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A BILL FOR AN ACT

To establish a Board of Registration for Professional Engineers, Architects and Land Surveyors, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1           Section 1. Short title. This act may be cited as the "Professional  
2   Engineers, Architects and Land Surveyors Act of ~~1993~~ 1994."

3           Section 2. Purpose. In order to safeguard life, health and property, and  
4   to promote the public welfare, the practices of engineering, architecture and  
5   land surveying in this Nation are hereby declared to be subject to regulation in  
6   the public interest. It shall be unlawful for any person to practice, or to offer  
7   to practice, engineering, architecture or land surveying in this Nation as defined  
8   in the provisions of this act, or use in connection with his or her name or  
9   otherwise assume or advertise any title or description tending to convey the  
10   impression that he or she is an engineer, an architect or a land surveyor, unless  
11   such person has been duly registered ~~or exempted~~ ~~exempted under the~~  
12   ~~provisions of this act.~~ The practices of engineering, architecture and land  
13   surveying shall be deemed a privilege granted by the Nation through the Board  
14   of Registration for Professional Engineers, Architects and Land Surveyors,  
15   based on the qualifications of the individual as evidenced by a certificate of  
16   registration, which shall not be transferable.

17           Section 3. Definitions.

18                   (1) "Architect" means a person who holds him or herself out as  
19   able to perform, or who does perform, any professional services such as  
20   consultation, investigation, evaluation, planning, design, including aesthetic and  
21   structural design, or responsible supervision of construction, in connection with  
22   any private or public building, structures, or projects or the equipment or  
23   utilities thereof, or the accessories thereto, wherein the safeguarding of life,  
24   health or property is concerned or involved, when such professional service  
25   requires the application of the art and science of construction based upon the

1 principles of mathematics, aesthetics and the physical sciences;

2 (2) "Board" means the Board of Registration for Professional  
3 Engineers, Architects and Land Surveyors, hereinafter provided by this act;

4 (3) "Consultation" means meetings, discussions, written or verbal  
5 messages, reports, etc., involving scientific, aesthetic or technical information,  
6 facts or advice for purposes of planning, designing, deciding or locating  
7 construction or alteration of structures, buildings, works, machines, processes,  
8 land areas or projects;

9 (4) "Design" means any sketch, plan, drawing, outline, statement,  
10 scheme, model, contrivance, or procedure which conveys the plan, location,  
11 arrangement, intent, purpose, appearance and nature of construction or  
12 alteration of existing or proposed buildings, structures, works, machines,  
13 processes, land areas or projects;

14 (5) "Directly in charge of professional work" means personal  
15 preparation or direct supervision of the preparation and personal review of all  
16 instruments of professional service;

17 (6) "Evaluation" means careful search, examination or inquiry to  
18 reveal, determine or estimate the value, worth, merit, effect, efficiency or  
19 practicability of planning, design location, construction or alteration of existing  
20 or proposed structures, buildings, works, processes, land areas or projects;

21 (7) "Investigation" means careful search, examination, inquiry or  
22 study to reveal or determine scientific, aesthetic or technical information or  
23 facts for the planning, design, location, construction or alteration of existing or  
24 proposed structures, buildings, works, machines, processes, land areas or  
25 projects;

(8) "Land surveyor" means a person who holds him or herself out as able to make, or who does make cadastral surveys of areas for their correct determination and description, either for conveyancing or for the establishment or re-establishment of land boundaries or the plotting of lands and subdivisions thereof;

~~(9) "NCARB" means United States National Council of Architectural Registration Boards;~~

~~(10) "NCEE" means United States National Council of Engineering Examiners. This engineering council has a standing committee on land surveying;~~

(11) "Planning" means careful search, examination, inquiry, study, and the formulation or execution of a statement, outline, draft, map, drawing, diagram or picture showing arrangement, scheme, schedule, program or procedure for locating, building or altering existing or proposed buildings, structures, works, machines, processes, land areas or projects;

(12) "Professional engineer" means a person who holds him or herself out as able to perform, or who does perform, any professional service such as consultation, investigation, evaluation, planning, design or responsible supervision of construction or operation, in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works or projects, wherein the safeguarding of life, health or property is concerned or involved when such professional service requires the application of engineering principles and data;

(13) "Specifications" means the specifying of material, equipment, projects or methods to be used in the construction or alteration of buildings,

1 structures, works, machines, processes, land areas or projects;

2 (1/412) "Supervision of construction" means making visits to the site  
3 by a registered engineer or architect, as the case may require, to observe the  
4 progress and quality of the work and to determine, in general, if the work is  
5 proceeding substantially in accordance with the contract documents. It is not  
6 required that they make exhaustive or continuous on-site inspections to check  
7 the quality or quantity of work, nor is it intended that the engineer or architect  
8 be responsible for construction means, methods, techniques, sequences or  
9 procedures or for safety precautions and programs in connection with the  
10 work;

11 (1/513) "Supervision of design" means that a registered engineer or  
12 architect, as the case may be, shall exercise direct control and oversee the  
13 subject activity and be responsible for all work performed on plans,  
14 specifications and other related documents; and

15 (1/614) "Rules of ~~Professional~~ Professional Conduct for Professional  
16 Engineers, Architects and Land Surveyors" means those rules promulgated by  
17 the Board as authorized by law.

18 Section 4. Appointment; Terms. A National Board of Registration for  
19 Professional Engineers, Architects and Land Surveyors is hereby created whose  
20 duty shall be to administer the provisions of this act. The Board shall consist  
21 of five members and be constituted as follows: the Secretary of the  
22 Department of Resources and Development and four other members, one from  
23 each State, appointed by the ~~Governor of that State~~ President of the  
24 Federated States of Micronesia. In making the appointment, the President shall  
25 take into account any recommendations made by the State concerned. State

1 members shall be persons familiar with the practice of professional engineers,  
2 architects or land surveyors. Except for the Secretary of the Department of  
3 Resources and Development, who shall serve while in office, a member shall be  
4 appointed by the Governor for a term of 4 years. The Chairman, Vice-chairman  
5 and Secretary/Treasurer shall be elected annually by majority vote of the  
6 Board members at the first regular meeting of the Board after January 1.  
7 Each member of the Board shall receive a notice of appointment from the  
8 ~~Governor~~ President. On the expiration of the term of any member, the  
9 ~~Governor~~ President shall appoint a successor. A member may be reappointed  
10 to succeed him or herself but not for more than two consecutive terms. Each  
11 member may hold office until the expiration of the term for which appointed or  
12 until a successor has been duly appointed and qualified.

13 Section 5. Compensation; Expenses. Members of the Board shall receive  
14 no compensation but shall be reimbursed for reasonable and necessary  
15 expenses incurred in the course of official duties, when attending to the work of  
16 the Board or any of its committees and during time spent in necessary travel.  
17 Members shall be reimbursed for all actual traveling, incidental and clerical  
18 expenses necessarily incurred in carrying out the provisions of this act.

19 Section 6. Removal of members: Vacancies. The ~~State Governor~~  
20 President may remove the member appointed from that State for misconduct,  
21 incompetency, neglect of duty or any sufficient cause, in the manner prescribed  
22 by law for removal of officials. Vacancies in the membership of the Board shall  
23 be filled for the unexpired term by appointment by the ~~Governor of the~~  
24 appropriate State President in conformity with section 4 of this act.

25 Section 7. Organization; Meetings. The Board shall hold at least two

1 regular meetings each year. Special meetings may be held as the bylaws of the  
2 Board provide. A quorum of the Board shall consist of not less than three  
3 members.

4 Section 8. Powers.

5 (1) The Board shall have the power to adopt and amend all rules  
6 of procedure not inconsistent with the laws of this Nation, including the  
7 adoption and promulgation of Rules of Professional Conduct for Professional  
8 Engineers, Architects and Land Surveyors, which shall be binding upon persons  
9 registered under this act.

10 (2) The Board shall adopt and have an official seal, which shall be  
11 affixed to each certificate issued.

12 (3) In carrying into effect the provisions of this act, the Board,  
13 under the hand of its Chairman and the seal of the Board, may subpoena  
14 witnesses and compel their attendance and also may require the submission of  
15 books, papers, documents or other pertinent data, in any disciplinary matters  
16 or in any case wherever a violation of this act is alleged. Upon failure or refusal  
17 to comply with any such order of the Board or upon failure to honor its  
18 subpoena, as herein provided, the Board may apply to a court of appropriate  
19 jurisdiction to enforce compliance with same.

20 (4) The Board, in the name of the Nation, may apply for relief by  
21 injunction in the appropriate court, without bond, to enforce the provisions of  
22 this act or to restrain any violation thereof. In such proceedings, it shall not be  
23 necessary to allege or prove, either that an adequate remedy at law does not  
24 exist or that substantial or irreparable damage would result from the  
25 continued violation thereof. The members of the Board shall not be personally

1     liable under this proceeding.

2                     (5) The Board shall have prepared and shall adopt a set of rules  
3     for professional conduct under this act which shall be made known in writing to  
4     every registrant and applicant for registration under this act. The Board may  
5     revise and amend these rules for professional conduct from time to time and  
6     shall forthwith notify each registrant in writing of such revisions or  
7     amendments.

8             Section 9. Records; Reports. The Board shall keep records of its  
9     proceedings and of all applications for registration, which records shall show:

- 10                 (1) The applicant's name, agency and last known addresses;  
11                 (2) The date of the application;  
12                 (3) The applicant's place of business;  
13                 (4) The applicant's education, experience and other qualifications;  
14                 (5) The type of examination required;  
15                 (6) Whether or not the applicant was rejected;  
16                 (7) Whether or not a certificate of registration was granted;  
17                 (8) The date of the action by the Board; and  
18                 (9) Such other information as may be deemed necessary by the  
19     Board.

20     The record of the Board shall be prima facie evidence of the proceedings of the  
21     Board, and a transcript thereof, duly certified by the Secretary under seal, shall  
22     be admissible as evidence with the same force and effect as if the original were  
23     produced.

24             Board records and papers of the following class are of a confidential  
25     nature and are not public records: all examination materials for examinations

1 not yet given and examination solutions for which the grades have not yet been  
2 published, file records of examination problem solutions, letters of inquiry and  
3 reference concerning applicants, Board inquiry forms concerning applicants,  
4 investigation files where an investigation is still pending, and all other matters of  
5 like confidential nature.

6 Section 10. Persons exempt from registration. The following shall be  
7 exempted from this act:

8 (1) Persons practicing professional engineering, architecture or  
9 land surveying solely as officers or employees of the National Government  
10 agencies of the FSM; and

11 (2) Persons practicing professional engineering, architecture or  
12 land surveying solely as officers or employees of the State or any political  
13 subdivision thereof, until expiration of the terms of office or employment of  
14 such persons in the FSM.

15 Section 11. Public works, plan, etc., for and supervision of. The National,  
16 State and the political subdivision thereof and the officers thereof, respectively,  
17 shall not engage in the construction of any public work involving professional  
18 engineering or architecture for which the plans, specifications and estimates  
19 have not been made and the construction of which is not supervised by a  
20 professional engineer or architect duly registered hereunder; PROVIDED, that  
21 nothing in this section shall apply to any public work involving professional  
22 engineering, architecture or landscape architecture wherein the expenditure  
23 therefore does not exceed the sum of \$30,000. All land surveys involving  
24 property boundaries for public purposes or plans thereof shall be made or  
25 supervised by a registered land surveyor.



1           Section 12. Limitation upon application.

2                   (1) All engineering work and architectural work in which the public  
3 safety or health is involved shall be designed by, and the construction  
4 supervised by, a duly registered professional engineer or architect, respectively.

5                   (2) All land surveys involving property boundaries for public  
6 purposes or plans thereof shall be made or supervised by a registered land  
7 surveyor.

8           Section 13. General requirements for registration.

9                   (1) No person shall be eligible for admission to examination or  
10 registration as a professional engineer, architect or land surveyor or for  
11 enrollment as an engineer-in training under this act unless that person:

12                           (a) Is of good character and repute;

13                           (b) Meets the professional qualifications prescribed by this  
14 act; and

15                           (c) Submits five references with the application for  
16 registration as a professional engineer, architect or land surveyor, three of  
17 which shall be from practitioners registered in the discipline in which registration  
18 is sought and having personal knowledge of the applicant's experience in that  
19 discipline or in case of an application for certification as an engineer-in-training,  
20 by three character references.

21                   (2) The following shall be considered as minimum evidence  
22 satisfactory to the Board that the applicant is qualified for registration:

23                           (a) As a Professional Engineer:

24                                   (i) Graduation, experience and examination. A  
25 graduate of an engineering curriculum of 4 years or more approved by the

Board as being of satisfactory standing, and with a specific record of an additional 4 years of lawful progressive experience on engineering projects satisfactory to the Board, at least 2 years of which shall have been under the supervision of a registered engineer of a grade and character which indicates to the Board that the applicant may be competent to practice engineering, shall be admitted to a written examination in the fundamentals of engineering and a written examination in the principles and practice of engineering as prescribed by the bylaws. Upon passing such examination, the applicant shall be granted a certificate of registration to practice engineering in this Nation, provided the applicant is otherwise qualified.

(ii) Graduation, experience and examination. A graduate of an engineering or related science curriculum of 4 years or more, other than the ones approved by the Board as being of satisfactory standing, and with a specific record of 8 years or more of progressive experience, at least 4 years of which shall have been under the supervision of a registered engineer on projects of a grade and character which indicates to the Board that the applicant may be competent to practice engineering, shall be admitted to a written examination in the fundamentals of engineering and a written examination in the principles and practice of engineering as prescribed in the bylaws. Upon passing such examination, the applicant shall be granted a certificate of registration to practice engineering in this Nation, provided the applicant is otherwise qualified.

(iii) A non-graduate from a technical curriculum. A non-graduate of an engineering or related science curriculum of 4 years or more, with a specific record of 3 years or more in such a curriculum plus 12

1 years or more of progressive experience on engineering projects, 4 years of  
2 which must have been under the supervision of a registered engineer and of  
3 which at least 6 years have been in responsible charge of engineering projects  
4 of a grade and character which indicates to the Board that the applicant may  
5 be competent to practice engineering, shall be admitted to a written  
6 examination in the fundamentals of engineering and the principles and practice  
7 of engineering as prescribed in the bylaws. Upon passing such examination, the  
8 applicant shall be granted a certificate of registration to practice engineering in  
9 this Nation, provided the applicant is otherwise qualified.

10 (iv) Long established practice. A graduate of an  
11 engineering or related science curriculum of 4 years or more, with a specific  
12 record of 20 year or more of progressive experience on engineering projects,  
13 at least 15 years of which shall have been under the supervision of a registered  
14 engineer and at least 10 years of which shall have been in responsible charge of  
15 engineering projects of a grade and character which indicates to the Board  
16 that the applicant may be competent to practice engineering, and upon passing  
17 an oral or written examination in the principles and practice of engineering as  
18 prescribed by the Board, may be granted a certificate of registration to  
19 practice engineering in this Nation.

20 (v) Registration by comity or endorsement. A  
21 person whose qualifications meet the requirements of this act may, upon  
22 application, be registered as a professional engineer if the applicant

23 ~~//a/ Holds~~ holds a certificate of registration  
24 to engage in the practice of engineering issued by a proper authority/ ~~from~~  
25 ~~which a certificate of registration is recognized by~~ in such jurisdictions that

1 extend recognition to certificates of registration to engage in the practice of  
2 engineering issued by the Federated States of Micronesia pursuant to this act  
3 the United States National Council of Engineering Examiners, and is based on  
4 requirements that do not conflict with the provisions of this act and which are  
5 of a standard not lower than those specified in the applicable section of this  
6 act, and.

7 (b) ~~Holds a valid certificate issued by the~~

8 ~~NCEE~~

9 (vi) Waiver of examination in the fundamentals of  
10 engineering.

11 (1) Notwithstanding the provisions of subparagraphs (i) and (ii)  
12 of subsection (2)(a), the examinations required to be passed in order to qualify  
13 as a professional engineer shall be limited only to an examination in the  
14 principles and practice of engineering if an applicant meets one or more of the  
15 following conditions:

16 (a) The applicant holds a valid certificate of registration  
17 as a professional engineer in any branch of engineering;

18 (b) The applicant holds a valid certificate as an engineer-  
19 in-training,

20 (c) The applicant is a graduate of an approved  
21 engineering curriculum and submits satisfactory evidence to the Board of 10  
22 years or more of progressive engineering experience satisfactory to the Board;

23 (d) The applicant is a graduate of an engineering or  
24 related science curriculum of 4 years or more, holding a current certificate of  
25 registration to engage in the practice of engineering issued by a proper

1 authority of any foreign country based upon passing an 8 hour or more written  
2 examination in that country and who has at least 12 years of progressive  
3 engineering experience satisfactory to the Board; or

4 (e) The applicant holds a doctorate in engineering from a  
5 university or college.

6 (2) As an Engineer-in-Training:

7 (a) Graduation and examination. A graduate of an  
8 engineering curriculum of 4 years or more approved by the Board as being of  
9 satisfactory standing who has passed the examination as prescribed in the  
10 bylaws shall be certified or enrolled as an engineer-in-training, if otherwise  
11 qualified.

12 (b) Experience and examination. An application with a  
13 record of 4 or more years of experience in engineering work of a grade and  
14 character satisfactory to the Board, and who passes the examination as  
15 prescribed in the bylaws shall be certified or enrolled as an engineer-in-training,  
16 if otherwise qualified.

17 (3) As an Architect:

18 (a) Graduation, experience and examination. A graduate  
19 of a curriculum of not less than 4 years from a school of architecture  
20 approved by the Board as being of satisfactory standing and who has at least  
21 4 years of progressive experience satisfactory to the Board in architectural  
22 work covering the major categories of architectural practice, at least 2 years  
23 of which shall have been under the supervision of a registered architect, shall be  
24 eligible for a written examination as prescribed in the bylaws. Upon passing  
25 such examination, the applicant shall be granted a certificate of registration to

1 practice architecture in this Nation, if otherwise qualified.

2 (b) Experience and examination. An applicant having 8  
3 years of architectural training or educational experience satisfactory to the  
4 Board, of which a minimum of 8 years shall be experience covering the major  
5 categories of architectural practice under the supervision of a registered  
6 architect, shall be eligible for a written examination as prescribed in the bylaws.  
7 Upon passing such examination, the applicant shall be granted a certificate of  
8 registration to practice architecture in this Nation, if otherwise qualified.

9 (c) Long established practice. A graduate of an  
10 architectural curriculum of 4 years or more satisfactory to the Board and a  
11 current resident with specific record of 20 years or more of progressive  
12 experience in architectural work satisfactory to the Board, at least 12 years of  
13 which shall have been under the supervision of a registered architect, at least  
14 10 years of which shall have been in responsible charge of important  
15 architectural projects, and of a grade and character which indicate to the  
16 Board that the applicant may be competent to practice architecture and who  
17 has passed an oral or written examination as prescribed by the Board, shall be  
18 granted a certificate of registration to practice architecture in this Nation.

19 (d) Registration by comity or endorsement. A person  
20 who in the opinion of the Board meets the requirements of this act and who  
21 holds a certificate of registration to engage in the practice of architecture on  
22 the basis of comparable qualifications issued by the proper authority in such  
23 jurisdictions that extend recognition to certificates of registration to engage in  
24 the practice of architecture issued by the Federated States of Micronesia  
25 pursuant to this act, based on requirements that do not conflict with the

1 provisions of this act and which are of a standard not lower than those  
2 specified in the applicable section of this act, ~~and based on verified evidence, as~~  
3 ~~set forth in current certificate of qualification issued by the United States~~  
4 ~~National Council of Architectural Registration Boards, may, upon application~~  
5 ~~accompanied by a certificate, be registered without further examination.~~

6 (4) As a Land Surveyor:

7 (a) Graduation, experience and examination. A graduate  
8 of a surveying curriculum of 4 years or more at an institution approved by the  
9 Board as being of satisfactory standing and with a specific record of an  
10 additional 4 years or more of progressive combined office and field experience  
11 on land surveying work, at least 2 years of which shall be under the supervision  
12 of a registered land surveyor and of a grade and character which indicates to  
13 the Board that the applicant may be competent to practice land surveying,  
14 shall be eligible for a written examination in the fundamentals of land surveying,  
15 in the principles and practice of land surveying, and land matters as prescribed  
16 in the bylaws. Upon passing such examination, the applicant shall be granted a  
17 certificate of registration to practice land surveying in this Nation, provided the  
18 applicant is otherwise qualified.

19 (b) Education, experience and examination. A graduate of  
20 a surveying or related science curriculum of 4 years or more, other than the  
21 ones approved by the Board as being of satisfactory standing, and with a  
22 specific record of an additional 8 years of combined office and field experience  
23 satisfactory to the Board in land surveying, of which a minimum of 3 years  
24 experience has been in responsible charge of land surveying projects under the  
25 supervision of a registered land surveyor, shall be admitted to a written

1 examination in the fundamentals of land surveying, in the principles and practice  
2 of land surveying and land matters as prescribed in the bylaws. Upon passing  
3 such examination, the applicant shall be granted a certificate of registration to  
4 practice land surveying in this Nation, provided the applicant is otherwise  
5 qualified.

6 (c) Experience and examination. An applicant with a  
7 specific record of 12 years or more of practice in land surveying, of which at  
8 least 8 years have been in responsible charge of important land surveying work  
9 under the supervision of a registered land surveyor, and of a grade and  
10 character satisfactory to the Board which indicates to the Board that the  
11 applicant may be competent to practice land surveying and who has passed a  
12 written examination in the fundamentals of land surveying and in the principles  
13 and practice of land surveying and land matters, shall be granted a certificate  
14 of registration to practice land surveying in this Nation, provided the applicant  
15 is otherwise qualified.

16 (d) Registration by comity or endorsement. A person  
17 holding a certificate of registration to engage in the practice of land surveying  
18 on the basis of comparable qualifications issued by a proper authority of a  
19 State, who in the opinion of the Board meets the requirements of this act, will  
20 be given comity consideration. However, applicants may be required to take  
21 oral and/or written examinations as the Board may deem necessary to  
22 determine their qualifications.

23 (e) Teaching experience: Teaching in accredited  
24 engineering, architectural or surveying school or college. Maximum experience  
25 credit for teaching shall be 1 year of teaching third, fourth and fifth-year



1 courses. One year of teaching shall be considered to be a total teaching load  
2 of 20 semester credit hours or 30 quarter credit hours. The teaching credit  
3 can be applied only where minimum full-time lawful experience requirements are  
4 more than 2 years; in addition to the foregoing requirements, the Board may, ~~it~~  
5 at its discretion, require additional proof that the applicant is competent to  
6 practice professionally.

7 Section 14. Application and registration fee.

8 (1) Application for registration as a professional engineer,  
9 architect or land surveyor or for certification as an engineer-in-training shall be  
10 on a form prescribed and furnished by the Board. It shall contain statements  
11 made under oath showing the applicant's education and a detailed summary of  
12 technical and engineering, architectural or land surveying experience, and shall  
13 include the names and complete mailing addresses of references, none of whom  
14 should be members of the Board.

15 (2) The application, examination and registration fees shall be  
16 prescribed by the Board and shall be specified in the bylaws.

17 (3) No fee refund will be made after the application has been  
18 received and acted upon by the Board even if registration is denied.

19 Section 15. Examinations.

20 (1) Applicants may be subjected to such examinations as may  
21 be deemed necessary to determine their qualifications. The examinations will be  
22 held at such times and places as the Board may direct.

23 (2) Written examination as specified in the bylaws may be taken  
24 only after the applicant has met the other minimum requirements.

25 (3) A candidate failing an examination may apply for re-

1 examination, which may be granted upon payment of a fee established by the  
2 Board.

3 (4) A candidate whose grade in a previous examination indicates  
4 that the candidate is unprepared may, at the discretion of the Board, be  
5 required to wait 1 year before being eligible for re-examination.

6 Section 16. Applications for and certificate of registration; Renewal fees.

7 (1) Application for registration shall be made upon blanks to be  
8 furnished by the Board and shall be signed and sworn to by the applicant. With  
9 each application there shall be paid to the Board an application fee, the fee to  
10 be ~~nonreturnable~~ nonrefundable after the application has been entered in the  
11 records of the Board.

12 For each examination or repetition thereof in whole or in part as  
13 shall be limited or permitted by the rules of the Board, the candidate shall pay  
14 to the Board an examination fee; PROVIDED, where the candidate is eligible to  
15 take only that part of the examination pertaining to engineering fundamentals,  
16 the candidate shall pay the appropriate fee. The fee paid shall not be  
17 refundable; PROVIDED, if a candidate, after having paid the fee, is unable for  
18 any reason beyond the candidate's control to participate in the examination,  
19 the Board may extend the time of the candidate's participation to the next  
20 regular examination date and credit the candidate the amount of the fee paid.

21 (2) Upon qualifying for registration, the applicant shall pay a  
22 registration fee, and upon receipt thereof by the Board shall thereupon be  
23 registered as a professional engineer, architect or land surveyor, and shall  
24 receive a certificate thereof from the Board signed by the Chairman and  
25 Secretary.

(3) Every person registered who, as an individual or as a member of a firm or corporation, conducts an office or other place of business for the practice of the profession shall display the original certificate in a conspicuous manner, in the principal office or place of business.

(4) Every certificate of registration expires on April 30 of each even-numbered year following its issuance and becomes invalid after that date unless renewed. The Secretary of the Board, at least 1 month in advance of the date of expiration of the certificate of registration, shall mail a notice to every person registered under this section, giving the date of expiration and the amount required for the renewal thereof. The fee for renewal and all other fees in this act shall be as provided in the rules adopted by the Board. Certificates of registration which have expired for failure to pay renewal fees on or before the date required in this subsection may be reinstated within 1 year of the expiration date upon payment of a fee for each renewal certificate.

Section 17: Suspension or revocation of certificates: Hearings.

(1) The Board may revoke or suspend the certificate of registration of any person hereunder who is found guilty of any fraud or deceit in obtaining the certificate, or of gross negligence, incompetency or misconduct in the practice of his or her profession or who is convicted of violating this act or the rules or regulations of the Board. Any person may prefer charges in writing with the Secretary of the Board against any person holding a certificate.

(2) In all proceedings before it, the Board and each member thereof shall have the same powers respecting administering oaths, compelling the attendance of witnesses and the production of documentary evidence, and

1 examining witnesses, as are possessed by courts. In case of disobedience by  
2 any person to any order of the Board, or any member thereof, or any  
3 subpoena issued by it or by a member, or the refusal of any witness to testify  
4 to any matter regarding which the witness may be questioned lawfully, any  
5 judge or justice, on application by the Board or a member thereof, shall compel  
6 obedience to the requirements of a subpoena issued by an appropriate court.

7       Section 18. Contents of certificates; Use of seal.

8               (1) Each certificate of registration issued hereunder shall bear  
9 the date of the original registration and shall specify whether the person to  
10 whom it is issued is authorized by the Board to practice professional  
11 engineering, architecture or land surveying.

12              (2) In the case of a certificate issued to a person authorizing the  
13 practice of professional engineering, the certificate shall furthermore indicate  
14 the major branch or branches of engineering in which the person has especially  
15 qualified.

16              (3) Every registered person may use a seal or rubber stamp of  
17 the design authorized by the Board bearing his or her name and the words  
18 "registered professional engineer," "registered architect" or "registered land  
19 surveyor" or otherwise as may be authorized by the Board.

20              (4) All plans, specifications, maps and reports prepared by or  
21 under the supervision of a registered engineer, architect or surveyor shall be  
22 stamped with such seal or stamp when filed with public officials. It shall be  
23 unlawful for anyone to seal or stamp any document with such seal or stamp  
24 after the certificate of the registrant named thereon has expired or has been  
25 revoked or suspended unless such certificate has been renewed or reissued.

1       Section 19. Corporation and partnerships. A corporation or co-  
2 partnership may engage in the practice of professional engineering, architecture  
3 or surveying in the State; PROVIDED, the person or persons connected with the  
4 corporation or co-partnership directly in charge of the professional work is duly  
5 registered hereunder; and PROVIDED FURTHER, that the name or names of such  
6 person or persons has or have been filed with the Board by the corporation or  
7 co-partnership.

8       Section 20. Structures exempted from provisions.

9               (1) The provisions of this act shall not apply to work in respect  
10 to any privately owned or privately controlled one-storied building, dwelling or  
11 structure, the estimated cost of which does not exceed \$40,000, nor to any  
12 privately controlled two-storied building, dwelling or structure, the estimated  
13 cost of which does not exceed \$35,000.

14              (2) The provisions of this act shall not apply to work in respect  
15 to any privately owned or privately controlled one-storied structure, which is  
16 used primarily as a residence, the estimated cost of which does not exceed  
17 \$50,000, nor to any privately owned or privately controlled two-storied  
18 structure, which is used primarily as a residence, the cost of which does not  
19 exceed \$45,000.

20       Section 21. Violations; Penalties. Any person who practices, offers to  
21 practice or holds him or herself out as authorized and qualified to practice  
22 professional engineering, architecture or land surveying in the Nation who uses  
23 the title "engineer," "architect," "land surveyor" or "landscape architect" or any  
24 title, sign, card or device to indicate that such person is practicing professional  
25 engineering, architecture or land surveying or is a professional engineer,

1 architect or land surveyor without having first registered in accordance with  
2 this act and without having a valid unexpired certificate of registration; or who  
3 uses or attempts to use as his or her own the seal or the certificate of  
4 registration of another, or who falsely impersonates any duly registered  
5 practitioner hereunder or who uses or attempts to use an expired, suspended  
6 or revoked certificate or registration; or any firm or corporation which  
7 advertises that it will furnish architectural or engineering services in the making  
8 of plans or specifications or in the construction of any building or other  
9 structure, without first having complied with this act, or any firm or  
10 corporation which furnishes or offers to furnish architectural or engineering  
11 services for the construction of any building, structure, project or utility,  
12 without first having complied with this act, or any person or firm who violates  
13 any of the provisions of this act, shall be fined not more than \$5,000 or  
14 imprisoned not more than 1 year, or both.

15 Section 22.' Effective date. This act shall become law upon approval by  
16 the President of the Federated States of Micronesia or upon its becoming law  
17 without such approval.

18  
19 Date: May 28, 1993

Introduced by: /s/ Leo A. Falcam  
Leo A. Falcam