-
8 ration, or limited liability company through which a person
9 licensed under this article offers or provides a service to the
10 public.

1 (c) "Person" means a natural person notwithstanding
2 section 105(5).

3 (d) "Person in responsible charge" means a person licensed
4 under this article who determines technical questions of design
5 and policy; advises the client; supervises and is in responsible
6 charge of the work of subordinates; is the person whose profes-
7 sional skill and judgment are embodied in the plans, designs,
8 plats, surveys, and advice involved in the services; and who
9 supervises the review of material and completed phases of
10 construction.

11 (e) "Practice of architecture" means professional services,
12 such as consultation, investigation, evaluation, planning,
13 design, or review of material and completed phases of work in
14 construction, alteration, or repair in connection with a public
15 or private structure, building, equipment, works, or project if
16 the professional service requires the application of a principle
17 of architecture or architectural design.

18 (f) "Practice of professional surveying" means providing
19 professional services such as consultation, investigation, testi-
20 mony, evaluation, planning, mapping, assembling, and interpreting
21 reliable scientific measurements and information relative to the
22 location, size, shape, or physical features of the earth,
23 improvements on the earth, the space above the earth, or any part
24 of the earth, and the utilization and development of these facts
25 and interpretations into an orderly survey map, plan, report,
26 description, or project. The practice of professional surveying
27 includes all of the following:

1 (i) Land surveying that is the surveying of an area for its
2 correct determination or description for its conveyance, or for
3 the establishment or reestablishment of a land boundary and the
4 designing or design coordination of the plotting of land and the
5 subdivision of land.

6 (ii) Geodetic surveying that includes surveying for determi-
7 nation of the size and shape of the earth both horizontally and
8 vertically and the precise positioning of points on the earth
9 utilizing angular and linear measurements through spatially ori-
10 ented spherical geometry.

11 (iii) Utilizing and managing land information systems
12 through establishment of datums and local coordinate systems and
13 points of reference.

14 (iv) Engineering and architectural surveying for design and
15 construction layout of infrastructure.

16 (v) Cartographic surveying for making maps, including topo-
17 graphic and hydrographic mapping.

18 (g) "Practice of professional engineering" means profes-
19 sional services, such as consultation, investigation, evaluation,
20 planning, design, or review of material and completed phases of
21 work in construction, alteration, or repair in connection with a
22 public or private utility, structure, building, machine, equip-
23 ment, process, work, or project, if the professional service
24 requires the application of engineering principles or data.

25 (h) "Principal" means a sole proprietor, partner, the presi-
26 dent, vice-president, secretary, treasurer, or director of a

1 corporation, or a member OR MANAGER of a limited liability
2 company.

3 (i) "Professional engineer" means a person who, by reason of
4 knowledge of mathematics, the physical sciences, and the princi-
5 ples of engineering, acquired by professional education and prac-
6 tical experience, is qualified to engage in the practice of pro-
7 fessional engineering.

8 (j) "Professional surveyor" means a person who, by reason of
9 knowledge of law, mathematics, physical sciences, and techniques
10 of measuring acquired by professional education and practical
11 experience, is qualified to engage in the practice of profes-
12 sional surveying.

13 (k) "Services" means professional service offered or pro-
14 vided by an architect in the practice of architecture, a profes-
15 sional engineer in the practice of professional engineering, or a
16 professional surveyor in the practice of professional surveying.