

FILED FEB 18 1999

SENATE FILE

170

BY REDFERN

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the applicability of the professional
2 engineers and land surveyors practice law.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 170 COMMERCE

1 Section 1. Section 542B.26, Code 1999, is amended to read
2 as follows:

3 542B.26 APPLICABILITY OF CHAPTER.

4 1. This chapter shall not apply to any ~~full-time-employee~~
5 ~~of-any-corporation-while-doing-work-for-that-corporation,~~
6 ~~except-in-the-case-of-corporations-offering-their-services-to~~
7 ~~the-public-as-professional-engineers-or-land-surveyors.~~ of the
8 following:

9 a. Services performed by an employee of a business
10 organization engaged in utility, industrial, or manufacturing
11 operations.

12 b. Services performed by an employee of a laboratory
13 research affiliate of a business organization described in
14 paragraph "a" which are rendered in connection with the
15 fabrication or production, sale, or installation of products,
16 systems, or nonengineering services of the business
17 organization or its affiliates.

18 c. Suppliers of designs that are provided solely to a
19 business organization described in paragraph "a".

20 d. The performance of a technical activity for which
21 expertise for the activity lies in a trade, including but not
22 limited to tool and die design, fixture design, and molding
23 creation.

24 2. Corporations engaged in designing buildings or works
25 for public or private interests not their own shall be deemed
26 to be engaged in the practice of engineering within the
27 meaning of this chapter. With respect to such corporations
28 all principal designing or constructing engineers shall hold
29 certificates of licensure issued under this chapter. This
30 chapter shall not apply to corporations engaged solely in
31 constructing buildings and works.

32 3. This chapter shall not apply to any professional
33 engineer or land surveyor working for the United States
34 government, nor to any professional engineer or land surveyor
35 employed as an assistant to a professional engineer or land

1 surveyor licensed under this chapter if such assistant is not
2 placed in responsible charge of any work involving the
3 practice of engineering or land surveying work, nor to the
4 operation or maintenance of power and mechanical plants or
5 systems.

6 EXPLANATION

7 This bill relates to the applicability of the professional
8 engineers and land surveyors practice law in Code chapter
9 542B.

10 Code section 542B.26, relating to the applicability of the
11 chapter, is amended to strike existing language, add new
12 language, and to number the paragraphs in the section. The
13 amendment strikes an unnumbered paragraph which provides that
14 the chapter does not apply to any full-time employee of a
15 corporation while doing work for the corporation, except in
16 the case of corporations offering their services to the public
17 as professional engineers or land surveyors.

18 The stricken paragraph is replaced. The replacement
19 language provides that the chapter does not apply to services
20 performed by employees of a business organization engaged in
21 utility, industrial, or manufacturing operations. The
22 employees of laboratory research affiliates of those business
23 organizations involved in certain activities are also exempt
24 from the chapter's requirements. Suppliers of designs
25 supplied solely to those businesses are exempt. The
26 performance of a technical activity that is a trade is also
27 exempted.

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