

Chap. 696 AN ACT FOR THE ESTABLISHMENT OF A BOARD OF REGISTRATION OF ARCHITECTS AND FOR THE REGULATION OF THE PRACTICE OF ARCHITECTURE.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 13, new §§ 44A-44D, added.

Board of registration of architects.

Appointment of members, etc.

SECTION 1. Chapter thirteen of the General Laws is hereby amended by adding after section forty-four, added by section one of chapter four hundred and twenty-eight of the acts of nineteen hundred and thirty-five, under the caption BOARD OF REGISTRATION OF ARCHITECTS, the four following new sections: — *Section 44A.* There shall be in the department of civil service and registration a board of registration of architects, in this and the following three sections called the board, to be appointed by the governor, with the advice and consent of the council, consisting of five members, citizens of the commonwealth, each of whom shall have been engaged in the practice of architecture for a period of ten years or more prior to his appointment, and, except in cases of members originally appointed to the board, shall be registered architects. As the term of office of a member of the board expires, his successor, qualified as aforesaid, shall be appointed by the governor, with like advice and consent, to serve for five years. Each member shall continue to serve until the qualification of his successor. The governor may also, with like advice and consent, fill any vacancy in the board for the unexpired portion of the term.

Meetings of board.

Quorum.

Section 44B. The board shall hold at least two regular meetings each year, and may hold special meetings as required. Time, place and notice of all meetings shall be as required by rules or by-laws determined by the board. At the first regular meeting each year, the board shall organize and choose from their own members, a chairman, a vice chairman and a secretary. A quorum shall consist of three members.

Rules, etc., of board.

Annual report, etc.

Section 44C. The board may make such rules or by-laws, not inconsistent with law, as it may deem necessary in the performance of its duties. The board shall have a seal, and its members may administer oaths in the performance of its duties. The board shall have power to summon witnesses and to take testimony and require proofs concerning all matters within its jurisdiction. The board shall annually render to the governor a report of its proceedings, which shall include an itemized statement of all receipts and expenses of the board for the year.

Compensation of members.

Section 44D. Each member of the board shall receive ten dollars for each day or portion thereof spent in the performance of his official duties; provided, that the total sum paid to any member thereof shall not exceed five hundred dollars in any one year; and, in addition, all proper traveling and incidental expenses actually incurred by him in connection with said duties. The board may appoint such clerks as may be necessary; provided, that the salaries and

expenses of the members of the board and its employees, and the expenses of the board, shall not be in excess of the receipts for registration and from other sources that have been received by the state treasurer from the board.

SECTION 2. Chapter one hundred and twelve of the General Laws is hereby amended by inserting after section sixty, as appearing in the Tercentenary Edition, under the caption REGISTRATION OF ARCHITECTS, the ten following new sections:— *Section 60A*. The following words as used in sections sixty A to sixty J, inclusive, unless the context otherwise requires, shall have the following meanings:—

G. L. (Ter. Ed.) 112, new §§ 60A-60J, inserted.

Definitions.

“Architect”, any person who engages in the practice of architecture as hereinafter defined.

“Board”, the board of registration of architects established by section forty-four A of chapter thirteen.

“Certificate of registration”, the certificate of annual registration, issued by the board.

“Practice of architecture”, performing or holding one’s self out as being able to perform the professional services of planning, specifying and supervising construction in connection with public or private building, structures or projects.

“Principal”, any person who has been or is the head of an organization practicing architecture.

Section 60B. Any citizen of the United States or any person who has duly declared his intention of becoming such citizen and taken out his first papers, who is at least twenty-five years of age and of good moral character, may apply to the board for registration under sections sixty A to sixty J, inclusive.

Application for registration. Fee.

Every applicant for registration as an architect shall pay to the board, upon filing his application therefor, a fee of twenty-five dollars.

Section 60C. Every person applying to the board for registration shall submit with his application to the board evidence of graduation from a recognized high school or its equivalent. The applicant shall also submit satisfactory evidence of (a) at least two years’ satisfactory work in a recognized architectural school and five years’ practical work in an architect’s office, or its equivalent as approved by the board; or (b) at least eight years’ satisfactory work in the offices of architects, or its equivalent as approved by the board. The board shall thereupon examine the applicant in writing, on such technical and professional subjects as are prescribed by it. A written examination may be supplemented by such oral examination as the board may determine. The board may exempt from the written examination herein prescribed:— (a) an architect duly licensed or registered in any other state or political subdivision of the United States; (b) a holder of a certificate of qualification issued by the National Council of Architectural Registration Boards; (c) any person who has lawfully practiced architecture outside the commonwealth for a period of at least

Qualifications for registration. Examination, etc. Exemptions.

ten years. The board may require an oral examination, the character of which shall be determined by the board.

Renewal of
certificates of
registration.

Fee.

Section 60D. On or about May first of each year, the board shall mail to every registered architect in the commonwealth a blank application for renewal of certificate of registration. Such blanks properly filled out, together with a renewal fee of five dollars, shall be returned to the board on or before the following first day of August. After verifications of the facts stated on the renewal blanks, the board shall issue a certificate of annual registration, dated September first, and which shall expire on August thirty-first of the year following. Any holder of a certificate of registration who fails to renew his application within sixty days after notification by the board that his license has expired, shall, before again engaging in the practice of architecture within the commonwealth, be required to register anew, pay a fee of twenty dollars and may be required by the board to be re-examined.

Display of
certificate of
registration.

Section 60E. Every holder of a certificate of registration shall display it in a conspicuous place in his principal office, or place of business or employment within the commonwealth.

Seal for
registered
architects.

Section 60F. Every registered architect shall have a seal, of a design authorized by the board, and all working drawings, specifications and reports prepared by such registered architect, or under his supervision, shall be stamped with an impression of said seal, when filed with public authorities. No person shall seal or sign any document as a registered architect, unless at such time the registrant's certificate be in full force.

Revocation,
etc., of cer-
tificate of
registration,
grounds for.

Section 60G. The board may revoke, suspend or annul the certificate of registration, or reprimand, censure or otherwise discipline a registrant, upon proof satisfactory to the board: (a) that the holder of such certificate of registration is practicing in the commonwealth in violation of any provision of sections sixty A to sixty J, inclusive, or of any rule or regulation promulgated under authority thereof by the board; (b) that such certificate of registration was obtained by fraud or misrepresentation; (c) that any money or thing of value, except fees prescribed or authorized by said sections, was paid or received to secure the issuance of such certificate of registration; (d) that the holder of such certificate of registration has been guilty of fraud or deceit, or of gross negligence, incompetence or misconduct, in the practice of architecture; or (e) that the holder of such certificate of registration has permitted or suffered his official seal to be affixed to any plans, specifications or drawings not prepared by him or under his personal supervision by his regularly employed subordinates.

Charges to
be in writing,
etc.

Hearings, etc.

Section 60H. Charges against an architect involving any matter coming within the jurisdiction of the board shall be in writing and shall be filed with the board. Such charges, at the discretion of the board, shall be heard within thirty

days after being so filed. The accused architect shall have the right at such hearing to appear personally, with or without counsel, to cross-examine witnesses against him and to produce evidence and witnesses in his defence. The board shall set the time and place for such hearing and shall cause a copy of the charges, together with a notice of the time and place fixed for the hearing, to be sent by registered mail to the accused architect, at his latest place of residence or business known to the board, at least ten days before such date. If after such hearing the board finds the accused architect guilty of the charges, or any of them, it shall issue an order revoking, suspending or annulling the certificate of registration of the accused architect, or reprimanding, censuring or otherwise disciplining him. If the board finds him not guilty it shall enter an order dismissing the charges. If such order be that a certificate of registration be revoked, suspended or annulled, the board shall in writing so notify the state secretary and the clerk of the city or town in the commonwealth wherein such architect has his principal place of business. The board may re-issue a certificate of registration to any person whose certificate of registration has been revoked. Application for the re-issuance of a certificate of registration shall be made in such manner as the board may direct, and shall be accompanied by a fee of twenty-five dollars.

Section 60I. Every certificate of registration issued and remaining in force, under any provision of sections sixty A to sixty J, inclusive, shall be prima facie evidence in all courts of the commonwealth that the person named therein is legally registered as an architect for the period for which it is issued, and of all other facts therein stated.

Certificate of registration as evidence.

Section 60J. A roster, showing the names and last known places of business of all registered architects, shall be prepared by the board during the month of January of each year. Copies of such roster shall be mailed to each person so registered, placed on file with the state secretary, and furnished to the public on request.

Roster of registered architects.

SECTION 3. Any person complying with section sixty D of chapter one hundred and twelve of the General Laws, inserted by section two of this act, who applies to the board of registration of architects prior to January first, nineteen hundred and forty-three, and has been a citizen of the commonwealth for at least two years prior to date of application, shall be given a certificate of registration if qualified as follows:—

Issuance of certificates to certain applicants.

(a) Upon presentation to said board of satisfactory proof that the applicant has been engaged as principal in the practice of architecture as his chief occupation for a period of five years prior to the date of application for registration; or

(b) Upon presentation to said board of satisfactory proof that the applicant has been employed on architectural work in the offices of practicing architects, or architect, for a period of at least eight years prior to date of application, and

after passing an oral examination the character of which shall be determined by said board. The scope of the examination shall have special reference to an applicant's ability to design and supervise architectural construction, so as to insure the safety of life, health and property; or

(c) Upon presentation to said board of proof that the applicant has satisfactorily completed the prescribed course in a recognized architectural school and has had at least three years' practical experience in an architect's office or its equivalent, as approved by said board.

SECTION 4. The governor, with the advice and consent of the council, shall appoint five persons, citizens of the commonwealth, to serve as the board of registration of architects, as hereinbefore established, of whom one shall serve for the term of one year, one for the term of two years, one for the term of three years, one for the term of four years, and one for the term of five years, as the governor may designate, from the date of appointment.

Approved October 24, 1941.

Members of
board, ap-
pointment of.

Chap. 697 AN ACT RELATIVE TO THE FILING OF NOTICES OF INTENTION OF MARRIAGE.

Emergency
preamble.

Whereas, The subject matter of this act is so related to that of chapter six hundred and one of the acts of the current year that they both ought to take effect at the same time, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 207,
§ 20B, etc.,
amended.

SECTION 1. Section twenty B of chapter two hundred and seven of the General Laws, inserted by section one of chapter six hundred and one of the acts of nineteen hundred and forty-one, is hereby amended by striking out, in the fifth line, the words "registered physician" and inserting in place thereof the following: — qualified physician registered and practicing in the commonwealth or a commissioned medical officer on active service in the armed forces of the United States, — so that the first paragraph will read as follows: — Except as hereinafter provided, such notice of intention of marriage shall not be accepted by the clerk or registrar until he has received from each party to the intended marriage a certificate signed by a qualified physician registered and practicing in the commonwealth or a commissioned medical officer on active service in the armed forces of the United States who has examined such party as hereinafter provided. If such physician, in making such examination, discovers evidence of any infectious disease declared by the state department of public health to be dangerous to the public health, he shall inform both parties of the nature of such infectious disease and of the possibilities of transmitting the same to his or her marital partner or to their children. Such examination shall include a standard serological test for

Notice of
intention of
marriage.