



MINNESOTA BOARD OF
ARCHITECTURE ■ ENGINEERING ■ LAND SURVEYING
LANDSCAPE ARCHITECTURE ■ GEOSCIENCE ■ INTERIOR DESIGN

BOARD MEMORANDUM

FEBRUARY 9, 2023

TO: All Board Members
Stephen Melchionne, Assistant Attorney General

FROM: Paul Vogel, LS, Board Chair

SUBJECT: **FEBRUARY 9, 2023 BOARD MEETING MINUTES**
Golden Rule Building, Suite 120
11:02 AM

The Board held its regularly scheduled meeting on the above-mentioned date, time, and location.

- 1) QUORUM CALL
- | | |
|--|---------------------------------------|
| Paul Vogel, LS, Chair | Scott Holm, M. Ed, CBO, PM |
| Keith Rapp, PG, Vice Chair - Absent | Alan Johnson, PE |
| Daniel Kelsey, PE, Secretary | Denise Kazmierczak, PE |
| Melisa Rodriguez, PE, Treasurer | Erica Larson, CID |
| Jason Amberg, LA | Jami Neiber, PM - Absent |
| Dan Baar, LS | Meg Parsons, FAIA |
| Paul Brandt, PSS - Absent | Claudia Reichert, CID - Absent |
| Rachel Dwyer, PM - Absent | Graham Sones, LA |
| Eric Friske, JD, PM | David Stenseth, CPA, PM |
| Sally Grans Korsh, FAIA | Travis Thul, D. Eng., PE |

OTHERS:

Doreen Johnson, Executive Director
Kay Weiss, Assistant Executive Director
Stephen Melchionne, Assistant Attorney General
Holly Salmela, Investigator
Mary Roguski, OASI

Guests:

Philip E. Raines, Prevailing Wisdom, LLC

- 2) INTRODUCTIONS
- 3) READING AND APPROVAL OF NOVEMBER 17, 2022 BOARD MEETING MINUTES
MSP: To approve the November 17, 2022 Board Meeting Minutes

- 4) COMPLAINT COMMITTEE REPORT (Eric Friske, Committee Chair)
 - A) The Complaint Committee requested a closed session to deal with disciplinary matters. Paul Vogel recused himself as Board Chair for the duration of the Complaint Committee Report and appointed Melisa Rodriguez as Chair *pro tempore*.
MSP: To go into closed session
MSP: To return to open session

The Board issued Orders for the following:

- B) Raymond Marcel Hozalski, PE
- C) Amanda Jo Brustad, LS
- D) Wallace Roy Hansen, LS
- E) Mark Ronald Salo, LS
- F) Clint Bachmann
- G) David Tsang, PE

MSP: To accept the Complaint Committee Report

- 5) RULES COMMITTEE REPORT (C. Reichert, Committee Chair)
 - A) No meeting held.
- 6) CREDENTIALING COMMITTEE REPORT (E. Larson, Committee Chair)
 - A) Continuing education audits
 - i) New this year: the audits are a percentage of all licensees, not a percentage of each profession.
 - ii) Approximately 50 were reviewed today.

MSP: To accept the Credentialing Committee Report

- 7) ARCHITECT, LANDSCAPE ARCHITECT AND CERTIFIED INTERIOR DESIGNER (ALACID) SECTION REPORT (S. Holm, Section Chair)
 - A) NCARB Draft Resolutions were discussed, including changes pertaining to its governance structure, to be voted on at the June meeting.
MSP: To accept the ALACID Section Report

- 8) ENGINEER, LAND SURVEYOR AND GEOSCIENCE (ELSGEO) SECTION REPORT (D. Kazmierczak, Section Chair)
- A) Standards of work experience for engineering applicants were discussed; no changes to the instructions on the web site were deemed necessary.
 - B) NCEES Central Zone is requesting nominations for secretary/treasurer.
 - C) NCEES Zone Meeting will be April 27-29, several will attend.
 - D) MNLS Exam Summary was discussed.
 - E) M. Rodriguez reported on presenting at the City Engineers Association of Minnesota Annual Conference in Bloomington, MN, Jan 25-27, 2023.
 - F) MAPSS comment regarding Minnesota Rule 1800.3910, subpart 6 was discussed and will be discussed again at the next meeting.

MSP: To accept the ELSGEO Section Report

- 9) EXECUTIVE COMMITTEE REPORT (P. Vogel, Chair)
- A) Changes to the Board Bylaws were discussed
MP: To bring the Bylaws changes to the full Board in May for a final vote
 - B) FY 2024-25 Governor's Budget Recommendations were discussed.
 - C) MNIT Security Operations report was discussed.
 - D) Elections will be held at the May meeting. Staff will send out surveys for self-nominations for Executive Committee positions and for committee assignment interests.

MSP: To accept the Executive Committee Report

- 10) TREASURER'S REPORT (M. Rodriguez, Treasurer)
- A) Budget and Revenue Reports – Operating within budget.

MSP: To accept the Treasurer's Report

- 11) EXECUTIVE DIRECTOR'S REPORT (D. Johnson, Executive Director)
- A) Board members are required to complete the Campaign Finance & Public Disclosure Form; Members rotating off the Board are also required to complete the form in the subsequent year.
 - B) Staffing updates – Interviews for the open position have been conducted.
 - C) Open Appointments – Meeting is currently slated for some time in March. Members who are seeking reappointment can continue to sit.
 - D) NCEES MBE Meeting, January 9-10, 2023 – D. Johnson attended.
 - E) ASBOG Exam has moved to a computer-based format with a test vendor; there have been many issues. Thank you to the staff who have been investigating the issues and assisting applicants.

MSP: To accept the Executive Director's Report

12) UNFINISHED BUSINESS

- A) Board Bylaws changes – Discussed.
- B) Legislative Action Team (S. Grans Korsh reporting)
 - i) LAT members will contact chairs of the appropriate committees in the House and Senate to ask for assistance in finding a legislator to author the bill. Draft of letter was e-mailed to the Board for consideration **(ATTACH. 12B)**.
 - ii) Paul Vogel will send messages to professional societies to ask for their support of the proposed legislation.
 - iii) Board members may be asked to reach out to the legislators in their districts if additional communication is advised.
- C) Rules package update (K. Weiss)
 - i) Statement of Need and Reasonableness **(ATTACH. 12Ci)**
 - ii) Changes: two content changes and “housekeeping” per handout **(ATTACH 12Cii)**.
 - a. Item: Add section to 1800.0400 Subp. 5 to read:
C. An applicant approved for licensure or for certification as a certified interior designer who fails to submit the initial licensure or certification fee in part 1800.0500, subpart 1, item B, within six months of the date of the Board's written notice of approval must provide an updated certification, as described in this subpart, along with the fee, before the Board will issue the license or certificate.
 - b. Change 1800.2900 Subp. 7(F) as follows:
F. An applicant who passes the FE examination after applying to the board to take the FE examination and who does not provide the board with evidence of meeting the education requirements in part 1800.2500, subpart 2a, within ~~six months~~ one year of the examination date must submit an engineer-in-training application to obtain an engineer-in-training certificate.
MSP: To accept the changes as specified in the handout (ATTACH. 12Cii)
 - iii) Next step in the process is authorization from the Board to announce the draft to the public and solicit comments **(ATTACH. 12Ciii)**.
MSP: To approve the authorizing resolution

13) NEW BUSINESS

- A) Military Spouse Licensing Relief Act, January 2023 – Discussed.
- B) Annual elections at the May meeting – Discussed.
- C) FY 2024-25 Governor’s Budget Recommendations – Discussed.
- D) Licensee Report
MSP: To approve Licensee Report
- E) Mileage rate increased to .655 per mile as of 1/1/2023; an updated expense report form will be e-mailed when it becomes available.

14) PUBLIC COMMENT – None

15) ADJOURN

MP: To adjourn at 12:35 p.m.

Next Meeting: May 10, 2023

See the Board’s website for the times and locations of all meetings.



MINNESOTA BOARD OF
ARCHITECTURE ■ ENGINEERING ■ LAND SURVEYING
LANDSCAPE ARCHITECTURE ■ GEOSCIENCE ■ INTERIOR DESIGN

February X, 2023

{Address
for
specific
legislative
contact }

Dear {Senator or Representative} {Last Name}:

Re: Proposed Statute Changes to Minnesota Statutes, Sections 326.02 through 326.15

I am writing on behalf of the Legislative Action Taskforce of the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design. This Board is charged with regulating the professions under Minnesota Statutes, sections 326.02 through 326.15, in order to protect the health, safety and welfare of the public. It is composed of twenty-one members appointed by the Governor, of which sixteen are professional members and five are public members. We are committed to the responsible and equitable performance of our duties as Board members serving the people of Minnesota.

In undertaking our duties, the Board has identified certain requirements in the Board's statutes that we feel would better serve the State if changed. Based upon initial conversations with various stakeholders, we believe the propose changes to be noncontroversial. They are budget neutral. The proposed changes have three main aims:

- Improve diversity and inclusion in the representation of the Board itself by modifying the requirements to serve.
- Allow for retroactive enforcement against individuals within two years of their license expiration for rule/statute violations while licensed. It prevents rule and statute violators from simply "playing out the clock" and letting their Minnesota license expire rather than face discipline and provides proper time for the Board to prepare,

pursue, and resolve cases to fulfill its mandate of public protection. The Department of Labor and Commerce have been granted similar authority, and it was granted in 2019 to the Board of Accountancy with the support of the CPA professional societies.

- Simplify paths to licensure by removing an age restriction, addressing vague “good moral character” language in the statute, establishing a “substantial equivalency” standard for applicants for licensure in Minnesota that are already licensed in another state, and reducing the cost for a temporary license for qualified members of the military to \$0.

As Chair of the {Legislative committee name} we are requesting your assistance in carrying forward these proposed changes in a separate bill or within an omnibus bill. Based upon the proposed changes, could you help us identify an author? We rely on your judgement as to the most expeditious way to proceed.

Please call upon the Board for any additional information you might need. Thank you, in advance, for your assistance.

Most sincerely,

Sally Grans Korsh, FAIA, LEED AP
Board Member
Legislative Taskforce Chair
sgranskorsh@gmail.com
83 6th Ave NE
Minneapolis, MN 55413
612-310-3881

Enclosure

CC via email:

Paul Vogel, LS, Board Chair; paul.vogel@lhbcorp.com
Doreen Johnson, Executive Director; 651-757-1517; doreen.johnson@state.mn.us
Kay Weiss, Assistant Executive Director; 651-757-1523; kay.weiss@state.mn.us
{the representative’s legislative assistant}

Proposed Statute Changes

Minnesota Statutes 326.05, 326.10, and 326.111

Voted and approved at September 2, 2021 and May 12, 2022 Board Meetings

Statute 326.05 – Board member qualifications:

... Each member except the public members shall have been engaged in the practice of the relevant profession for at least ~~ten~~ five years and shall have been in responsible charge of professional work requiring licensure as an architect, engineer, land surveyor, landscape architect, or geoscientist, or certification as an interior designer for at least ~~five~~ two years.

Statute 326.10, Subd. 1 (1) – License/certificate issuance:

To any person ~~over 25 years of age~~, who complies with the Rules of Professional Conduct established in rule by the Board, ~~is of good moral character and repute~~, and who has the experience and educational qualifications which the board by rule may prescribe.

Statute 326.10, Subd. 1 (2) – “Reciprocal” licensure:

To any person who holds an unexpired certificate of registration or license issued by proper authority in the District of Columbia, any state or territory of the United States, or any foreign country, in which the requirements for registration or licensure of architects, engineers, land surveyors, landscape architects, geoscientists, or certified interior designers, respectively, at the time of registration or licensure in the other jurisdiction, were equal, in the opinion of the board, substantially equivalent, as established by the Board in rule, to those fixed by the board and by the laws of this state, and in which similar privileges are extended to the holders of certificates of registration or licensure issued by this state...

Statute 326.10, Subd. 2 – Examination:

An applicant for licensure or certification must provide evidence of passing the required examinations as prescribed by rule of the board. The board, or a committee of the board, may subject any applicant for licensure or certification to such examinations as may be deemed necessary to establish qualifications...

Statute 326.10, Subd. 10 – Temporary Military License:

... The fee for the temporary license under this subdivision for the practice of architecture, professional engineering, geosciences, land surveying, landscape architecture, or interior design is \$132 0.

Statute 326.111 – How orders are served

● **Subd. 3(b)**

Service of the order is effective if the order is served on the person or counsel of record personally or by certified mail to the most recent address provided to the board for the person or counsel of record. may be by first class United States mail, including certified United States mail, or overnight express mail service, postage prepaid and addressed to the party at the party's last known address. Service by United States mail, including certified mail, is complete upon placing the order in the mail or otherwise delivering the order to the United States mail service. Service by overnight express mail service is complete upon delivering the order to an authorized agent of the express mail service.

● **Subd. 4(c)**

Service of the order ~~is effective if the order is served on the licensee, certificate holder, applicant, person, or counsel of record personally or by certified mail, to the most recent address provided to the board for the licensee, certificate holder, applicant, person, or counsel of record.~~ may be by first class United States mail, including certified United States mail, or overnight express mail service, postage prepaid and addressed to the party at the party's last known address. Service by United States mail, including certified mail, is complete upon placing the order in the mail or otherwise delivering the order to the United States mail service. Service by overnight express mail service is complete upon delivering the order to an authorized agent of the express mail service. The order shall state the reasons for the entry of the order.

● **Subd. 5(b)**

Service of the order ~~is effective if the order is served on the licensee or counsel of record personally or by certified mail, to the most recent address provided to the board for the licensee or counsel of record.~~ may be by first class United States mail, including certified United States mail, or overnight express mail service, postage prepaid and addressed to the party at the party's last known address. Service by United States mail, including certified mail, is complete upon placing the order in the mail or otherwise delivering the order to the United States mail service. Service by overnight express mail service is complete upon delivering the order to an authorized agent of the express mail service.

Statute 326.111, Subd. 8 – Retroactive Enforcement

Actions against lapsed license or certificate. If a license or certificate lapses, is surrendered, withdrawn, terminated, or otherwise becomes ineffective, the board may institute a proceeding under this subdivision within two years after the license or certificate was last effective and enter a revocation or suspension order as of the last date on which the license or certificate was in effect, or impose a civil penalty as provided for in subdivision 6.

For reference, the legislators to be contacted:

House

Rep. Ginny Klevorn
State and Local Government Finance and Policy Chair
581 State Office Building
St. Paul, MN 55155

rep.ginny.klevorn@house.mn.gov

(DFL) District: 42B - Roseville, Little Canada and Vadnais Heights

Legislative Assistant: Sam O'Neill 651-296-3305; Samuel.ONeill@house.mn.gov

Senate

Senator Erin P. Murphy
State and Local Government and Veterans
3211 Minnesota Senate Bldg.
St. Paul, MN 55155

sen.erin.murphy@senate.mn

(DFL) District: 64 - St Paul

Legislative Assistant: Alexis Kise 651-296-5931; alexis.kise@senate.mn



BOARD OF ARCHITECTURE ▪ ENGINEERING
LAND SURVEYING ▪ LANDSCAPE ARCHITECTURE
GEOSCIENCE ▪ INTERIOR DESIGN

STATEMENT OF NEED AND REASONABLENESS

**Proposed Amendment to Rules Governing
Definitions; Information Required for Applications;
Foreign Degree Evaluation; Architect Initial Licensure Application;
Landscape Architect Education and Experience Requirements;
Fundamentals of Soil Scientist Examination Registration;
Application Validity and Expiration; and Housekeeping Updates.
*Minnesota Rules, Chapter 1800***

Revisor's ID Number R-04764

FEBRUARY 2023

ACRONYMS

- ARE – Architect Registration Examination
- BLA – Bachelor of Landscape Architecture
- CACB – Canadian Architectural Certification Board
- CID – Certified Interior Designer
- CIDQ – Council for Interior Design Qualifications
- CLARB – Council of Landscape Architectural Registration Boards
- CSSE – Council for Soil Science Examiners
- FE – Fundamentals of Engineering (Examination)
- FG – Fundamentals of Geology (Examination)
- FSS – Fundamentals of Soil Science (Examination)
- MLA – Master of Landscape Architecture
- MNLS – Minnesota Land Surveyor (Examination)
- NAAB – National Architectural Accrediting Board
- NCARB – National Council of Architecture Registration Boards
- NCEES – National Council of Examiners for Engineering and Surveying

ALTERNATIVE FORMAT

Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make a request, contact Kay Weiss at the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design, 85 E. 7th Place, Suite 160, St. Paul, MN 55101, 651-757-1523 and email: kay.weiss@state.mn.us. TTY users may call the Board at (800) 627-3529.

INTRODUCTION AND BACKGROUND INFORMATION

The nature of the proposed rules of the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design (“Board”) is to amend its current rules to:

- clarify the education evaluation process for applicants with foreign degrees
- allow direct registration for the Fundamentals of Soil Science exam;
- modify the education and experience requirements for landscape architects to provide more paths to licensure;
- update and clarify the general description of information required for applications to the Board;
- clarify the certification statement to which applicants must agree when applying for licensure/certification or renewing or reinstating a license/certificate;
- clarify the validity of applications and application expiration;
- update definitions; and
- make housekeeping modifications

Additionally, the amendments remove obsolete, unnecessary, or duplicative rules identified in the Board’s 2022 Obsolete Rule Report.

STATUTORY AUTHORITY

This rulemaking is an amendment of rules for which the Legislature has not revised the statutory authority and so Minnesota Statutes, section 14.125, does not apply.

The Board's statutory authority to adopt the rules is stated in Minnesota Statutes, section 326.06, which provides:

326.06 GENERAL POWERS AND DUTIES OF BOARD

Each member of the board shall receive a certificate of appointment from the governor, and, before beginning a term of office, shall file with the secretary of state the constitutional oath of office. The board shall adopt and have an official seal, which shall be affixed to all licenses granted; shall make all rules, not inconsistent with law, needed in performing its duties; and shall fix standards for determining the qualifications of applicants for certificates, which shall not exceed the requirements contained in the curriculum of a recognized school of architecture, landscape architecture, engineering, geoscience, or interior design. The board shall make rules to define classes of buildings with respect to which persons performing services described in section 326.03, subdivision 2, may be exempted from the provisions of sections 326.02 to 326.15, by a finding of no probable risk to life, health, property or public welfare.

Under this statute, the Board has the necessary statutory authority to adopt the proposed rules.

REGULATORY ANALYSIS

Minnesota Statutes, section 14.131, sets out eight factors for a regulatory analysis that must be included in the SONAR. Paragraphs (1) through (8) below quote these factors and then give the agency's response.

“(1) a description of the classes of persons who probably will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule”

The classes of persons affected by the proposed amendments to the rules are all Board applicants for examination, in-training classification, licensure, certification as a CID and renewal; and the public for whom the professions regulated by the Board provide services. No class bears a specific cost for the proposed rules. In general, all classes will benefit from the proposed rules. The housekeeping amendments generally positively affect all classes.

A line item in the Board's budget covers the cost of the rulemaking.

“(2) the probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues”

The probable costs to the Board include the cost of the rulemaking in general.

The Board does not anticipate an increase or decrease in the cost of enforcing the rules. It also does not anticipate probable costs to any other agency because the Board is the only entity charged with implementing and enforcing the proposed rules.

“(3) a determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule”

The purpose of the proposed rule modifications is to change requirements delineated in existing rules. Rule writing is the only method that exists to achieve this goal.

“(4) a description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule”

Administrative rules are the only method available to the Board to define requirements for examination and licensure.

“(5) the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals”

There are no probable costs for governmental units, businesses, or individuals to comply with the proposed rules. Modifications to the rules update existing requirements. The package contains modest reductions in the costs: Comity licensure (licensure under Minnesota Statutes, section 326.10, subdivision 1, clause (2)) is reduced from \$100 to \$75, the same fee as that for initial licensure. Late filing fees are reduced from a maximum of \$60 to a maximum of \$30. Due to direct registration with the Council for Soil Scientist Examiners, Fundamentals of Soil Science examinees who do not return to the Board to receive an “in training” certificate (which is not required for licensure) will no longer pay a \$25 application fee to the Board.

“(6) the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals”

The consequences include following:

- **Soil Science examinees** cannot take advantage of the year-round registration to sit for the fundamentals exam and will not have the flexibility of direct registration. The Council for Soil Scientist Examiners (CSSE) may not repeat the one-time variance the Board has received to proctor the exam themselves on a specific date (as per current rule).
- **Landscape Architect applicants** will not benefit from alternative paths to licensure and reduced experience requirements.

- **Applicants under Minnesota Statutes, section 326.10, subdivision 1, clause (2)** will see no reduction in application fees.
- **Foreign degree applicants** for some professions will not have a clear path for establishing education equivalency.
- **Individuals with prior disciplinary or felony convictions that they have already reported to the Board** must continue to report the same facts, which requires them to prepare a statement of explanation and renew by mail rather than the more convenient online renewal method.

Housekeeping: Housekeeping modifications are not substantive and do not have any increase in cost to comply with them.

“(7) an assessment of any differences between the proposed rule and existing federal regulations and a specific analysis of the need for and reasonableness of each difference”

No relationship exists between these rules and federal regulations.

“(8) an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.... ‘[C]umulative effect’ means the impact that results from incremental impact of the proposed rule in addition to other rules, regardless of what state or federal agency has adopted the other rules. Cumulative effects can result from individually minor but collectively significant rules adopted over a period of time.”

Neither federal regulations nor other Minnesota state laws directly address most areas covered in the proposed rules. Therefore, this consideration is not applicable for these rules.

PERFORMANCE-BASED RULES

Minnesota Statutes, sections 14.002 and 14.131, require that the SONAR describe how the agency, in developing the rules, considered and implemented performance-based standards that emphasize superior achievement in meeting the agency’s regulatory objectives and maximum flexibility for the regulated party and the agency in meeting those goals.

To safeguard life, health and property, and promote the public welfare, the Board provides reasonable assurance that persons practicing architecture, engineering, land surveying, landscape architecture, geology, and soil science and persons using the title certified interior designer are competent, ethical practitioners qualified through education, examination and experience. Additionally, as an official licensing entity, the Board is charged with implementing those statutes and rules which specifically regulate the practice of and title use for these professions.

The proposed rule amendments embodied in this Statement of Need and Reasonableness emphasize superior achievement in meeting the Board’s regulatory objectives with maximum flexibility for the regulated party and the Board in meeting those goals. The Board has removed various friction points

for applicants and examinees, particularly for the landscape architect and soil science professions and for foreign degree applicants.

Finally, the proposed amendments include structural changes that assist rule readability and comprehension and eliminate obsolete, unnecessary, or duplicative rule language.

ADDITIONAL NOTICE

This Additional Notice Plan was reviewed by the Office of Administrative Hearings and approved in an order issued by Administrative Law Judge XXXX on XXXX, XX, 2023.

Copies of the Dual Notice of Intent to Adopt and the proposed rule change will be mailed to the Minnesota Chapter of the American Institute of Architects (“AIA-MN”), the professional society representing architects regulated by this Board.

Copies of the Dual Notice of Intent to Adopt and the proposed rule change will be mailed to the Minnesota Society of Professional Surveyors (“MSPS”) and the American Council of Engineering Companies of Minnesota (“ACEC/MN”), the two largest professional societies representing professional engineers regulated by this Board.

Copies of the Dual Notice of Intent to Adopt and the proposed rule change will be mailed to the Minnesota Society of Professional Engineers (“MSPE”) and the Minnesota Association of County Surveyors (MACS), the largest professional societies representing land surveyors regulated by this Board.

Copies of the Dual Notice of Intent to Adopt and the proposed rule change will be mailed to the Minnesota Chapter of the American Society of Landscape Architects (“MASLA”), the professional society representing landscape architects regulated by this Board.

Copies of the Dual Notice of Intent to Adopt and the proposed rule change will be mailed to the American Institute of Professional Geologists - Minnesota Chapter (AIPG), the largest professional society representing professional geologists regulated by this Board.

Copies of the Dual Notice of Intent to Adopt and the proposed rule change will be mailed to the Minnesota Association of Professional Soil Scientists (MAPSS), the largest professional society representing professional soil scientists regulated by this Board.

Copies of the Dual Notice of Intent to Adopt and the proposed rule change will be mailed to the Northland Chapter of the International Interior Design Association (“IIDA”) and the Minnesota Chapter of the American Society of Interior Designers (“ASID”), the two professional societies representing certified interior designers regulated by this Board.

Copies of the Dual Notice of Intent to Adopt and the proposed rule change will be mailed to the National Council of Architectural Registration Boards (“NCARB”), the national council representing architects regulated by this Board.

Copies of the Dual Notice of Intent to Adopt and the proposed rule change will be mailed to the National Council of Examiners for Engineering and Surveying (“NCEES”), the national council representing professional engineering and land surveyors regulated by this Board.

Copies of the Dual Notice of Intent to Adopt and the proposed rule change will be mailed to the Council of Landscape Architectural Registration Boards (“CLARB”), the national council representing landscape architects regulated by this Board.

Copies of the Dual Notice of Intent to Adopt and the proposed rule change will be mailed to the National Association of State Boards of Geology (“ASBOG”), the national council representing professional geologists regulated by this Board.

Copies of the Dual Notice of Intent to Adopt and the proposed rule change will be mailed to the National Council of Soil Science Examiners (“CSSE”), the national council representing professional soil scientists regulated by this Board.

Copies of the Dual Notice of Intent to Adopt and the proposed rule change will be mailed to the Council for Interior Design Qualification (“CIDQ”), the national council representing certified interior designers regulated by this Board.

Copies of the Dual Notice of Intent to Adopt and the proposed rule change will be mailed to Minnesota academic institutions that offer landscape architecture degree programs accredited by or seeking accreditation from the Landscape Architectural Accrediting Board (“LAAB”) or that offer a non-accredited Landscape Architecture degree: University of Minnesota—MLA and BLA Programs

The Board will post the Dual Notice of Intent to Adopt, the SONAR, and the proposed rule changes on the Board’s website for public review by XX, XX, 2023.

A postcard notification of the proposed rule changes with the website address where recipients will find the Dual Notice of Intent to Adopt, the official language of the proposed rule, and the SONAR will be mailed to all individuals with an unexpired application on file with the Board for the geoscience examinations.

A postcard notification of the proposed rule changes with the website address where recipients will find the Dual Notice of Intent to Adopt, official language of the proposed rule and SONAR will be mailed to all current licensees and certificate holders.

Our Notice Plan includes giving notice required by statute. We will mail the proposed rules and the Notice of Intent to Adopt to everyone who has registered to be on the Board's rulemaking mailing list

under Minnesota Statutes, section 14.14, subdivision 1a. We will also give notice to the Legislature per Minnesota Statutes, section 14.116, and serve a copy of the SONAR on the Legislative Reference Library per Minnesota Statutes, section 14.131.

Our Notice Plan did not include notifying the Commissioner of Agriculture because the rules do not affect farming operations per Minnesota Statutes, section 14.111.

CONSULTATION WITH MMB ON LOCAL GOVERNMENT IMPACT

As required by Minnesota Statutes, section 14.131, the Board will consult with Minnesota Management and Budget (MMB). We will do this by sending MMB copies of the documents that we send to the Governor’s Office for review and approval. We will do this before the Board’s publishing the Notice of Intent to Adopt. The documents will include the Governor’s Office Proposed Rule and SONAR Form; the proposed rules; and the SONAR. The Board will submit a copy of the cover correspondence and any response received from Minnesota Management and Budget to OAH at the hearing or with the documents it submits for ALJ review.

DETERMINATION ABOUT RULES REQUIRING LOCAL IMPLEMENTATION

As required by Minnesota Statutes, section 14.128, subdivision 1, the Board has considered whether these proposed rules will require a local government to adopt or amend any ordinance or other regulation in order to comply with these rules. The Board has determined that they do not because the compliance with the rules falls on individuals seeking examination, in-training classification, and licensure or certification. Enforcement of the rules falls solely on the Board.

COST OF COMPLYING FOR SMALL BUSINESS OR CITY

Agency Determination of Cost

As required by Minnesota Statutes, section 14.127, the Board has considered whether the cost of complying with the proposed rules in the first year after the rules take effect will exceed \$25,000 for any small business or small city. The Board has determined that the cost of complying with the proposed rules in the first year after the rules take effect will not exceed \$25,000 for any small business or small city.

The Board has made this determination based on the probable costs of complying with the proposed rule, as described in the Regulatory Analysis sections of this SONAR.

LIST OF WITNESSES

If these rules go to a public hearing, the Board anticipates that any of the current Board members at the time of the hearing would be available for testimony in support of the need for and reasonableness of the rules. The Board does not intend to call non-agency witnesses.

RULE-BY-RULE ANALYSIS

The Board's proposed rules include best practices and recommendations from the Office of the Revisor including:

- changing the term "shall" to "must" in multiple places throughout the rule package;
- breaking rules structured as paragraphs into "outline" structure, with subpart, item, and subitem entries, as the rule text might require;
- using the abbreviated names of entities (MNLS, NCARB, NCEES, et cetera) when the abbreviation is defined in rule; and
- using active in place of passive voice.

The Board has also made the following changes throughout the chapter:

- The unnecessary word "written" as a descriptor in front of "examination" is removed. Oral exams are not offered, and many exams are now computer based. The single word "examination" suffices.
- Additional language clarifies when "certificate" or "certification" refers to
 - in-training classification, generally referred to nationally and within the chapter as an "in-training certificate,"as compared to
 - certification as a Certified Interior Design (CID)as compared to
 - certification in the sense of asserting agreement or compliance with a statement, such as an applicant certifying that they will comply with all Board statutes and rules.
- The phrase "under Minnesota Statutes, section 326.10, subdivision 1, clause (2)" is substituted for the phrase "by comity." The Board is anticipating future legislation that would change clause (2). If that legislative change occurs, the preciseness of the rule language "by comity" would necessitate another rule package, which would merely have a dilatory effect on implementing the statute change. It would only impede licensure; there is no public protection or benefit. The substitution has no impact on the meaning of the rule nor on its application now. The substitution can be considered a general improvement, even without the possible future benefit, as "comity" is neither a word nor concept in common understanding. Therefore, sending people to the statute rather than to a dictionary both now and in future is beneficial for all parties.

PART 1800.0050 DEFINITIONS.

- **Subp. 2 “Applicant”:** The revision does not change the nature of the existing definition, it merely corrects and simplifies it.
 - **Item A:** The existing list of exams is incorrect: As of 2019, the Board no longer processes applications for the Architect Registration Examination (ARE). The current proposed rules would require the striking of the Fundamentals of Soil Science (FSS) examination. Instead of naming all the examination application types, the revised language in item A describes the act of applying directly to the Board and lists the *types* of applications: examination, in-training classification, licensure, certification as a CID, renewal, and reinstatement.
 - **Item B:** The revisor recommends a structural change and rewrite of the last sentence in the current rule subpart. That recommendation turns that last sentence of the subpart into an item B.
- **Subp. 8 “Examinee”:** As noted above, and as it pertains throughout the rest of the chapter, “examinee” needs to be edited to reflect only those exams for which an individual must first apply to the Board before registering with the exam administrator to sit.
- **Subp. 11a “MNLS”:** For clarity, the Board is adding the abbreviation for this Minnesota-specific exam to its definitions.

PART 1800.0130 EXAMINATION IRREGULARITIES; CHEATING AND NONCOMPLIANT CONDUCT.

“Candidate” is both an undefined term in rule and a less accurate one in this context than the defined term “examinee.”

PART 1800.0140 SECURITY AND IRREGULARITIES.

Most examinations are now administered by third party administrators, not by the Board. The rule needs to be updated to reflect this reality.

PART 1800.0200 CLASSES OF LICENSEES.

- Class 1 is obsolete and has been struck.
- “Class” language has been removed as it is unnecessary and can tend to imply a different capability under a license (such as classes of drivers’ licenses), which is not accurate.
- The revised item A is rewritten as described in the introduction to the rule-by-rule analysis to remove the word “comity.”
- The revised item B merely cleans up the language.

PART 1800.0400 APPLICATION FOR EXAMINATION, IN-TRAINING CLASSIFICATION, LICENSURE, AND CERTIFICATION AS A CERTIFIED INTERIOR DESIGNER, AND REINSTATEMENT

The part includes changes that are housekeeping, revisor best practices, or that clarify the meaning of “certificate” as described above.

Subpart 1: The subpart contains one citation change, which is necessary because not all the fees referenced in the part are in section 326.105 of the Minnesota Statutes; some are in different subdivisions of section 326.10. However, part 1800.0500 correctly identifies all fee locations and so it is the best citation for this part.

Subpart 1a, item A: Minnesota Statutes, section 13.05 stipulates that the responsible authority only “collect and store ... private and confidential data ... limited to that necessary for the administration and management of programs.” The Board has no need to collect place of birth.

Subpart 1a, item E: The modification substitutes the *name* for the geology and soil science fundamental examination for the language “in-training.” The item is about fundamentals examinations. The item language as proposed would be consistent for all the professions that have a fundamentals exam. This clarity is important because the Board with this package proposes to allow direct registration for the FSS examination. As written, the item indicates the requirement is to hold a “soil scientist-in-training” classification in order to meet the licensure requirement. That is incorrect. An individual after passing the FSS exam may *choose* to request in-training classification, but applicants are not *required* to make this application and pay the associated fee to the Board. The Board wants this clear.

Subpart 1a, item H: When a rule package in 2019 allowed for direct registration of the architect professional examination, the Board missed adding the ARE exam to this list of required information. Just as the Board requires the information in items F and G, for the landscape architect and certified interior designer direct registration professional exams, so the Board needs this information for architects and their direct registration professional exam.

Subpart 1a, renumbered item I: The Board does not need a complete employment history to determine qualifications. The Board only needs the employment history relevant to the experience the applicant is using to meet the licensure or examination requirements. The rule change clarifies this.

Subpart 3, item B: The Board is proposing in this package that individuals be allowed to directly register for the FSS examination. Soil scientist-in-training classification therefore must be added to this item so that—if they so choose—individuals may apply to the Board for a soil science-in-training certificate. While the *Board* does not require that an individual hold a certificate in order to gain licensure, some other states do—and some employers reward employees who have gained in-training classification. The Board will therefore continue to offer this optional certificate, if the related requirements are met and the application and fee are submitted to the Board.

Subpart 4, item C, subitem (2): The statement of explanation referenced in subitem (2) is already required by the certification in the subitem that follows. See subpart 5, newly numbered item B, for that requirement. Subitem (2) is therefore redundant and should be struck.

Subpart 5:

- **Item A** clarifies that the certification is required for all applications to the Board.
- **Item A, subitems 2 and 3:** These changes clarify that the same disciplinary-related action does not need to be reported to the Board over and over again. Prior to licensure or certification, *all* actions must be reported (unit [a]), but at renewal, only new matters must be reported (unit [b]).
- **Item A, subitems 6:** The original language is awkward. The original language is also incorrect, as “certified interior designer” is a title not a practice act, and so no professional services are restricted to those who hold the title. “Certified interior designer” has consequently been removed from the rewrite. Otherwise, no change to the meaning of this item has been made.
- **Item A, subitem 7:** This subitem has the same issues as subitem 6 and has been similarly rewritten.
- **Item C:** This item is added due to the reality that some applicants for licensure or for certification as an interior designer do unaccountably receive Board approval and yet take many months (sometimes longer) to submit the required fee after which the Board issues the licensure/certificate number. The Board meanwhile has only an outdated certification statement regarding discipline, felony convictions, and compliance with Minnesota statutes and rules. The item seeks to remedy this “hole” in the certification requirement by requesting a new certification statement if it has been more than six months since the Board issued the approval.

PART 1800.0450 TEMPORARY MILITARY LICENSE OR CERTIFICATE.

The changes are all housekeeping related.

PART 1800.0500 FEES.

Subpart 1: The revisor has restructured the subpart into items.

- **Item C:** The item has been added to clarify that, if an applicant has been deemed ineligible for licensure or certification based upon the information the applicant submitted, the applicant cannot subsequently remedy the reason for ineligibility and then expect a re-evaluation without submitting a new application and fee. This is a not a change from Board practice. The Board cannot practically nor reasonably “re-review” a denied application. To do so confuses compliance with the requirements in Minnesota Statutes, chapter 14, and Minnesota Statutes, chapter 15.99. However, the Board deems an explicit statement such as item C useful for clarity.

- **Item E:** As noted above and will be detailed in the analysis of parts 1800.3910 through 1800.3930, the Board intends to allow direct registration to the FSS exam. Therefore, “soil scientist-in-training” must be removed here and appear instead in item G.
- **Item F:** The Board is clarifying all circumstances under which, for compliance with its records retention policy and Minnesota Statutes, section 13.05, an application must be considered expired and a new application opened. This clarification has become necessary now that many exams are no longer administered on a specific date but instead may be taken, at the applicant’s discretion, at any point within (usually) a twelve-month period. When the application was for an exam offered on a specific date, if the applicant did not register, appear for the exam, or pay the exam seat fee, the application naturally expired, as the date of the examination had passed. Failing the exam has only been one of several ways in which an application expires. This item therefore imposes no “new” restrictions on application validity, it merely updates the rule to reflect the changed nature of exam administration.
- **Item G:** As noted under item E, if the rule change related to direct registration for the FSS exam is adopted, soil science-in-training certification must appear under item G and not item E.

Subpart 2: The Board collects an exam administration fee for only one exam: the MNLS. The Board collects the MNLS exam fee only *after* determining the individual meets the requirements to sit. The Board collects no licensure fee nor certificate as a certified interior designer fee unless the individual is already approved; it has no authority to do otherwise. There may have been a time when “exam fee” and “license fee” refund language was necessary, but it is obsolete now. The Board is therefore striking all but the relevant statement that “Application fees are not refundable.”

Subpart 4: In 2019, the Office of the Legislative Auditor made a finding that the Board was over-recovering funds. Since then, the Board has made rule and administrative changes to reduce fees. The Board has identified the increased late fee after four months of a lapsed license as a fee that can be reduced. The \$30 fee remains in place and provides a deterrent. If holding out or unlicensed practice occurs during the lapse, the Board has other disciplinary options. The Board has the authority under Minnesota Statutes 16A.1283, clause (c), to make this fee reduction.

Subpart 7, item A: As noted above, the Board is reducing or eliminating fees, where possible. The application fee for initial applications is \$75; for licensure under Minnesota Statutes, section 326.10, subdivision 1, clause (2), it is \$100. The staff and Board time to handle the two applications is similar. There is no reason not to reduce the \$100 fee to \$75. The Board has the authority under Minnesota Statutes 16A.1283, clause (c), to make this fee reduction.

Subpart 7, item C: The Board no longer collects this fee; however, it is still in rule. Given that the Board is reducing or eliminating fees where possible and given that the Board has ceased to collect the fee, this item should be struck. The Board has the authority under Minnesota Statutes 16A.1283, clause (c), to make this fee reduction.

Subpart 7, item E: This item is the only place in the chapter where the exam administrator is referred to as the “national testing agency.” “Exam administrator” is consistent and accurate.

PART 1800.0600 CERTIFICATE OF REGISTRATION.

The changes are all housekeeping.

PART 1800.0800 PROOF OF QUALIFICATION TO PRACTICE.

The changes are all housekeeping, with the exception of the substitution of “the MNLS” for “the local professional practice,” which is vague. The examination in this section is specifically the MNLS examination and so is best stated as “the MNLS.”

PART 1800.0850 COMITY APPLICATION PROCEDURES.

The revisor has made structural changes to the part.

Item C: The item has been added to assist the Board in meeting its statutory requirement to license individuals from other countries who would otherwise meet the requirements in statute and rule. Degree evaluation language has been added to the rules for some but not all of the professions the Board regulates, as only some professions historically have had foreign-degree applicants. The Board needs standard language now, and for all the professions. As the Board cannot be expected to have the expertise to evaluate foreign transcripts, item C both codifies the acceptance of foreign education and provides an independent and reliable means by which the Board may determine equivalency: by using an evaluation service. This language—and other language in additional rule parts further along in this document—clarifies for foreign degree applicants what they need to do and assures them that the Board’s process for determining equivalency will be impartial.

PART 1800.0900 QUALIFICATION PROCEDURES.

Subpart 1. Exhibits: The revision is cleaner and clearer and does not change the meaning of the subpart or impose additional requirements on any applicant.

Subpart 4. Reexamination: The Board would strike the requirement that applicants provide “evidence of improved qualifications” before being allowed to sit after failing the exam three or more times. The rule is vague (What qualifies as evidence? What will constitute improved?) and unnecessary. The Board no longer need concern itself as to whether a seat may be denied a better-prepared applicant: Seat availability and testing opportunities for the professions are no longer so limited as to create such potential harm. A Board-approved applicant can and should determine for themselves whether they are prepared to sit for the exam.

Subpart 5: The Board does not conduct oral interviews as a means of examination. The language is obsolete. The rest of the revision removes the passive voice. Other modifications reflect that most applicants receive their notice to sit directly from the exam administrator, not the Board, and that it is the applicant’s responsibility to schedule with the exam administrator.

Subpart 6: The revisor has restructured the subpart.

PART 1800.1000 EDUCATION AND EXPERIENCE.

Subpart 1a: The change is housekeeping related.

Subpart 5: The change is structural and for clarity only. Three options for meeting the education requirements currently exist in rule: a degree that is 1) NAAB-accredited or 2) CACB-accredited, or 3) evaluated and determined to be NAAB-equivalent (evaluated degree may be domestic or foreign). Each is now easily identified.

Subpart 6:

- The revisor has restructured the subpart.
- Item A, subitem 2, unit (a): The document incorporated by reference is updated.
- Part 1800.1000 describes education and experience requirements for licensure under part 1800.0200, item B, (“initial licensure”), not under part 1800.0200, item A. The previously numbered subitem (3) is obsolete in reference to initial licensure and has been struck.

Subpart 7: The change is housekeeping related.

PART 1800.1100 PROCEDURES.

Subpart 2: Part 1800.1100 describes procedures for licensure under 1800.0200, item B (“initial licensure”), not under part 1800.0200, item A. The Board requires under part 1800.1000 submission of an NCARB record to document the applicant’s experience. The record already includes the experience documentation. The Board has therefore struck the obsolete reference to submitting experience on forms provided by the Board. The modifications clarify that an NCARB record is required for initial licensure and that the record should contain the evidence that other requirements in Board rule have been met. The modifications further clarify that the applicant need not send transcripts to the Board if the transcripts necessary to document education qualifications are already in the NCARB record.

These changes clarify and simplify the process for initial licensure, as otherwise applicants would need (or assume they need) to send to the Board duplicates of documents that they have already submitted to NCARB.

PART 1800.1200 EXAMINATION.

The changes are generally housekeeping, with “ARE” before “examination” in item B to clarify which examination is meant.

PART 1800.1500 EDUCATION AND EXPERIENCE.

The Council of Landscape Architectural Registration Boards (CLARB) recently recommended a plan to increase the number of paths to licensure as a landscape architect. The object was a “universal standard” for licensure. For reference, the *CLARB Uniform Licensure Standard* (April 20, 2022) alternative education language is as follows:

“In lieu of a degree in landscape architecture accredited by LAAB, LAAC, or their international equivalent, an applicant must obtain six (6) additional years of experience in the regulated practice of landscape architecture under the direct supervision of a licensed landscape architect or a licensed professional in a related field or, if eligible, an applicant may earn credit toward the remaining years of experience in regulated practice through one of the following options:

A. If an applicant holds a non-accredited degree or certificate in landscape architecture, then the applicant may be credited with one (1) year of experience for each year of schooling completed up to a maximum of four (4) years of credited experience, OR

B. If an applicant holds any degree or certificate, then the applicant may be credited with six (6) months of experience for each one (1) year of schooling completed up to a maximum of two (2) years of credited experience.

Although the *CLARB Uniform Licensure Standard* was adopted on April 20, 2022, support was divided, with the Minnesota Board joining those expressing concerns before and during the adoption process that the “standard” was too broad, vague, and in points inconsistent.

A primary concern was that the options did not so much set a minimum competency standard as create options that included all existing standards in all jurisdictions that are now part of CLARB. This is problematic given that, unlike professional engineers, for example, the requirements across jurisdictions are *highly* variable. In some jurisdictions, and under the adopted standard, the minimum requirements are more like those for an occupation than a profession.

For public protection, competency must encompass education that extends beyond aesthetic considerations and the ability to manage small residential projects. The education must be robust enough to encompass “consideration and determination of inherent problems of the land relating to erosion, wear and tear, blight and hazards” (Minnesota Statutes 326.02, subdivision 4a) for large public projects.

As a multi-profession board, the Minnesota Board had the advantage of direct and practical comparison of competency standards and practice across its distinct yet inter-related professions. With that insight, other concerns regarding the CLARB standard kept the Board from adopting its recommendations wholesale. For example, while it seems appropriate that someone holding an accredited degree in landscape architecture would need the least experience (2 years), the standard then equates the rigorous EAC-ABET accredited engineering and NAAB-accredited architecture degree as requiring the same experience, for example, as a BA in English or Teaching or Biology (6 years). At

the same time, the standards allow a Professional Engineer or Architect to verify the experience a landscape architect applicant needs for licensure. Such a tack is at best inconsistent.

The above is to illustrate how the Board thoughtfully debated the CLARB Uniform Licensure Standard and came to its own final rule proposals for additional Landscape Architect licensure paths.

The Board is adding seven additional education paths, plus an education evaluation option for foreign applicants who do not hold a degree accredited by LAAB, LAAC, NAAB, or EAC-ABET. Additionally,

- The Board is following recommendations in the standard to reduce the years of experience required for those holding the highest levels of education.
- The CLARB standard now allows for experience to be under an Architect or Professional Engineer, not just under a Landscape Architect. Current Board rule already allowed for this, for up to one year of experience.

LA Education	LA Experience		
	Current Board Rule	Board Rule Proposed	CLARB 2022 Standard
LAAB masters or doctorate*	3	2	2
LAAC masters or doctorate	N/A	2	2
LAAB 5-year baccalaureate*	3	2	2
LAAC 5-year baccalaureate	N/A	2	2
LAAB 4-year baccalaureate*	4	2	2
LAAC 4-year baccalaureate	N/A	2	2
• NAAB-accredited degree (MArch or BArch) or • EAC-ABET-accredited degree (architectural, structural or civil engineering disciplines)	N/A	4**	6
<i>Applies to the proposed options below:</i> "Foreign education equivalency"	N/A	As per education	As per education
non-accredited BLA or MLA	N/A	4	4
Other non-accredited BA	N/A	6	6
2-year LA associates degree	N/A	6	6
2-year LA certificate***	N/A	NOT PROPOSED	6
Non-LA certificate (presumed two year, but model law unclear)	N/A	NOT PROPOSED	8
"No completed secondary education"	N/A	NOT PROPOSED	8

Education options in bold are the additional education paths the Board is proposing.

* In addition to expanding education paths, the Board is reducing the number of years of experience for education paths in current rule.

** The Board differs from the CLARB standard, setting 4 years as the required education for this education path.

*** "LA Certificate" is vague and undefined in CLARB Uniform Licensure Standard. As written, anyone could establish a program and call it an "LA certificate program." A 2-year LA associates degree is not specifically delineated in the CLARB Uniform Licensure Standard but is presumed to be at minimum equivalent to a "2-year LA certificate" in terms of required experience. It therefore earns 2 credits towards an 8-credit combined "education and experience" requirement, meaning 6 years of experience is required.

Subpart 3: The subpart is restructured to itemize the education requirement options. Item B provides the direction for those holding a foreign degree to have their education evaluated for equivalency.

Subpart 4: The subpart is restructured, with item A listing the experience requirements corresponding to the education options in subpart 3 and with items B through D including changes necessary to properly describe and cite the other subparts. “Landscape architect” is struck under item D, subitem 3, as unnecessary.

Subpart 6: The revisor has restructured the subpart. The subitems (1) through (4) under item A match the language in the CLARB standard. In the Board’s evaluation, there is no substantive difference between the experience elements as listed in the current rules and subitems (1) through (4) in the proposed rules. The Board therefore proposes to match the language in the standard.

PART 1800.2100 EDUCATION AND EXPERIENCE.

Subpart 1: The changes are all housekeeping related.

Subpart 2: The revisor has restructured the part. The modifications make no changes to the requirements; the options for meeting the requirements are merely organized more clearly.

- **Item A, subitem (1):** The “equivalency” referred to in new units (a) through (c) is codified as item (d) and is the “at minimum ... substantially equivalent” education referred to in subitem 1. An education evaluation option for foreign degree is provided in unit (e). The Council for Interior Design Qualification (CIDQ) already requires an evaluation before the foreign degree candidate is allowed to sit for the exam, and CIDQ uses the same education minimum requirement as the Board for that evaluation. In accepting this evaluation, the Board maintains public protection and simplifies the path to licensure for foreign degree applicants.
- **Item A, subitem (2):** The opening paragraph is rewritten for clarity. The units have updated citations.

PART 1800.2200 PROCEDURES.

PART 1800.2500 EDUCATION AND EXPERIENCE.

The changes are all housekeeping related.

PART 1800.2700 EXAMINATION

Part heading and Subpart 1: The changes are housekeeping related.

Subpart 1a: A rule change in 2019 allowed candidates for the Fundamentals of Engineering (FE) exam to register directly with the exam administrator to sit. Previously, the candidate first applied to the Board in order to sit as a Minnesota candidate. The Board is clarifying by inserting “as a Minnesota

candidate” into the requirements that the Board will only issue—as historically it has only issued—an engineer-in-training (EIT) certificate to candidates *who specified Minnesota as their jurisdiction* when they applied to the exam administrator to sit. As previously noted, holding an in-training certificate is not required for licensure in Minnesota. As previously noted, the Board has a mandate from the Office of the Legislative Auditor to address the issue of over-recovery. As previously noted, Minnesota Statutes 13.05 stipulates that the responsible authority only “collect and store ... private and confidential data ... limited to that necessary for the administration and management of programs.” An individual who sat for the FE exam as the candidate for another jurisdiction can apply to that jurisdiction for an EIT certificate.

PART 1800.2805 QUALIFYING EXPERIENCE DEFINED.

Subpart 1, Item E: Experience was decoupled from examination for engineers in March 2020. That means applicants may now apply to sit for the professional exam prior to submitted their experience to the Board. This item is therefore incorrect/obsolete and must be struck.

PART 1800.2900 PROCEDURES.

Subpart 1: The changes are housekeeping related.

Subpart 1a: The rationale for this subpart change is identical to that of part 1800.2700, subpart 1a, above.

Subpart 2: The proposed change modifies “unless previously submitted” to include “within the last year.” If the application has expired, the transcripts must be resubmitted, as the Board will have destroyed the application and related records in accordance with its records retention schedule. The Board does not hold these particular records indefinitely, which the rule currently seems to imply. The change provides clarity for re-applicants.

Subpart 5: The revisor has restructured the subpart. All changes are housekeeping.

Subpart 6: The changes are housekeeping.

Subpart 7:

- The changes to items B through E are housekeeping.
- **Item F:** The background to this change is as follows: Part 1800.2500, subpart 2, items B and D, allows a person who has not yet completed their required education but has met the requirements in one of those items to apply to the Board to sit for the FE exam (such applicants cannot register directly with the exam administrator). Such applicants currently constitute less than 10% of all who sit for the FE as a Minnesota candidate. While the Board will then approve such a person to “sit early,” the Board will not, as per part 1800.2700, issue an EIT certificate

after the applicant has passed the exam until after proof of *completing* one of the required education options in part 1800.2500, *subpart 2a* is provided to the Board.

The modification seeks to establish a deadline by which the transcript must be received by the Board or the application expires. The modification is necessary because some examinees—despite notification from the Board—fail to submit a final official transcript in a timely fashion. Not infrequently they never submit them.

Rule is silent and therefore so also is the Board’s record retention schedule as to how to handle these applications. When the Board used to administer these exams and before NCEES began retaining the exam data themselves in 2011, the Board had to retain the passing grade and therefore the file. These files contain essentially all private data, as these individuals are not licensees. The Board has been holding these applications “open” indefinitely.

Given that NCEES now retains exam results and the Board has an EIT application option, the Board proposes that applications be marked incomplete/expired if the applicant does not provide the final official transcripts within one year of the examination date. To meet the education requirements to sit early, the applicant must have already begun their final year (as in item B: “within ... 32 semester credits” of graduation). Applicants also have up to 3 years after applying to *take* the exam. Therefore, a one-year deadline based upon the examination date provides reasonable time for the applicant to submit the necessary transcript. If the applicant does *not* provide the transcript, the Board can then close the application and properly manage the related private data, following the records retention policy for incomplete/expired applications.

This change does not prevent the examinee from receiving an EIT. The applicant who failed to meet the deadline would simply open an EIT application and receive the EIT by that means—after providing the missing official transcripts. The change does not impede licensure, as the passing grade and transcript are accessible (from NCEES and from the educational institution respectively) to the applicant for transmittal to the Board.

PART 1800.3505 EDUCATION AND EXPERIENCE.

Subpart 1: The changes are housekeeping related.

Subpart 2: The revisor has restructured the subpart. All changes are housekeeping related, with the exception of the newly numbered item B. As noted elsewhere in this rule-by-rule analysis and with the same rationale, the Board is codifying provisions for foreign degree evaluation.

Subpart 3: The revisor has restructured the subpart. The changes are housekeeping related.

PART 1800.3700 EXAMINATIONS.

Subpart 2: The changes are housekeeping related.

Subpart 3: This subpart refers to the MNLS exam. The changes make that fact explicit.

PART 1800.3750 PROCEDURES.

Subpart 2: As noted for the same change to part 1800.2900, subpart 2: The proposed change modifies “unless previously submitted” to include “within the last year.” If the application has expired, the transcripts must be resubmitted, as the Board will have destroyed the application and related records in accordance with its records retention schedule. The Board does not hold these particular records indefinitely, which the rule currently seems to imply. The change provides clarity for applicants.

PART 1800.3910 EDUCATION AND EXPERIENCE.

Subpart 1: The revisor has restructured the subpart. The changes are housekeeping related.

Subpart 3: All changes are housekeeping related, with the exception of the newly numbered subitem (3). As noted elsewhere in this rule-by-rule analysis and with the same rationale, the Board is codifying provisions for foreign degree evaluation. A subject analysis report is specifically required for the geoscience profession so that the Board may compare the evaluation directly to the course content requirements in part 1800.3910, subpart 5.

Subpart 5: The changes are housekeeping related.

PART 1800.3920 EXAMINATION.

Part heading and Subpart 1: The changes are housekeeping related.

Subpart 2:

- The proposed rule would allow individuals to apply directly to the exam administrator to sit for the FSS examination. As this part refers to both the Fundamentals of Geology (FG) and FSS, the changes “who has applied to the board to take...” and “by the board.” are necessary to subpart 2 to make the process distinction clear.
- The same rationale as in part 1800.2700, subpart 1a, applies to the insertion of “as a Minnesota candidate” in this subpart: The Board is clarifying by inserting “as a Minnesota candidate” into the requirements that the Board will only issue—as historically it has only issued—a geologist-in-training (GIT) or soil scientist-in-training (SSIT) certificate to candidates who indicated Minnesota as their jurisdiction when they applied to the exam administrator to sit. As previously noted, holding an in-training certificate is not required for licensure in Minnesota. As

previously noted, the Board has a mandate from the Office of the Legislative Auditor to address the issue of over-recovery. As previously noted, Minnesota Statutes 13.05 stipulates that the responsible authority only “collect and store ... private and confidential data ... limited to that necessary for the administration and management of programs.” An individual who sat for the FG or FSS exam as the candidate for another jurisdiction can apply to that jurisdiction for a GIT or SSIT certificate.

Subpart 4: The proposed rule would allow individuals to apply directly to the exam administrator to sit for the FSS examination. In addition to housekeeping changes, the changes to this subpart introduce language necessary to allow for direct registration to the exam administrator.

PART 1800.3930 PROCEDURES.

This part has been restructured and organized to separate the procedures for the soil science profession and the geology profession, which are necessary to allow to for the procedural differences created by direct registration for the FSS exam.

Subparts 1, 1a, 1b: The Board’s rationale for allowing direct registration of the FSS exam primarily springs from changes in the administration of the exam by the exam developer, the Council of Soil Science Examiners (CSSE). CSSE is now offering the FSS exam year-round. Per current Board rule, the exam is proctored by the Board, twice per year. Candidates from other jurisdictions may now take the exam at any time throughout the year.

For the Board to allow Minnesota exam candidates to sit year-round, changes to rule were required. In reviewing the required changes, the Board made the further determination that there is no harm to the public and it provides even more flexibility to future licensure applicants to allow direct registration for the FSS exam. The path would be similar to that for FE exam candidates, most of whom may apply direct and only return to the Board if they want an in-training certificate or if they want to pursue licensure.

The part has therefore been restructured so that subpart 1 and a new subpart 1a address direct registration for the FSS and how to obtain an in-training certificate, if desired. A new subpart 1b addresses the FG admission process and is unchanged, except for the removal of language related to soil science and the addition of language to specifically refer to geology.

Subpart 2:

- The language regarding the application deadline is struck here and moved to a new subpart 2a, the rationale for which follows.
- The other changes are housekeeping only.

Subpart 2a: The Board accomplishes two things with the addition of this section:

- 1) The changes allow for the real possibility that one of the geoscience professional exams may convert to “year-round” versus “specific-date” administration. The professional examinations are under the aegis of different councils. Their decision-making is independent of the other. It is prudent for the Board to add the language now. The changes have no adverse effect on public protection. The changes have no current effect on applicants but would benefit them in future.
- 2) The rules are structured similar to how the engineering rules, which must deal with both year-round and specific-date exam administrations (depending upon the exam discipline). Such consistency is logical and should be helpful to all parties.

These proposed rules create *no procedural or requirement changes* to the “specific date” administration when compared to the current rules. The proposed rules provide information regarding registering to sit for an exam, what constitutes a passing grade, and examination windows/frequency, all of which information benefits the applicant by providing clarity.

Subpart 3, items B through D: As with subpart 2a, with year-round examinations, new language is needed to describe when an application expires (see the rationale for part 1800.0500, subpart 1, item F). As with subpart 2a, the model for these proposed rules is the engineering rule parts (see part 1800.2900, subpart 7). There is no fundamental change to application validity created by these rule changes. Making application validity consistent between the professions is appropriate, as there is no reason that they would not be consistent.

PART 1800.4000 CERTIFICATES OF RECORD FOR IN-TRAINING CLASSIFICATION.

The part includes housekeeping change. The rationales for the part description and other changes (clarifying what “certificate” means; providing in-training classification only to applicants who sat for their exams as a Minnesota candidate) have already been related.

PART 1800.4100 CERTIFICATE OF LICENSURE OR CERTIFICATION.

The changes to the parts are either housekeeping or relate to substituting the phrase “under Minnesota Statutes, section 326.10, subdivision 1, clause (2),” for “by comity.” The rationale for the latter can be found at the beginning of this rule-by-rule analysis.

REPEALERS

PART 1800.1100, SUBPART 4

The subpart is unnecessary and essentially obsolete: It reflects a time when some applications could be obtained as an online PDF and others only as a paper form. As this specific statement only appears for two professions, it is also inconsistent. The statement that forms are “provided by the Board,” which is reiterated throughout the chapter, suffices.

PART 1800.2700, SUBPART 5

The subpart is obsolete. The board no longer administers the exam; it does not control what equipment the exam administrator permits. What equipment is permitted is communicated by the exam administrator.

PART 1800.2900, SUBPART 4

The subpart is unnecessary and essentially obsolete: It reflects a time when some applications could be obtained as an online PDF and others only as a paper form. As this specific statement only appears for two professions, it is also inconsistent. The statement that forms are “provided by the Board,” which is reiterated throughout the chapter, suffices.

PART 1800.3920, SUBPART 5

The subpart is obsolete. The board no longer administers the exam and/or does not control what equipment the exam administrator permits. What equipment is permitted is communicated by the exam administrator.

CONCLUSION

Based on the foregoing, the proposed rules are both needed and reasonable.

Date

Doreen Johnson
Executive Director

12/28/22

REVISOR

BD/CH

RD4764

1.1 **Board of Architecture, Engineering, Land Surveying, Landscape Architecture,**
 1.2 **Geoscience, and Interior Design**

1.3 **Proposed Permanent Rules Relating to Architect and Landscape Architect Licensure**
 1.4 **Requirements and Examination Requirements**

1.5 **1800.0050 DEFINITIONS.**

1.6 [For text of subparts 1 and 1a, see Minnesota Rules]

1.7 Subp. 2. **Applicant.** "Applicant" means:

1.8 A. a person applying to take the ~~Architect Registration Examination, Fundamentals~~
 1.9 ~~of Engineering Examination, Principles and Practice of Engineering Examination,~~
 1.10 ~~Fundamentals of Surveying Examination, Principles and Practice of Surveying Examination,~~
 1.11 ~~Minnesota Local Land Surveying Examination, Fundamentals of Geology Examination,~~
 1.12 ~~Practice of Geology Examination, Fundamentals of Soil Science Examination, or Professional~~
 1.13 ~~Practice of Soil Science Examination or a person applying for licensure as an architect,~~
 1.14 ~~professional engineer, land surveyor, landscape architect, professional geologist, professional~~
 1.15 ~~soil scientist, or a person applying for certification as a certified interior designer. Applicant~~
 1.16 ~~also means a candidate and persons who have passed their respective professional~~
 1.17 ~~examination but have not yet received their license or certificate in Minnesota. directly to~~
 1.18 the board to take an examination, receive an in-training classification, request licensure,
 1.19 request certification as a certified interior designer, renew a license, renew a certificate as
 1.20 a certified interior designer, or request reinstatement; or

1.21 B. a person whom the board has approved for licensure or certificate holder status
 1.22 who has not yet received a license or certificate in Minnesota.

1.23 [For text of subparts 3 to 7, see Minnesota Rules]

1.24 Subp. 8. **Examinee.** "Examinee" means an applicant who has been approved by the
 1.25 board to take the ~~Architect Registration Examination, Fundamentals of Engineering~~
 1.26 ~~Examination, Principles and Practice of Engineering Examination, Fundamentals of~~

2.1 Surveying Examination, Principles and Practice of Surveying Examination, Minnesota Land
 2.2 Surveying Examination, Fundamentals of Geology Examination, Practice of Geology
 2.3 Examination, ~~Fundamentals of Soil Science Examination~~, or Professional Practice of Soil
 2.4 Science Examination.

2.5 *[For text of subparts 9 to 11, see Minnesota Rules]*

2.6 Subp. 11a. MNLS. "MNLS" means the Minnesota Land Surveying Examination.

2.7 *[For text of subparts 12 to 15, see Minnesota Rules]*

2.8 **1800.0130 EXAMINATION IRREGULARITIES; CHEATING AND**
 2.9 **NONCOMPLIANT CONDUCT.**

2.10 *[For text of subparts 1 to 3, see Minnesota Rules]*

2.11 Subp. 4. **Remedial action during examination.** In any case in which it appears that
 2.12 cheating has occurred or is occurring, the board or an exam administrator will take action
 2.13 including summarily expelling the ~~candidate~~ examinee involved from the examination or
 2.14 moving the ~~candidate~~ examinee to a position in the test site away from other examinees
 2.15 where the ~~candidate~~ examinee can be watched more closely.

2.16 *[For text of subparts 5 and 6, see Minnesota Rules]*

2.17 **1800.0140 SECURITY AND IRREGULARITIES.**

2.18 Notwithstanding any other provisions under this chapter, the board or the exam
 2.19 administrator may postpone scheduled examinations, the grading of examinations, or the
 2.20 issuance of certificates due to a breach of examination security; unauthorized acquisition
 2.21 or disclosure of the contents of an examination; suspected or actual negligence, errors,
 2.22 omissions, or irregularities in conducting an examination; or for any other reasonable cause.

2.23 **1800.0200 CLASSES OF LICENSEES.**

2.24 ~~There shall be three~~ The classes of licensees as follows consist of:

3.1 A. ~~Class 1: those who were licensed without examination:~~

3.2 (1) ~~prior to July 1, 1933; or~~

3.3 (2) ~~by exemptions after 1933.~~

3.4 B. ~~A. Class 2: those individuals who are licensed by comity under the provisions~~
3.5 ~~of the law. under Minnesota Statutes, section 326.10, subdivision 1, clause 2; and~~

3.6 C. ~~B. Class 3: those individuals who are licensed after satisfying the all applicable~~
3.7 ~~educational requirements, meeting the applicable experience requirements, and achieving~~
3.8 ~~successful passage of passing the applicable professional examination.~~

3.9 **1800.0400 APPLICATION FOR EXAMINATION, IN-TRAINING**
3.10 **CLASSIFICATION, LICENSURE, AND CERTIFICATION AS A CERTIFIED**
3.11 **INTERIOR DESIGNER, AND REINSTATEMENT.**

3.12 Subpart 1. **Forms and filing.** ~~Applications~~ An applicant must apply for a professional
3.13 practice examination, licensure, or certification must be made as a certified interior designer
3.14 on forms provided by the board and must be filed file the forms with the Board of
3.15 Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and
3.16 Interior Design and, accompanied by payment of the application fee as specified in ~~Minnesota~~
3.17 ~~Statutes, section 326.105~~ in part 1800.0500. An applicant shall file an application for
3.18 licensure as an architect following passage of the Architectural Registration Examination
3.19 (ARE) or meeting the requirements in part 1800.0800. An applicant shall file an application
3.20 for certification as a certified interior designer following passage of the ~~National Council~~
3.21 ~~for Interior Design Qualification (NCIDQ)~~ examination or meeting the requirements ~~outlined~~
3.22 in part 1800.0800 or 1800.2100, subpart 5. An applicant shall file an application for licensure
3.23 as a landscape architect following ~~successful~~ passage of the Landscape Architect Registration
3.24 Examination (LARE) or meeting the requirements in part 1800.0800. Applications for
3.25 examination, licensure, or certification must include a signed certification as described in
3.26 subpart 5.

4.1 Subp. 1a. **Information required.** The applicant shall submit to the board, on a form
4.2 provided by the board, the following information:

4.3 A. ~~place and~~ date of birth;

4.4 *[For text of items B to D, see Minnesota Rules]*

4.5 E. for engineer, land surveyor, geologist, and soil scientist applicants, whether
4.6 the applicant passed the Fundamentals of Engineering (FE), Fundamentals of Surveying
4.7 (FS), ~~geologist in training~~ Fundamentals of Geology (FG), or ~~soil scientist in training~~
4.8 Fundamentals of Soil Science (FSS) examination ~~has been successfully completed;~~

4.9 F. for landscape architect applicants, whether the applicant passed the Landscape
4.10 Architect Registration Examination (LARE) ~~has been successfully completed;~~

4.11 G. for certified interior designer applicants, whether the applicant passed the
4.12 written examination administered by the Council for Interior Design Qualification (CIDQ)
4.13 ~~has been successfully completed~~ CIDQ;

4.14 H. for architect applicants, whether the applicant passed the examination
4.15 administered by NCARB;

4.16 ~~H. I.~~ a record of personal employment related to the experience requirements
4.17 described in this chapter, with all dates and with complete information relative to duties
4.18 and type of work performed, and particularly outlining the applicant's responsibilities in
4.19 charge of the whole or any part thereof; and

4.20 I. J. a signed copy of a statement that the applicant has read the Board Rules of
4.21 Professional Conduct.

4.22 *[For text of subpart 1b, see Minnesota Rules]*

4.23 Subp. 2. **Evaluation of information.** The information required by subpart 1a ~~shall~~
4.24 must be evaluated by the board and if the applicant is found ineligible for admission to the

5.1 examination, ineligible for licensure as an architect or landscape architect, or ineligible for
5.2 certification as a certified interior designer, at the time of application, the applicant ~~shall~~
5.3 must be notified by the board in writing and given the reasons for the ineligibility. If an
5.4 applicant for licensure as an architect or landscape architect is eligible for licensure at the
5.5 time of application, the applicant shall be notified by the board in writing. If an applicant
5.6 for certification as a certified interior designer is eligible for certification at the time of
5.7 application, the applicant shall be notified by the board in writing. If an applicant for
5.8 examination is eligible for admission to the examination at the time of application, the
5.9 applicant shall be notified by the board in writing.

5.10 **Subp. 3. In-training application.**

5.11 A. Applications for examination and certification as a land surveyor-in-training
5.12 must be made on forms provided by the board, and accompanied by the application fee as
5.13 ~~specified~~ in Minnesota Statutes, section 326.105.

5.14 B. Applications for certification as an engineer-in-training or a soil
5.15 scientist-in-training must be made on forms provided by the board, and accompanied by
5.16 the application fee as ~~specified~~ in Minnesota Statutes, section 326.105.

5.17 C. Applications for examination and certification as a geologist-in-training ~~or a~~
5.18 ~~soil scientist in training~~ must be made on forms provided by the board, and accompanied
5.19 by the application fee as ~~specified~~ in Minnesota Statutes, section 326.105.

5.20 **Subp. 4. Reinstatement application.**

5.21 A. A licensee or certificate holder who applies for reinstatement of licensure as
5.22 an architect, professional engineer, land surveyor, landscape architect, professional geologist,
5.23 or professional soil scientist, or for reinstatement of certification as a certified interior
5.24 designer, must apply on forms provided by the board, and submit the fees ~~specified~~ in
5.25 Minnesota Statutes, section 326.10, subdivision 9.

6.1 [For text of item B, see Minnesota Rules]

6.2 C. The applicant for reinstatement shall submit to the board, on a form provided
6.3 by the board, the following information:

6.4 (1) a list of professional development hours completed within the four years
6.5 immediately prior to reinstatement, including the dates of the activity, sponsoring
6.6 organization, description of the activity, and number of professional development hours
6.7 claimed for each activity, unless the board has granted an exemption under Minnesota
6.8 Statutes, section 326.107, subdivision 4; and

6.9 ~~(2) a statement of explanation if the applicant has had a license or certificate~~
6.10 ~~disciplined, denied, surrendered, suspended, or revoked in any jurisdiction since the~~
6.11 ~~applicant's last license or certificate renewal in Minnesota; and~~

6.12 ~~(3)~~ (2) a signed certification as described in subpart 5.

6.13 **Subp. 5. Certification.**

6.14 A. An applicant for examination, licensure, in-training classification, certification
6.15 as a certified interior designer, or reinstatement shall submit to the board, on a form provided
6.16 by the board, a certification affirming that the applicant:

6.17 ~~A.~~ (1) has read and will comply with Minnesota Statutes, sections 326.02 to
6.18 326.15, and any rule adopted thereunder;

6.19 ~~B.~~ (2) is not under any disciplinary proceeding or action in any other jurisdiction;
6.20 and has not had a license or certificate disciplined, denied, surrendered, suspended, or
6.21 revoked in any jurisdiction:

6.22 (a) in the case of an applicant never licensed in Minnesota, up to the date
6.23 of application to the board; or

7.1 **(b)** in the case of an applicant with a current, expired, or retired Minnesota
7.2 license or certificate, since the applicant's last license or certificate renewal in Minnesota;

7.3 ~~E.~~ (3) has never been convicted of a felony or has previously reported any felony
7.4 conviction to the board;

7.5 ~~D.~~ (4) has not represented himself or herself as an architect, professional engineer,
7.6 land surveyor, landscape architect, professional geologist, professional soil scientist, or
7.7 certified interior designer, without proper licensure or certification, either verbally or on
7.8 any printed matter, in the state;

7.9 ~~E.~~ (5) will not represent himself or herself as an architect, professional engineer,
7.10 land surveyor, landscape architect, professional geologist, professional soil scientist, or
7.11 certified interior designer, without proper licensure or certification, either verbally or on
7.12 any printed matter, in the state until the applicant's license or certificate has been issued or
7.13 reinstated by the board;

7.14 ~~F.~~ (6) has not performed or offered to perform ~~architectural, professional~~
7.15 ~~engineering, land surveying, landscape architectural, professional geological, professional~~
7.16 ~~soil scientific, or certified interior design services, without proper licensure or certification~~
7.17 ~~in the state~~ any services reserved in statute to an individual who is properly licensed as an
7.18 architect, professional engineer, land surveyor, landscape architect, professional geologist,
7.19 or professional soil scientist in the state; and

7.20 ~~G.~~ (7) will not perform or offer to perform ~~architectural, professional engineering,~~
7.21 ~~land surveying, landscape architectural, professional geological, professional soil scientific,~~
7.22 ~~or certified interior design services, without proper licensure or certification in the state~~
7.23 ~~until the applicant's license or certificate has been issued or reinstated by the board.~~ any
7.24 services reserved in statute to an individual who is properly licensed as an architect,
7.25 professional engineer, land surveyor, landscape architect, professional geologist, or

8.25 professional geologist, or professional soil scientist must be accompanied by an application

8.24 A. An application for examination as a professional engineer, land surveyor,

8.23 Subpart 1. **Requirements.**

8.22 **1800.0500 FEES.**

8.21 A temporary military license or certificate shall not be renewed by the board.

8.20 certificate to an applicant who has previously received a temporary license or certificate.

8.19 Subp. 5. **Limitations.** The board shall not issue a temporary military license or

8.18 writing and give the reasons for ineligibility.

8.17 applicant is ineligible for licensure or certification, the board shall notify the applicant in

8.16 under part 1800.4100, subpart 7, and notify the applicant. If the board finds that an

8.15 certification as a certified interior designer, the board shall issue a certificate as provided

8.14 1800.4100 and notify the applicant. If the board finds that an applicant is eligible for

8.13 the board shall issue a ~~certificate of licensure~~ a license or certificate as provided under part

8.12 as a certified interior designer. If the board finds that an applicant is eligible for licensure,


8.11 professional engineer, land surveyor, landscape architect, or geoscientist or for certification

8.10 the an individual shall complete the full application required for licensure as an architect,

8.9 Subp. 4. **Application required.** During the temporary license or certificate period,

8.8 [For text of subparts 1 to 3, see Minnesota Rules]

8.7 **1800.0450 TEMPORARY MILITARY LICENSE OR CERTIFICATE.**

8.6 or reinstatement. 

8.5 explanation for board review with the application for examination, licensure, certification,

8.4 subpart must indicate which statement or statements cannot be affirmed and include an

8.3 B. Applicants who are unable to affirm any part of the certification under this

8.2 by the board.

8.1 professional soil scientist in the state until the applicant's license has been issued or reinstated

Summary of Comments on Rule Draft RD4764

Page: 8

 Number: 1 Author: kweiss Subject: Inserted Text Date: 2/6/2023 1:15:33 PM
FOR VOTE:

Insert after line 8.6:

C. An applicant approved for licensure or for certification as a certified interior designer who fails to submit the initial licensure or certification fee in part 1800.0500, subpart 1, item B, within six months of the date of the Board's written notice of approval must provide an updated certification, as described in this subpart, along with the fee, before the Board will issue the license or certificate.

9.1 fee as provided by Minnesota Statutes, section 326.105. The board shall charge, or provide
9.2 for a third party to charge, each applicant a fee for examination and an examination
9.3 monitoring fee as provided by Minnesota Statutes, section 326.105.

9.4 B. Following an applicant's completion of the requirements for licensure, the
9.5 board shall supply the applicant with an application for licensure as an architect, professional
9.6 engineer, land surveyor, landscape architect, professional geologist, or professional soil
9.7 scientist, which the applicant shall complete and return with the initial fee for licensure as
9.8 provided by Minnesota Statutes, section 326.105. Following an applicant's completion of
9.9 the requirements for certification, the board shall supply the applicant with an application
9.10 for certification as a certified interior designer, which the applicant shall complete and return
9.11 with the initial fee for certification as provided by Minnesota Statutes, section 326.105. An
9.12 applicant applying for licensure by comity under part 1800.0800, item F, G, H, or I, shall
9.13 pay an application fee under subpart 7, item A. Upon approval by the board, an applicant
9.14 for licensure as a land surveyor by comity under part 1800.0800, item G, shall submit an
9.15 examination fee in the amount established by the local testing agency and an examination
9.16 monitoring fee as provided in Minnesota Statutes, section 326.105.

9.17 C. If the board finds that an applicant is ineligible for licensure or certification,
9.18 the applicant must submit a new application each time that the applicant submits new
9.19 evidence of eligibility.

9.20 D. An application for renewal of licensure as an architect, professional engineer,
9.21 land surveyor, landscape architect, professional geologist, professional soil scientist, or
9.22 certification as a certified interior designer must be accompanied by a renewal fee as provided
9.23 in Minnesota Statutes, section 326.105.

9.24 E. An application for examination as a land surveyor-in-training, or
9.25 ~~geologist-in-training, or soil scientist-in-training~~ must be accompanied by an application
9.26 fee as provided in Minnesota Statutes, section 326.105. Upon approval by the board, an

10.1 applicant for an examination administered by the board shall pay to the board a fee in the
10.2 amount established by the applicable national testing agency and an examination monitoring
10.3 fee as provided by Minnesota Statutes, section 326.105. For examinations administered by
10.4 a third-party vendor, the applicant shall pay the actual fee for examination to the national
10.5 testing agency in a manner it prescribes. Information concerning the current examination
10.6 fee charged by the applicable national testing agency may be obtained by contacting the
10.7 board offices.

10.8 F. For applicants who are found If the board finds an applicant to be ineligible
10.9 for admission to the examination or fail if an applicant fails the examination, does not
10.10 register by a required deadline, does not appear for the examination, or does not pay any
10.11 required examination fee by a required deadline, the applicant must submit a new application
10.12 for the examination shall be submitted each time that the applicant applies to take the
10.13 examination.

10.14 G. An application for certification as an engineer-in-training or soil
10.15 scientist-in-training must be accompanied by an application fee as provided in Minnesota
10.16 Statutes, section 326.105.

10.17 Subp. 2. **Refunds.** Application fees are not refundable. ~~Examination, licensure, or~~
10.18 ~~certification fees must not be refunded except for those circumstances when an applicant~~
10.19 ~~does not meet the education, examination, or experience requirements for examination,~~
10.20 ~~licensure, or certification.~~

10.21 Subp. 3. [Repealed, L 1999 c 213 s 5]

10.22 Subp. 4. **Delayed renewal fee.** A renewal fee is a delayed renewal fee within the
10.23 meaning of Minnesota Statutes, section 326.10, subdivision 9, if it is not postmarked on or
10.24 before June 30 of the year specified in Minnesota Statutes, section 326.105. The delayed
10.25 renewal fee is \$30 ~~for the first three months of the lapsed period and \$60 for months four~~

11.1 ~~to 24. The delayed renewal fee is computed from July 1 of any even-numbered year and is~~
 11.2 ~~in addition to the renewal fee provided in Minnesota Statutes, section 326.105.~~

11.3 *[For text of subparts 5 and 6, see Minnesota Rules]*

11.4 Subp. 7. **Additional fees.** In addition to all other fees for examination, licensure, or
 11.5 certification, as provided in this part or Minnesota Statutes, section 326.10, subdivision 1,
 11.6 the following schedule of fees is applicable:

11.7 A. for each application for licensure ~~by county~~ in Minnesota Statutes, section
 11.8 326.10, subdivision 1, clause (2), applicable to any person registered in another state or
 11.9 territory of the United States, or in any province of Canada, or in any foreign country, a fee
 11.10 of ~~\$100~~ \$75;

11.11 *[For text of item B, see Minnesota Rules]*

11.12 ~~C. for certified copies or reproduction of any document required to be supplied~~
 11.13 ~~on behalf of any applicant for registration or licensure in another state, the cost of reproducing~~
 11.14 ~~the document will be ten cents per sheet;~~

11.15 ~~D. C.~~ D. for monitoring licensing examinations for applicants of boards of other
 11.16 states, the fee shall be \$25, payable by the applicant;

11.17 ~~E. D.~~ E. an applicant for examination in more than one branch of engineering shall
 11.18 submit a separate examination fee for each additional branch of engineering for which the
 11.19 applicant has applied for examination; and

11.20 ~~F. E.~~ F. for retaking all or any part of any examination for certification or licensure,
 11.21 the fee shall be established by the ~~national testing agency~~ exam administrator.

11.22 **1800.0600 CERTIFICATE OF REGISTRATION.**

11.23 Certification of an applicant's technical qualifications by ~~the National Council of~~
 11.24 ~~Architectural Registration Boards (NCARB), the National Council of Examiners for~~

12.1 ~~Engineering and Surveying (NCEES), the Council of Landscape Architectural Registration~~
12.2 ~~Boards (CLARB), or the Council for Interior Design Qualification (CIDQ)~~ may be accepted
12.3 by the board as establishing such qualifications, and the applicant, in such instances, ~~will~~
12.4 is not be required to pass further examination.

12.5 **1800.0800 PROOF OF QUALIFICATION TO PRACTICE.**

12.6 An applicant shall submit evidence to the board indicating that the applicant is qualified
12.7 to practice in the profession or field of major practice in which the applicant seeks licensure
12.8 or certification. The burden of proof is upon the applicant who ~~should~~ must make every
12.9 effort to present qualifications fully and clearly. An applicant must establish the applicant's
12.10 ~~qualifications shall be established by~~ using one or more of the following methods:

12.11 *[For text of items A and B, see Minnesota Rules]*

12.12 C. by submitting a council certificate prepared by ~~the National Council of~~
12.13 ~~Architectural Registration Boards (NCARB)~~; for architect applicants only;

12.14 D. by submitting a council record prepared by ~~the National Council of Examiners~~
12.15 ~~for Engineering and Surveying (NCEES)~~ for engineer applicants only;

12.16 E. by submitting a council record prepared by ~~the Council of Landscape~~
12.17 ~~Architectural Registration Boards (CLARB)~~; for landscape architect applicants only;

12.18 *[For text of item F, see Minnesota Rules]*

12.19 G. for licensure by comity as a land surveyor, by submitting documentation of
12.20 completion of the requirements in Minnesota Statutes, section 326.10, subdivision 1, clause
12.21 (2). In addition, the applicant ~~is required to successfully complete~~ must pass the local
12.22 ~~professional practice~~ MNLS examination;

12.23 *[For text of items H and I, see Minnesota Rules]*

13.1 **1800.0850 COMITY APPLICATION PROCEDURES.**13.2 *[For text of subpart 1, see Minnesota Rules]*13.3 **Subp. 2. Information required.**

13.4 A. An applicant shall submit an application accompanied by payment of the
13.5 application fee in part 1800.0500, subpart 7, item A. The application must be made on a
13.6 form provided by the board and must include one signed copy of a statement that the applicant
13.7 has read the Board Rules of Professional Conduct and a signed certification as described
13.8 in part 1800.0400, subpart 5.

13.9 B. The applicant shall supply the board with evidence of completion of the required
13.10 education, examination, and experience requirements by submitting:

13.11 ~~A.~~ (1) a council record as specified under part 1800.0800, item C, D, or E; or

13.12 ~~B.~~ (2) official transcripts of grades showing the degrees awarded and dates
13.13 of graduation;

13.14 ~~(2)~~ (3) a detailed listing of experience gained with signed experience reference
13.15 forms submitted by the supervisor;

13.16 ~~(3)~~ (4) verification of current licensure or certification in another jurisdiction;
13.17 and

13.18 ~~(4)~~ (5) verification of passing the required examinations.

13.19 C. If an applicant did not earn a degree at an accredited institution of higher
13.20 education, the applicant must prove education equivalency by submitting, along with the
13.21 application, an education evaluation from an evaluation service approved by the board.

13.22 *[For text of subparts 3 and 4, see Minnesota Rules]*

14.1 **1800.0900 QUALIFICATION PROCEDURES.**

14.2 Subpart 1. **Exhibits.** When requested by the board, an applicant must submit exhibits
14.3 in connection with oral interview or written examination shall be submitted when requested
14.4 by the board an application.

14.5 *[For text of subparts 2 and 3, see Minnesota Rules]*

14.6 Subp. 4. **Reexamination.** An applicant who does not receive a passing grade in an
14.7 examination may submit a new application for examination. The application must be
14.8 accompanied by an application fee as required under Minnesota Statutes, section 326.105.
14.9 ~~The board shall require an applicant failing an examination three or more times to submit~~
14.10 ~~evidence of improved qualifications before approving a new application for examination.~~

14.11 Subp. 5. ~~**Date and place of**~~ **Notice of eligibility for examination.** ~~Oral interviews~~
14.12 ~~may be given each year at such times as may be designated by the board. A candidate who~~
14.13 ~~files an application for licensure by examination and is determined to be eligible for~~
14.14 ~~admission to the examination will be informed of the date and place of the examination in~~
14.15 ~~writing. Examinations shall be scheduled once the applicant's application is approved. The~~
14.16 board must notify an applicant for licensure by examination of the applicant's eligibility for
14.17 the examination in writing. If the board finds the applicant eligible for the examination, the
14.18 applicant must schedule the examination with the exam administrator. The applicant must
14.19 schedule the examination for which the board found the applicant eligible.

14.20 Subp. 6. **Registration in another state.**

14.21 A. An applicant duly registered in another state and whose registration is current,
14.22 upon application for a temporary permit and notification from the Minnesota board that the
14.23 temporary permit has been granted may practice the applicant's profession according to
14.24 Minnesota Statutes, section 326.13, while the application for licensure or certification is
14.25 pending board review.

15.1 B. The plans, specifications, and reports prepared by the applicant during the
15.2 period in which the application is pending must bear the certification stamp of the state in
15.3 which the applicant is registered along with a statement that the applicant has applied for
15.4 registration in Minnesota and that the application is pending. The applicant shall place this
15.5 stamp on each sheet of the set of drawings prepared for the project and on the title sheet of
15.6 specifications and reports.

15.7 C. The Minnesota board does not require the use of a seal. If the state in which
15.8 the applicant is registered has a seal or provisions for signing and dating plans, specifications,
15.9 and reports, this will be acceptable. If the seal does not provide for signing and dating the
15.10 plans, the applicant shall sign and date the plans under the seal imprint on each plan certified.

15.11 *[For text of subpart 7, see Minnesota Rules]*

15.12 **1800.1000 EDUCATION AND EXPERIENCE.**

15.13 *[For text of subpart 1, see Minnesota Rules]*

15.14 Subp. 1a. **Admission to examination.** For admission to the examination, an applicant
15.15 shall apply directly to ~~the National Council of Architectural Registration Boards (NCARB)~~
15.16 and follow the procedures outlined by NCARB. The applicant must present evidence of
15.17 one of the following:

15.18 *[For text of items A and B, see Minnesota Rules]*

15.19 *[For text of subparts 2 to 4, see Minnesota Rules]*

15.20 Subp. 5. **Education requirement.** An applicant for licensure must present evidence
15.21 of:

15.22 A. graduation from an architectural curriculum accredited by the National
15.23 Architectural Accrediting Board (NAAB);₂

16.1 B. graduation from an architectural curriculum accredited by the Canadian
16.2 Architectural Certification Board (CACB); or

16.3 C. an architectural education from a United States or foreign institution of higher
16.4 education equivalent to an NAAB-accredited degree, for which the applicant must obtain
16.5 an Education Evaluation Services for Architects (EESA) evaluation report to submit with
16.6 the initial application for evaluation to the board.

16.7 ~~An applicant holding a degree from a foreign college or university must be granted~~
16.8 ~~credit toward the requirements of this subpart on the same basis as a graduate of a United~~
16.9 ~~States college or university if the board determines that the educational requirements for~~
16.10 ~~the degree are equivalent to the requirements of this subpart. The applicant shall obtain an~~
16.11 ~~Education Evaluation Services for Architects (EESA) evaluation report to submit with the~~
16.12 ~~initial application for evaluation by the board.~~

16.13 Subp. 6. **Experience requirement.**

16.14 A. An applicant for licensure must present evidence of completion of the
16.15 experience requirement. Qualifying credits for experience must be granted as described in
16.16 ~~items A and B~~ subitems (1) and (2).

16.17 ~~A.~~ (1) The applicant's total experience must meet the requirements for qualifying
16.18 experience in subpart 7.

16.19 ~~B.~~ (2) Experience must comply with either:

16.20 ~~(1)~~ (a) the *Architectural Experience Program Guidelines* (AXP) published
16.21 ~~by the National Council of Architectural Registration Boards (NCARB) (NCARB), July~~
16.22 ~~2016~~ May 2020, which is incorporated by reference, is available ~~at the State Law Library~~
16.23 ~~and the board office~~ on the NCARB website, and is subject to frequent change; or

16.24 ~~(2)~~ (b) the *Intern Development Program Guidelines* (NCARB-IDP) published
16.25 ~~by NCARB, if the candidate completed the program before June 29, 2016; or~~ .

17.1 (3) ~~the Minnesota Intern Development Program if the candidate began the~~
17.2 ~~program prior to March 1, 1997.~~

17.3 B. A candidate is responsible for establishing a ~~National Council of Architectural~~
17.4 ~~Registration Boards~~ an NCARB Architectural Experience Program (AXP) record.

17.5 Subp. 7. **Qualifying experience defined.** As used in this part, "qualifying experience"
17.6 consists of value units as required to satisfy the Architectural Experience Program (AXP)
17.7 requirements as defined in ~~the National Council of Architectural Registration Boards~~ NCARB
17.8 Architectural Experience Program guidelines.

17.9 Subp. 8. [Repealed, 21 SR 1427]

17.10 **1800.1100 PROCEDURES.**

17.11 *[For text of subpart 1, see Minnesota Rules]*

17.12 Subp. 2. **Application for licensure.** An applicant for initial licensure as an architect
17.13 shall submit to the board a completed application, including verification of meeting the
17.14 education and experience requirements described in part 1800.1000, subpart 1a, and payment
17.15 of the application fee in Minnesota Statutes, section 326.105. The application must be
17.16 submitted on a form provided by the board. ~~If the applicant was not required to complete~~
17.17 ~~NCARB AXP or NCARB IDP, the applicant shall include a detailed listing of all~~
17.18 ~~architecturally related experience gained according to part 1800.1000. The experience listing~~
17.19 ~~must include the name and mailing address of the applicant's supervising licensed architect~~
17.20 ~~or other supervisor for each period of employment. The board shall provide the applicant~~
17.21 ~~an experience reference form that must be signed and submitted to the board by each~~
17.22 ~~supervisor for each period of employment during which qualifying architectural experience~~
17.23 ~~was gained.~~ The applicant must submit an NCARB record to document meeting education,
17.24 examination, and experience requirements. The applicant shall submit record must include
17.25 an official transcript of grades showing the degree awarded and date of graduation for all

18.1 undergraduate and graduate degree programs or the applicant must submit the transcripts
18.2 with the applicant's application. The application must include one signed copy of Board
18.3 Rules of Professional Conduct and a signed certification as described in part 1800.0400,
18.4 subpart 5.

18.5 Subp. 3. [Repealed, 21 SR 1427]

18.6 Subp. 4. [See repealer.]

18.7 **1800.1200 EXAMINATION.**

18.8 Subpart 1. **Architect Registration Examination.**

18.9 A. ~~The National Council of Architectural Registration Boards (NCARB)~~ shall
18.10 prepare and furnish the Architect Registration Examination (ARE).

18.11 B. An applicant is required to pass all sections of the ARE examination in order
18.12 to qualify for licensure. The applicant shall attain the uniform passing grade established by
18.13 the board through a psychometrically acceptable standard-setting procedure.

18.14 *[For text of subparts 2 to 5, see Minnesota Rules]*

18.15 **1800.1500 EDUCATION AND EXPERIENCE.**

18.16 *[For text of subparts 1 and 2, see Minnesota Rules]*

18.17 Subp. 3. **Education requirement.**

18.18 A. An applicant for licensure as a landscape architect shall present evidence of:

18.19 (1) graduation from a landscape architecture ~~curriculum of a university or~~
18.20 ~~college~~ master's degree program accredited by the Landscape Architectural Accreditation
18.21 Board (LAAB); or the Landscape Architectural Accreditation Council (LAAC);

18.22 (2) graduation from a landscape architecture baccalaureate degree program
18.23 accredited by LAAB or LAAC;

19.1 (3) graduation from a non-LAAB or non-LAAC accredited baccalaureate
 19.2 curriculum in landscape architecture; an NAAB-accredited degree architecture program;
 19.3 or an architectural, civil, or structural engineering degree program that is EAC-ABET
 19.4 accredited; or

19.5 (4) graduation from any baccalaureate degree program from an accredited
 19.6 institution of higher education, or a two-year associate's or certificate program in landscape
 19.7 architecture.

19.8 B. An applicant under item A, subitem (2) or (3), with a degree from a foreign
 19.9 institution must provide an education evaluation report from an education evaluation service
 19.10 approved by the board, along with an application as evidence of equivalency.

19.11 **Subp. 4. Experience requirement.** An applicant for licensure as a landscape architect
 19.12 shall present evidence of completion of the experience requirement in items A to ~~C~~ D.

19.13 A. The number of years of professional experience required is ~~based on the~~
 19.14 ~~following table~~ is:

19.15 (1) two years, if the applicant meets the education requirements in subpart
 19.16 3, item A, subitem (1);

19.17 (2) three years, if the applicant meets the education requirements in subpart
 19.18 3, item A, subitem (2); or

19.19 (3) six years, if the applicant meets the education requirements in subpart 3,
 19.20 item A, subitem (3) or (4).

	Years of Education	Years of Professional Experience
19.23 Degree Received		
19.24 Graduation from a five-year baccalaureate curriculum 19.25 in Landscape Architecture accredited by the LAAB.	5	3

Number: 1 Author: kweiss Subject: Inserted Text Date: 2/5/2023 2:56:47 PM
On line 19.8, strike "(2) or (3)" and insert "(3) or (4)".

Number: 2 Author: kweiss Subject: Inserted Text Date: 2/4/2023 8:19:02 PM
On line 19.10,
- strike "an" and insert "the"
- insert a comma after "application"

20.1 ~~Graduation from a four-year baccalaureate curriculum~~ 4 4
 20.2 ~~in Landscape Architecture accredited by the LAAB.~~

20.3 ~~Graduation from a LAAB-accredited master's or~~ 5 or more 3
 20.4 ~~doctorate curriculum in Landscape Architecture.~~

20.5 B. An applicant must acquire qualifying experience ~~must be acquired~~ after
 20.6 graduation ~~and be~~ from one of the education curriculum listed in subpart 3. The applicant
 20.7 must acquire qualifying experience under the direct supervision of a licensed landscape
 20.8 architect.

20.9 C. Qualifying experience under the direct supervision of a licensed architect or
 20.10 licensed professional engineer ~~shall~~ must receive full credit up to a maximum of one year
 20.11 when the work is related to landscape architecture.

20.12 D. Qualifying experience gained before graduation from one of the ~~landscape~~
 20.13 ~~architectural~~ education curricula in ~~item A~~ subpart 3 must be credited to satisfy part of the
 20.14 requirements for qualifying landscape architect experience under this ~~item~~ according to
 20.15 subpart under the following conditions:

20.16 *[For text of subitems (1) and (2), see Minnesota Rules]*

20.17 (3) experience must be credited at a rate of 50 percent.

20.18 This credit must not exceed one year of qualifying ~~landscape architect~~ experience.

20.19 Subp. 5. [Repealed, 35 SR 2011]

20.20 Subp. 6. **Qualifying experience defined.**

20.21 A. As used in this part, "qualifying experience" consists of varied, progressive,
 20.22 nonrepetitive, practical experience at landscape architectural work that develops the
 20.23 applicant's ability to apply the knowledge gained during academic training to make sound
 20.24 judgments in solving landscape architectural problems and prepares the applicant to assume
 20.25 responsible charge of the work involved in the practice of landscape architecture. The

21.1 experience must include elements of ~~research, codes and standards, site and environmental~~
21.2 ~~analysis, landscape architectural programming, planning, economics, schematic design,~~
21.3 ~~design development documents, construction documents, specifications, project management,~~
21.4 ~~and observation of construction.:~~

21.5 (1) project and construction management, which includes preproject
21.6 management, project management, bidding, construction, and maintenance;

21.7 (2) inventory and analysis, which includes site inventory, physical analysis,
21.8 and contextual analysis;

21.9 (3) design, which includes stakeholder process, master planning, and site
21.10 design; and

21.11 (4) grading, drainage, and construction documentation, which includes site
21.12 preparation plans, general plans and details, specialty plans, and specifications.

21.13 B. Experience must be written in detail, verified by the applicant's supervisor, and
21.14 submitted with the application for licensure for evaluation.

21.15 **1800.2100 EDUCATION AND EXPERIENCE.**

21.16 Subpart 1. **Written Examination requirement.** An applicant for certification as a
21.17 certified interior designer shall pass ~~a written~~ an examination administered by ~~the Council~~
21.18 ~~for Interior Design Qualification (CIDQ)~~ except that ~~a written~~ an examination is not required
21.19 of an applicant certified under subpart 5. An applicant for certification under part 1800.0800,
21.20 item H, must satisfy the Minnesota certification requirements in effect at the time of the
21.21 applicant's original certification in the other state.

22.1 Subp. 2. **Education and experience requirement.**

22.2 A. To qualify for certification as a certified interior designer, an applicant ~~shall~~
 22.3 must present evidence that the applicant has completed the education and experience
 22.4 requirements in ~~items A and B~~ this subpart.

22.5 ~~A. (1) For purposes of this subpart, "equivalent education" means education that~~
 22.6 ~~the board, after review of an applicant's transcript and other educational materials, finds to~~
 22.7 ~~be substantially the same in terms of the curriculum composition and content of classes~~
 22.8 ~~taken by the applicant that culminates in a minimum of~~ The curriculum composition and
 22.9 class content of an applicant's qualifying education must at minimum be substantially
 22.10 equivalent to a bachelor's degree in interior design accredited by the Council for Interior
 22.11 Design Accreditation (CIDA) or its predecessor, the Foundation for Interior Design Education
 22.12 Research (FIDER). The education requirement must be fulfilled by one of the following
 22.13 options as described:

22.14 ~~(1) (a)~~ (1) (a) graduation from a four- or five-year professional-level interior design
 22.15 program resulting in a bachelor's or master's degree, which includes completion of 60
 22.16 semester credits or 90 quarter credits of interior design course content from a program
 22.17 accredited by CIDA or its predecessor, FIDER, ~~or equivalent education;~~

22.18 ~~(2) (b)~~ (2) (b) graduation prior to June 1, 2013, from a two-year preprofessional or
 22.19 paraprofessional program in interior design accredited by CIDA or its predecessor, FIDER,
 22.20 ~~or equivalent education; or~~

22.21 ~~(3) (c)~~ (3) (c) graduation prior to June 1, 2013, from a three-year professional level
 22.22 program in interior design accredited by CIDA or its predecessor, FIDER, ~~or equivalent~~
 22.23 ~~education;~~ education;

23.1 (d) graduation from an accredited institution of higher education and 60
23.2 semester or 90 quarter credit hours of postsecondary interior design coursework that leads
23.3 to a degree, certificate, or diploma from an accredited institution of higher education; or

23.4 (e) for an applicant with a foreign degree, an education evaluation
23.5 accepted by CIDQ that demonstrates an education equivalent to the requirements in unit
23.6 (d). The applicant must include a verified copy of the evaluation report with the application
23.7 to the board.

23.8 ~~B. (2)~~ Experience must be under the direct supervision of a certified interior
23.9 designer, NCIDQ certificate holder, or licensed architect, or, for experience gained prior to
23.10 June 1, 2013, an interior designer. Experience gained prior to June 1, 2013, may be under
23.11 the direct supervision of an interior designer.

23.12 ~~(1)~~ (a) If the applicant meets the educational requirements of item A, subitem
23.13 (1), units (a), (d), or (e), the experience required is completion of the Interior Design
23.14 Experience Program (IDEP), as provided by CIDQ or its successor, or a minimum of two
23.15 years of qualifying interior design experience.

23.16 ~~(2)~~ (b) If the applicant meets the educational requirements of item A, subitem
23.17 ~~(2)~~ (1), unit (b), the experience required is completion of a minimum of four years of
23.18 qualifying interior design experience.

23.19 ~~(3)~~ (c) If the applicant meets the educational requirements of item A, subitem
23.20 ~~(3)~~ (1), unit (c), the experience required is completion of a minimum of three years of
23.21 qualifying interior design experience.

23.22 ~~C. B.~~ Experience must be diversified in the practice of interior design for public
23.23 spaces and include all ten of the following knowledge areas, documented as required by the
23.24 board:

23.25 (1) space planning;

- 24.1 (2) building code research and analysis;
- 24.2 (3) programming;
- 24.3 (4) schematic design and design development;
- 24.4 (5) preparation of construction documents;
- 24.5 (6) cost estimating;
- 24.6 (7) specification of building materials and finishes;
- 24.7 (8) specification of furnishings, fixtures, and equipment;
- 24.8 (9) bidding/negotiating procedures; and
- 24.9 (10) construction administration.

24.10 *[For text of subparts 3 to 5, see Minnesota Rules]*

24.11 **1800.2200 PROCEDURES.**

24.12 Subpart 1. **Written Examinations.** The ~~written~~ examination shall be the examination
24.13 as provided by the Council for Interior Designer Qualification (CIDQ).

24.14 *[For text of subparts 2 and 3, see Minnesota Rules]*

24.15 **1800.2500 EDUCATION AND EXPERIENCE.**

24.16 Subpart 1. **Written Examination requirement.** An applicant for licensure as a
24.17 professional engineer shall pass ~~written~~ examinations as provided in part 1800.2700. An
24.18 applicant for licensure under part 1800.0800, item F, shall satisfy the Minnesota licensing
24.19 requirements that were in effect at the time of the applicant's original licensure in the other
24.20 state. The ~~written~~ Fundamentals of Engineering (FE) examination shall be waived by the
24.21 board if the applicant meets the requirements in part 1800.2800.

25.1 Subp. 2. **Admission to ~~written~~ Fundamentals of Engineering (FE) examination.** To
25.2 qualify for admission to the ~~written~~ FE examination, the applicant shall present evidence
25.3 of one of the following:

25.4 *[For text of items A to D, see Minnesota Rules]*

25.5 Subp. 2a. **Education requirements.** To qualify for certification as an
25.6 engineer-in-training, admission to the ~~written~~ PE examination, or licensure as a professional
25.7 engineer, an applicant shall present evidence of one of the following:

25.8 *[For text of items A to I, see Minnesota Rules]*

25.9 *[For text of subparts 3 and 4, see Minnesota Rules]*

25.10 **1800.2700 ~~WRITTEN EXAMINATION.~~**

25.11 Subpart 1. **Two-part examination.** The ~~written~~ examination shall be prepared and
25.12 furnished by the ~~National Council of Examiners for Engineering and Surveying (NCEES)~~
25.13 and shall consist of two parts described in subparts 1a and 2.

25.14 Subp. 1a. **Fundamentals of Engineering (FE) examination.** Part I is the FE
25.15 examination. The passing of this examination as a Minnesota candidate and providing proof
25.16 of the degree awarded and date of graduation gives the applicant the status of
25.17 engineer-in-training as defined in Minnesota Statutes, section 326.10, subdivision 7. A final
25.18 official transcript showing the degree awarded and date of graduation shall be submitted to
25.19 the board before the Engineer-in-Training number is released to the applicant. The applicant
25.20 shall take and pass the FE examination before being permitted to take the professional
25.21 examination unless exempted under part 1800.2800.

25.22 *[For text of subparts 2 to 4, see Minnesota Rules]*

25.23 Subp. 5. [See repealer.]

26.1 **1800.2805 QUALIFYING EXPERIENCE DEFINED.**

26.2 Subpart 1. **Qualifying experience; generally.**

26.3 *[For text of items A to D, see Minnesota Rules]*

26.4 ~~E. Experience must have been completed at the time of application.~~

26.5 *[For text of subpart 2, see Minnesota Rules]*

26.6 **1800.2900 PROCEDURES.**

26.7 Subpart 1. **Admission to Fundamentals of Engineering (FE) examination.** For
26.8 admission to the FE examination, an applicant shall apply directly to ~~the National Council~~
26.9 ~~of Examiners for Engineering and Surveying (NCEES)~~ and follow the procedures outlined
26.10 by NCEES.

26.11 Subp. 1a. **Request for certification as an engineer-in-training.** An applicant shall
26.12 submit an application for certification as an engineer-in-training following passage of the
26.13 FE examination as a Minnesota examination candidate and completion of the education
26.14 requirement under part 1800.2500, subpart 2a. Payment of the application fee in Minnesota
26.15 Statutes, section 326.105, must accompany the application. An official transcript of grades
26.16 showing the degree awarded and date of graduation for all undergraduate and graduate
26.17 degree programs and verification of passing the FE examination must be submitted before
26.18 the applicant may be certified as an engineer-in-training.

26.19 Subp. 2. **Request for admission to Principles and Practice (PE) examination.** An
26.20 applicant shall submit an application for admission to the PE examination under part
26.21 1800.2700, subpart 2, accompanied by payment of the application fee in Minnesota Statutes,
26.22 section 326.105. The application must be made on a form provided by the board. An official
26.23 transcript of grades showing the degree awarded and date of graduation for all undergraduate
26.24 and graduate degree programs must accompany the completed form, unless previously
26.25 submitted within the last year. The application must include one signed copy of a statement

27.1 that the applicant has read the Board Rules of Professional Conduct and a signed certification
27.2 as described in part 1800.0400, subpart 5.

27.3 *[For text of subparts 2a to 3, see Minnesota Rules]*

27.4 Subp. 4. [See repealer.]

27.5 Subp. 5. **PE examination administration and application deadline.**

27.6 A. An applicant may not ~~sit for~~ take the PE examination until the applicant has
27.7 submitted an application ~~has been submitted~~, the board has determined that the applicant
27.8 has met the qualifications to take the examination, and the applicant has been notified of
27.9 the applicant's eligibility.

27.10 B. The PE examination ~~shall~~ must be administered at a time and place determined
27.11 by the examination delivery vendor to those applicants determined by the board to meet the
27.12 requirements for admission to the examination.

27.13 C. The deadline for application for an examination that is administered on a
27.14 specific date and time ~~shall~~ must be 75 days prior to the date set for the examination.
27.15 Applications and supporting documentation must be postmarked on or before the deadline
27.16 to be considered on time.

27.17 D. For an examination that is administered on multiple dates and times within an
27.18 examination window, an application may be submitted at any time.

27.19 E. The board, if necessary, shall forward notification of the applicant's eligibility
27.20 to the examination delivery vendor. Following the board's determination that an applicant
27.21 is eligible to ~~sit for~~ take an examination, the applicant shall independently contact the
27.22 examination delivery vendor to schedule the time and place for the examination at an
27.23 approved test site.

28.1 F. The board or examination delivery vendor shall report to the applicant the
28.2 results of each examination. In order to pass the examination, the applicant shall attain the
28.3 uniform passing grade established by the board through a psychometrically acceptable
28.4 standard-setting procedure.

28.5 Subp. 6. **Examination windows.** The examination windows and the frequency ~~in~~
28.6 with which an applicant may take the examination are determined by the applicable national
28.7 testing agency.

28.8 Subp. 7. **Validity of application.**

28.9 *[For text of item A, see Minnesota Rules]*

28.10 B. An applicant approved by the board for an examination administered on a
28.11 specific date who fails to register, cancels, or fails to appear for the examination must submit
28.12 a new application ~~in order~~ to take the examination on another date.

28.13 *[For text of item C, see Minnesota Rules]*

28.14 D. If an applicant fails an examination, the applicant must submit a new application
28.15 ~~in order~~ to take the examination on another date.

28.16 E. An applicant who passes the PE examination and does not provide the board
28.17 with a detailed listing of qualifying engineering experience within three years of the date
28.18 of the application for examination must submit a new application ~~in order~~ to obtain a license
28.19 as a professional engineer.

28.20 F. An applicant who passes the FE examination after applying to the board to take
28.21 the FE examination and who does not provide the board with evidence of meeting the
28.22 education requirements in part 1800.2500, subpart 2a, within six months of the examination
28.23 date must submit an engineer-in-training application to obtain an engineer-in-training
28.24 certificate.

On line 28.22, delete "six months" and insert "one year"

29.1 **1800.3505 EDUCATION AND EXPERIENCE.**

29.2 Subpart 1. **Examination requirements.** An applicant for licensure as a land surveyor
29.3 is required to pass ~~written~~ examinations as provided in this part and parts 1800.3600 to
29.4 1800.3750. An applicant for licensure under part 1800.0800, item G, shall satisfy the
29.5 Minnesota licensing requirements that were in effect at the time of the applicant's original
29.6 licensure in the other state.

29.7 Subp. 2. **Admission to the Fundamentals of Surveying (FS) examination.**

29.8 A. To qualify for admission to the FS examination, applicants shall present
29.9 satisfactory evidence of one of the following:

29.10 A. (1) graduation from a four-year land surveying curriculum ~~as specified in~~
29.11 subpart 4 from an accredited institution of higher ~~learning~~ education or being within 32
29.12 semester credits or 48 quarter credits of graduation from the same; or

29.13 B. (2) graduation with a bachelor's degree from an accredited institution of higher
29.14 ~~learning~~ education or being within 32 semester credits or 48 quarter credits of obtaining a
29.15 bachelor's degree, and completion of a minimum of 11 semester credits or 16 quarter credits
29.16 from the land surveying categories specified in subpart 4, items A to K.

29.17 B. An applicant holding a degree from a foreign college or university must have
29.18 the applicant's education evaluated for equivalency by NCEES Credentials Evaluations and
29.19 submit the evaluation with the application.

29.20 Subp. 3. **Admission to Principles and Practice of Surveying (PS) examination.** To
29.21 qualify for admission to the PS examination, ~~the~~ an applicant shall present evidence of
29.22 meeting the education and qualifying experience requirements in item A or B.

29.23 *[For text of items A and B, see Minnesota Rules]*

29.24 C. An applicant must obtain qualifying land surveying experience ~~must be obtained~~
29.25 under the direct supervision of a licensed land surveyor. As used in items A and B, qualifying

30.1 work experience consists of varied, progressive, practical experience at land surveying
30.2 work. An applicant must acquire the experience ~~must be acquired~~ in the areas of land
30.3 surveying practice listed in items A and B.

30.4 ~~C.~~ D. Qualifying land surveying experience that an applicant gained before
30.5 completion of one of the education requirements in item A or B must meet the following
30.6 conditions:

30.7 (1) experience must be obtained under the direct supervision of a licensed
30.8 land surveyor; and

30.9 (2) experience gained before completion of a high school degree or equivalent
30.10 must receive no credit.

30.11 ~~D.~~ E. A minimum of one year of qualifying experience must be gained after
30.12 completion of one of the education requirements in item A or B.

30.13 ~~E.~~ F. One year of experience ~~consists~~ must consist of full- or part-time employment
30.14 that extends over a period of no less than 12 months and ~~includes~~ include no fewer than
30.15 2,000 hours of performance of land surveying work described in ~~item A or B~~ this subpart.

30.16 *[For text of subpart 4, see Minnesota Rules]*

30.17 **1800.3700 EXAMINATIONS.**

30.18 *[For text of subpart 1, see Minnesota Rules]*

30.19 Subp. 2. **Professional practice examinations.** The examination for professional
30.20 practice consists of the Principles and Practice of Surveying (PS) examination and the
30.21 Minnesota Land Surveying (MNLS) examination. ~~Successful completion~~ Passage of both
30.22 the PS and the MNLS examinations qualifies the applicant for licensure as a land surveyor
30.23 in Minnesota upon payment of the license fee.

31.1 Subp. 3. **MNLS reference materials.** The board shall advise the applicant, at the time
31.2 of approval for admission to ~~an~~ the MNLS examination, what equipment and materials will
31.3 be permitted for use during the examination.

31.4 **1800.3750 PROCEDURES.**

31.5 *[For text of subpart 1, see Minnesota Rules]*

31.6 Subp. 2. **Request for admission to Principles and Practice of Surveying (PS)**
31.7 **examination.** An applicant shall submit an application for admission to the PS examination
31.8 under part 1800.3600, subpart 3, accompanied by payment of the application fee in Minnesota
31.9 Statutes, section 326.105. The application must be made on a form provided by the board
31.10 and must include a detailed listing of surveying experience gained. The experience listing
31.11 must include the name and mailing address of the applicant's supervisor for each period of
31.12 employment. The board shall provide the applicant with an experience reference form that
31.13 must be signed and submitted to the board by each supervisor for each period of employment
31.14 during which qualifying surveying experience was gained. An official transcript of grades
31.15 showing the degree awarded and date of graduation for all undergraduate and graduate
31.16 degree programs must accompany the completed form, unless previously submitted within
31.17 the last year. The application must include one signed copy of a statement that the applicant
31.18 has read the Board Rules of Professional Conduct and a signed certification as described
31.19 in part 1800.0400, subpart 5.

31.20 *[For text of subparts 3 to 6, see Minnesota Rules]*

31.21 **1800.3910 EDUCATION AND EXPERIENCE.**

31.22 Subpart 1. **Written Examination requirement.**

31.23 A. An applicant for licensure within a geoscience discipline shall pass ~~written~~
31.24 examinations as provided in part 1800.3920.

32.1 B. An applicant for licensure under part 1800.0800, item I, whose original licensure
32.2 in the other state was granted after August 4, 1997, shall satisfy the Minnesota licensing
32.3 requirements that were in effect at the time of the applicant's original licensure in the other
32.4 state. An applicant for licensure under part 1800.0800, item I, whose original licensure in
32.5 the other state was granted before August 4, 1997, shall satisfy the Minnesota licensing
32.6 requirements that were in effect on August 4, 1997.

32.7 C. The ~~written~~ Fundamentals of Geology (FG) examination or Fundamentals of
32.8 Soil Science (FSS) examination must be waived by the board if the applicant requests a
32.9 waiver and furnishes evidence of the following:

32.10 ~~A.~~ (1) having a doctorate degree in the geoscience discipline for which the
32.11 applicant is seeking licensure or equivalent doctorate degree as determined by the board;
32.12 and

32.13 ~~B.~~ (2) meeting the education requirements specified in subpart 5.

32.14 *[For text of subpart 2, see Minnesota Rules]*

32.15 Subp. 3. **Admission to ~~written~~ professional examination.** To qualify for admission
32.16 to the ~~written~~ professional examination for a geoscience discipline, the applicant shall present
32.17 evidence of meeting the education and qualifying experience requirements in items A and
32.18 B.

32.19 A. Education:

32.20 (1) graduation from a geoscience curriculum approved by the board, as
32.21 specified in subpart 5, in the geoscience discipline for which the applicant is seeking
32.22 licensure; ~~or~~

32.23 (2) graduation from a non-board-approved curriculum with a minimum
32.24 number of equivalent credits in geoscience as specified in subpart 5; or

33.1 (3) graduation from a foreign college or university if the board determines
33.2 that the educational requirements for the degree are equivalent to the requirements of this
33.3 subpart. The applicant must obtain a subject analysis report from an education evaluation
33.4 service approved by the board and submit the report to the board with the application for
33.5 examination.

33.6 *[For text of items B to E, see Minnesota Rules]*

33.7 Subp. 4. [Repealed, 38 SR 59]

33.8 Subp. 5. **Approved geoscience education.** A curriculum approved by the board must
33.9 meet the ~~following~~ criteria in this subpart.

33.10 *[For text of items A to D, see Minnesota Rules]*

33.11 *[For text of subparts 6 and 7, see Minnesota Rules]*

33.12 **1800.3920 WRITTEN EXAMINATION.**

33.13 Subpart 1. **Two-part examination.** The ~~written~~ examination consists of the two parts
33.14 as described in subparts 2 and 3. The ~~written~~ examinations for geologists shall be the
33.15 examinations as provided by ~~the National Association of State Boards of Geologists~~
33.16 ~~(ASBOG)~~ as described in subpart 4, item A. The ~~written~~ examinations for soil scientists
33.17 shall be the examinations provided by ~~the Council of Soil Science Examiners (CSSE)~~ as
33.18 described in subpart 4, item B.

33.19 Subp. 2. **Fundamentals examination.** The fundamentals examination for a geoscience
33.20 discipline may be taken upon meeting the requirements in part 1800.3910, subpart 2. An
33.21 applicant ~~taking~~ who has applied to the board to take the fundamentals examination in a
33.22 geoscience discipline shall be notified by the board of the score in writing. An applicant
33.23 failing this examination and electing to take the examination again shall take the entire
33.24 examination. A description of the scope of the fundamentals examinations for each
33.25 geoscience discipline is provided in subpart 4.

34.1 A final official transcript showing the degree awarded and date of graduation shall be
34.2 submitted to the board before the in-training number is released to the applicant. The passing
34.3 of this examination as a Minnesota candidate and providing proof of the degree awarded
34.4 and date of graduation gives the applicant the in-training status as defined in Minnesota
34.5 Statutes, section 326.10, subdivision 7, paragraph (3). The applicant shall take and pass the
34.6 fundamentals examination in the geoscience discipline for which the applicant is seeking
34.7 licensure before being permitted to take the professional examination.

34.8 *[For text of subpart 3, see Minnesota Rules]*

34.9 **Subp. 4. Scope and description of examinations.**

34.10 A. The scope and description of the geology examinations are as described in
34.11 subitems (1) and (2).

34.12 (1) The Fundamentals of Geology (FG) examination ~~shall~~ must be
34.13 administered at a time and place designated by the board or the exam administrator to those
34.14 applicants determined by the board to meet the requirements of part 1800.3910, subpart 2,
34.15 for admission to the examination.

34.16 The FG examination consists of multiple-choice questions which emphasize knowledge
34.17 and skills that are typically acquired in an academic setting and lead to a baccalaureate
34.18 degree in geology.

34.19 (2) The Practice of Geology (PG) examination ~~shall~~ must be administered at
34.20 a time and place designated by the board or the exam administrator to those applicants
34.21 determined by the board to meet the requirements of part 1800.3910, subpart 3, for admission
34.22 to the examination.

34.23 The PG examination covers the principles and practice of geology. The examination
34.24 ~~shall include~~ includes questions embracing the knowledge of professional practice and
34.25 applied geology as acquired in connection with research, planning, and completion of

35.1 geological work during the required period of geological experience. The PG examination
35.2 is given to determine the degree of proficiency of the applicant in professional practice.
35.3 This examination ~~shall include~~ includes questions designed to test whether the applicant
35.4 has learned to apply the knowledge and understanding of the basic sciences and ~~geoscientific~~
35.5 ~~sciences~~ the geosciences gained through education, training, and experience to the solutions
35.6 of geological problems.

35.7 B. The scope and description of the soil science examinations are as described in
35.8 subitems (1) and (2).

35.9 (1) The Fundamentals of Soil Science (FSS) examination ~~shall~~ must be
35.10 administered at a time and place designated by the board or the exam administrator to those
35.11 applicants ~~determined by the board to~~ who meet the requirements of part 1800.3910, subpart
35.12 2, for admission to the examination.

35.13 The FSS examination consists of multiple-choice questions which emphasize knowledge
35.14 and skills that are typically acquired in an academic setting and lead to a baccalaureate
35.15 degree in soil science.

35.16 (2) The Professional Practices in Soil Science (PSS) examination ~~shall~~ must
35.17 be administered at a time and place designated by the board or the exam administrator to
35.18 those applicants determined by the board to meet the requirements of part 1800.3910, subpart
35.19 3, for admission to the examination.

35.20 The PSS examination covers the principles and practice of soil science. The examination
35.21 shall include questions embracing the knowledge of professional practice and applied soil
35.22 science as acquired in connection with research, planning, and completion of soil science
35.23 work during the required period of soil science experience. The PSS examination is given
35.24 to determine the degree of proficiency of the applicant in professional practice. This
35.25 examination shall include questions designed to test whether the applicant has learned to
35.26 apply the knowledge and understanding of the basic sciences and ~~geoscientific sciences~~ the

36.1 geosciences gained through education, training, and experience to the solutions of soil
36.2 science problems.

36.3 Subp. 5. [See repealer.]

36.4 **1800.3930 PROCEDURES.**

36.5 Subpart 1. **Request for admission to the Fundamentals of Soil Sciences (FSS)**
36.6 **examination.** For admission to the FSS examination, an applicant must apply directly to
36.7 CSSE and follow the procedures required by CSSE.

36.8 Subp. 1a. **Request for certification as a soil scientist-in-training.** An applicant for
36.9 certification as a soil scientist-in-training must submit an application for certification
36.10 following passage of the FSS examination as a Minnesota exam candidate and completion
36.11 of the education requirement under part 1800.3910, subpart 5, item B. Payment of the
36.12 application fee in Minnesota Statutes, section 326.105, must accompany the application.
36.13 An applicant must submit an official transcript of grades showing the degree awarded and
36.14 date of graduation for all undergraduate and graduate degree programs and verification of
36.15 passing the FSS examination before the applicant may be certified as a soil
36.16 scientist-in-training.

36.17 Subp. 1b. **Request for admission to the Fundamentals of Geology (FG)**
36.18 **examination.** An applicant shall ~~must~~ submit an application for admission to the
36.19 fundamentals FG examination in the geoscience discipline in which the applicant is seeking
36.20 licensure as described in part 1800.3920, subpart 2. The application must be postmarked
36.21 not later than 60 days prior to the date set for the fundamentals FG examination and
36.22 accompanied by payment of the fee in Minnesota Statutes, section 326.105. For applicants
36.23 who have not yet graduated, an unofficial transcript of grades from all institutions attended
36.24 showing the applicant's name, the name of the college or university, and the number of
36.25 credits completed must accompany the application. An official transcript of grades showing
36.26 the degree awarded and date of graduation for all undergraduate and graduate degree

37.1 programs must be submitted before the applicant may be certified as a geologist-in-training
37.2 ~~or soil scientist-in-training~~. For applicants who have graduated, an official transcript of
37.3 grades showing the degree awarded and date of graduation must accompany the application.

37.4 Subp. 2. **Request for admission to professional examination.** An applicant shall
37.5 must submit an application for admission to the professional geoscience examination in the
37.6 geoscience discipline in which the applicant is seeking licensure as explained in part
37.7 1800.3920, subpart 3. The application must be ~~postmarked not later than 60 days prior to~~
37.8 ~~the date set for the professional examination and~~ accompanied by payment of the fee in
37.9 Minnesota Statutes, section 326.105. The application must be made on a form provided by
37.10 the board and must include a detailed listing of geoscience experience gained. The experience
37.11 listing must include the name and current mailing address of the applicant's direct supervisor
37.12 for each period of employment. ~~The board shall provide the applicant an experience reference~~
37.13 ~~form that must be signed and submitted to the board by each supervisor for each period of~~
37.14 ~~employment during which qualifying geoscience experience was gained. An official transcript~~
37.15 ~~of grades showing the degree awarded and date of graduation for all undergraduate and~~
37.16 ~~graduate degree programs must be submitted directly to the board by the educational~~
37.17 ~~institution, unless previously submitted.~~ The applicant must complete the experience reference
37.18 form provided by the board. The form must be verified, signed, and submitted to the board
37.19 by the applicant's supervisor at the time that the applicant gained qualifying experience.
37.20 The applicant must request from the educational institution an official transcript of grades
37.21 showing the degree awarded and date of graduation for all undergraduate and graduate
37.22 degree programs, unless within the last year the applicant previously submitted official
37.23 transcripts to the board. ~~The application~~ applicant must include submit one signed copy of
37.24 a statement that the applicant has read the Board Rules of Professional Conduct and a signed
37.25 certification as described in part 1800.0400, subpart 5.

38.1 **Subp. 2a. Professional examination administration and application deadline.**

38.2 A. An applicant must not take the professional examination until the applicant
38.3 has submitted an application, the board has determined that the applicant has met the
38.4 qualifications to take the examination, and the board notifies the applicant of the applicant's
38.5 eligibility.

38.6 B. The professional examination must be administered at a time and place
38.7 determined by the examination delivery vendor to those applicants determined by the board
38.8 to meet the requirements for admission to the examination.

38.9 C. The deadline for application for an examination that is administered on a
38.10 specific date and time must be 60 days before the date set for the examination. Applications
38.11 and supporting documentation must be postmarked on or before the deadline to be considered
38.12 on time.

38.13 D. For an examination that is administered on multiple dates and times within an
38.14 examination window, an applicant may submit an application at any time.

38.15 E. The board, if required by the examination delivery vendor, must forward
38.16 notification of the applicant's eligibility to the examination delivery vendor. Following the
38.17 board's determination that an applicant is eligible to take an examination, the applicant must
38.18 independently contact the examination delivery vendor to schedule the time and place for
38.19 the examination at an approved test site.

38.20 F. The board or examination delivery vendor must report to the applicant the
38.21 results of each examination. To pass the examination, the applicant must attain the uniform
38.22 passing grade established by the board through a psychometrically acceptable standard-setting
38.23 procedure.

39.1 Subp. 2b. Examination windows. The examination windows and the frequency with
39.2 which an applicant may take the examination are determined by the applicable national
39.3 testing agency.

39.4 Subp. 3. **Validity of application.**

39.5 *[For text of item A, see Minnesota Rules]*

39.6 B. ~~An applicant who fails the examination, cancels, or fails to appear for the~~
39.7 ~~examination must submit a new application with the appropriate fee in order to take the~~
39.8 ~~examination on another date.~~ An applicant who is approved by the board for an examination
39.9 administered on a specific date and who fails to register, cancels, or fails to appear for the
39.10 examination must submit a new application to take the examination on another date.

39.11 C. An applicant who is approved by the board for an examination administered
39.12 continuously throughout the year and who does not take the examination within three years
39.13 of the date of the application must submit a new application to take the examination.

39.14 D. If an applicant fails an examination, the applicant must submit a new application
39.15 to take the examination on another date.

39.16 **1800.4000 CERTIFICATES OF RECORD FOR IN-TRAINING CLASSIFICATION.**

39.17 The board shall issue a certificate indicating that the applicant has been classified as
39.18 an engineer-in-training, land surveyor-in-training, geologist-in-training, or soil
39.19 scientist-in-training by the board to each applicant who successfully completes passes the
39.20 fundamentals of engineering examination, fundamentals of land surveying examination,
39.21 fundamentals of geology examination, or fundamentals of soil science examination, a
39.22 ~~certificate indicating that the applicant's name has been recorded as engineer in training,~~
39.23 ~~land surveyor in training, geologist in training, or soil scientist in training, in the office of~~
39.24 ~~the board~~ as a Minnesota examination candidate, and who meets the in-training classification
39.25 requirements elsewhere in this chapter. The certificates of record classification as


40.1 engineer-in-training, land surveyor-in-training, geologist-in-training, or soil
 40.2 scientist-in-training are permanent, subject only to discipline for cause in the manner provided
 40.3 by law or rule.

40.4 **1800.4100 CERTIFICATE OF LICENSURE OR CERTIFICATION.**

40.5 Subpart 1. **Licensure as professional engineer.** The board ~~shall~~ must issue to each
 40.6 applicant who has successfully completed the education, examination, and experience
 40.7 requirements in part 1800.2500 a certificate of licensure giving the licensee authority to
 40.8 practice engineering as defined by Minnesota Statutes, section 326.02, subdivision 3. This
 40.9 certificate ~~shall~~ must be in effect for a period ending June 30 of the even-numbered year of
 40.10 the biennium in which the certificate is issued, after which date the certificate will expire
 40.11 unless renewed. Applicants who are licensed by ~~comity~~ comity from other states, having met the
 40.12 Minnesota licensure requirements, ~~shall~~ must be issued certificates of licensure in the same
 40.13 manner as provided in this part.

40.14 Subp. 2. **Licensure as land surveyor.** The board ~~shall~~ must issue to each applicant
 40.15 who has successfully completed the education, examination, and experience requirements
 40.16 in part 1800.3505 a certificate of licensure giving the licensee authority to practice land
 40.17 surveying as defined by Minnesota Statutes, section 326.02, subdivision 4. This certificate
 40.18 ~~shall~~ must be in effect for a period ending June 30 of the even-numbered year of the biennium
 40.19 in which the certificate is issued, after which date the certificate will expire unless renewed.
 40.20 Applicants who are licensed by ~~comity~~ comity under Minnesota Statutes, ~~section 326.02, subdivision~~
 40.21 ~~1,~~ 2, from other states, having met the Minnesota licensure requirements, ~~shall~~ must be issued
 40.22 certificates of licensure in the same manner as provided in this part.

40.23 Subp. 3. **Licensure as architect.** The board ~~shall~~ must issue to each applicant who
 40.24 has successfully completed the education, examination, and experience requirements in part
 40.25 1800.1000 a certificate of licensure giving the licensee authority to practice architecture as
 40.26 defined by Minnesota Statutes, section 326.02, subdivision 2. This certificate ~~shall~~ must be

 Number: 1 Author: kweiss Subject: Inserted Text Date: 2/5/2023 1:39:14 PM

On line 40.11, delete "by comity" and insert "under Minnesota Statutes, section 326.10, subdivision 1, clause (2)".

 Number: 2 Author: kweiss Subject: Cross-Out Date: 2/2/2023 4:04:29 PM

For all the following changes, I did provide the correct citation, but an incorrect one was substituted. "By comity" is as described in 326.10, subdivision 1, clause (2). It is NOT in 326.02. I want to point this out so that the correction this time is definitely made. Thank you.

On line 40.20, delete "section 326.02, subdivision 1" and insert section 326.10, subdivision 1, clause (2).

41.1 in effect for a period ending June 30 of the even-numbered year of the biennium in which
41.2 the certificate is issued, after which date the certificate will expire unless renewed. Applicants
41.3 who are licensed by ~~comity~~ under Minnesota Statutes, ~~section 326.02, subdivision 1,~~ from
41.4 other states, having met the Minnesota licensure requirements, ~~shall~~ must be issued
41.5 certificates of licensure in the same manner as provided in this part.

41.6 Subp. 4. **Licensure as landscape architect.** The board ~~shall~~ must issue to each
41.7 applicant who has successfully completed the education, examination, and experience
41.8 requirements in part 1800.1500 a certificate of licensure giving the licensee authority to
41.9 practice landscape architecture as defined by Minnesota Statutes, section 326.02, subdivision
41.10 4a. This certificate ~~shall~~ must be in effect for a period ending June 30 of the even-numbered
41.11 year of the biennium in which the certificate is issued, after which date the certificate will
41.12 expire unless renewed. Applicants who are licensed by ~~comity~~ under Minnesota Statutes,
41.13 ~~section 326.02, subdivision 1,~~ from other states, having met the Minnesota licensure
41.14 requirements, ~~shall~~ must be issued certificates of licensure in the same manner as provided
41.15 in this part.

41.16 Subp. 5. **Licensure as professional geologist.** The board ~~shall~~ must issue to each
41.17 applicant who has successfully completed the education, examination, and experience
41.18 requirements in part 1800.3910 for geologists a certificate of licensure giving the licensee
41.19 authority to practice geology as defined by Minnesota Statutes, section 326.02, subdivision
41.20 3a. This certificate ~~shall~~ must be in effect for a period ending June 30 of the even-numbered
41.21 year of the biennium in which the certificate is issued, after which date the certificate will
41.22 expire unless renewed. Applicants who are licensed by ~~comity~~ under Minnesota Statutes,
41.23 ~~section 326.02, subdivision 1,~~ from other states or by submission of records, having met
41.24 the Minnesota licensure requirements, ~~shall~~ must be issued certificates of licensure in the
41.25 same manner as provided in this part.

Number: 1 Author: kweiss Subject: Cross-Out Date: 2/1/2023 10:00:53 PM
On line 41.3, delete "section 326.02, subdivision 1" and insert section 326.10, subdivision 1, clause (2).

Number: 2 Author: kweiss Subject: Inserted Text Date: 2/1/2023 10:01:02 PM
On line 41.13, delete "section 326.02, subdivision 1" and insert section 326.10, subdivision 1, clause (2).

Number: 3 Author: kweiss Subject: Inserted Text Date: 2/1/2023 10:01:08 PM
On line 41.23, delete "section 326.02, subdivision 1" and insert section 326.10, subdivision 1, clause (2).

42.1 Subp. 6. **Licensure as professional soil scientist.** The board ~~shall~~ must issue to each
42.2 applicant who has successfully completed the education, examination, and experience
42.3 requirements in part 1800.3910 for soil scientists a certificate of licensure giving the licensee
42.4 authority to practice soil science as defined by Minnesota Statutes, section 326.02,
42.5 subdivision 3a. This certificate ~~shall~~ must be in effect for a period ending June 30 of the
42.6 even-numbered year of the biennium in which the certificate is issued, after which date the
42.7 certificate will expire unless renewed. Applicants who are licensed ~~by~~ comity under
42.8 Minnesota Statutes, section 326.02, subdivision 1, from other states or by submission of
42.9 records, having met the Minnesota licensure requirements, ~~shall~~ must be issued certificates
42.10 of licensure in the same manner as provided in this part.

42.11 Subp. 7. **Certification as interior designer.** The board ~~shall~~ must issue to each
42.12 applicant who has successfully completed the education, examination, and experience
42.13 requirements of part 1800.2100 a certificate authorizing the certificate holder to use the title
42.14 "Certified Interior Designer." This certificate ~~shall~~ must be in effect for a period ending
42.15 June 30 of the even-numbered year of the biennium in which the certificate is issued, after
42.16 which the certificate ~~shall~~ must expire unless renewed. A person whose certificate expires
42.17 ~~shall~~ must not use the title "Certified Interior Designer" until a certificate is reissued.
42.18 Applicants who are certified ~~by~~ comity under part 1800.0800 ~~shall~~ and Minnesota Statutes,
42.19 section 326.02, subdivision 1, ~~must~~ be issued certificates as provided in this part.

42.20 **REPEALER.** Minnesota Rules, parts 1800.1100, subpart 4; 1800.2700, subpart 5; and
42.21 1800.3920, subpart 5, are repealed.

Number: 1 Author: kweiss Subject: Inserted Text Date: 2/1/2023 10:01:15 PM
On line 42.8, delete "section 326.02, subdivision 1" and insert section 326.10, subdivision 1, clause (2).

Number: 2 Author: kweiss Subject: Inserted Text Date: 2/1/2023 10:01:25 PM
On line 42.19, delete "section 326.02, subdivision 1" and insert section 326.10, subdivision 1, clause (2).

Number: 3 Author: kweiss Subject: Inserted Text Date: 2/5/2023 2:02:58 PM
Insert ahead of "and" at the end of line 42.20 "part 1800.2900, subpart 4;"

**Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture,
Geoscience and Interior Design**

**CERTIFICATE OF THE BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING,
LANDSCAPE ARCHITECTURE, GEOSCIENCE AND INTERIOR DESIGN;
AUTHORIZING RESOLUTION**

Proposed Amendment to Rules Governing Definitions; Information Required for Applications; Foreign Degree Evaluation; Architect Initial Licensure Application; Landscape Architect Education and Experience Requirements; Fundamentals of Soil Scientist Examination Registration; Application Validity and Expiration; and Housekeeping Updates. Minnesota Rules, 1800.0050, 1800.0130, 1800.0140, 1800.0200, 1800.0400, 1800.0450, 1800.0500, 1800.0600, 1800.0800, 1800.0850, 1800.0900, 1800.1000, 1800.1100, 1800.1200, 1800.1500, 1800.2100, 1800.2200, 1800.2500, 1800.2700, 1800.2805, 1800.2900, 1800.3505, 1800.3700, 1800.3750, 1800.3910, 1800.3920, 1800.3930, 1800.4000, 1800.4000;

Proposed Repeal of Obsolete Rules, Minnesota Rules, parts 1800.1100, subpart 4; 1800.2700, subpart 5; 1800.2900, subpart 4, 1800.3920, subpart 5.

Revisor's ID Number R-04764

I, Paul Vogel, certify that I am a member and the Chair of the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design, a board authorized under the laws of the State of Minnesota; that the following is a true, complete, and correct copy of a resolution that the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design adopted at a properly convened meeting on February 8, 2023; that a quorum was present; and that a majority of those present voted for the resolution, which has not been rescinded or modified. The Board resolved the following:

1. The Executive Director of the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design, is authorized and directed to sign and to give the Notice of the Board's Intent to Adopt Rules using Alternate Notices of whether a hearing will be held in the Revisor of Statutes draft, file number 4764, dated 12/28/2022, identified as Minnesota Rules, parts 1800.0050 to 1800.4100, with any modifications approved by the Board. The Executive Director must give this notice to all persons who have registered their names with the Board for that purpose. The Executive Director must also publish the Notice in the State Register. Furthermore, the Executive Director is authorized and directed to do anything else needed to complete this Notice.

2. If there are fewer than 25 outstanding hearing requests, the Executive Director of the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design is authorized and directed to sign the Order Adopting Rules and to do anything else needed to adopt these rules without a hearing.

3. If there are 25 or more outstanding hearing requests, the Executive Director of the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design, is authorized and directed to act as the Board's representative at the hearing and do anything else needed to adopt these rules with a hearing. This includes authority to sign the Order Adopting Rules if there are no modifications to the rules other than modifications approved by the Board.

Date

Paul Vogel, LS, Chair
Board of Architecture, Engineering,
Land Surveying, Landscape Architecture,
Geoscience and Interior Design



MINNESOTA BOARD OF
ARCHITECTURE ■ ENGINEERING ■ LAND SURVEYING
LANDSCAPE ARCHITECTURE ■ GEOSCIENCE ■ INTERIOR DESIGN

BOARD MEMORANDUM

FEBRUARY 9, 2023

TO: ARCHITECT/LANDSCAPE ARCHITECT/CERTIFIED INTERIOR DESIGNER SECTION

Scott Holm, M.Ed., CBO, PM, Chair	Meg Parsons, FAIA
Jason Amberg, LA	Claudia Reichert, CID
Eric Friske, JD, PM	Graham Sones, LA
Sally Grans Korsh, FAIA	David Stenseth, CPA, PM
Erica Larson, CID	

FROM: Scott Holm, M.Ed., CBO, PM, Chair

SUBJECT: FEBRUARY 9, 2023 ALACID SECTION MEETING MINUTES
Golden Rule Building, STE 120
9:00 AM

1) ROLL CALL/CALL TO ORDER

Scott Holm, M.Ed., CBO, PM, Chair	Meg Parsons, FAIA
Jason Amberg, LA	Claudia Reichert, CID - Absent
Eric Friske, JD, PM	Graham Sones, LA
Sally Grans Korsh, FAIA	David Stenseth, CPA, PM
Erica Larson, CID	

OTHERS:

Doreen Johnson, Executive Director
Mary Roguski, OASI

2) APPROVAL OF THE NOVEMBER 17, 2023, ALACID SECTION MEETING MINUTES
MSP: To approve the November 17, 2022 ALACID Section Meeting Minutes

3) UNFINISHED BUSINESS

A) None.

- 4) NEW BUSINESS
 - A) NCARB Governance Structure and Draft Resolution (**ATTACH 4A**) – Discussed.

****Sally Grans Korsh joined the meeting at 9:10.***

- B) NCARB MN Jurisdictional Data for November 2022 – Discussed.

- 5) ADJOURN
 - MSP: To adjourn at 9:30 AM**

Next meeting: May 10, 2023



MINNESOTA BOARD OF
ARCHITECTURE ■ ENGINEERING ■ LAND SURVEYING
LANDSCAPE ARCHITECTURE ■ GEOSCIENCE ■ INTERIOR DESIGN

BOARD MEMORANDUM

FEBRUARY 9, 2023

TO: ENGINEER/LAND SURVEYOR/GEOSCIENCE SECTION

Denise Kazmierczak, PE, Chair	Jami Neiber, PM
Daniel Baar, LS	Keith Rapp, PG
Paul Brandt, PSS	Melisa Rodriguez, PE
Rachel Dwyer, PM	Travis Thul, PE
Alan Johnson, PE	Paul Vogel, LS
Daniel Kelsey, PE	

FROM: Denise Kazmierczak, PE, Chair

SUBJECT: FEBRUARY 9, 2023 ELSGEO SECTION MEETING MINUTES

Golden Rule Building, STE 295
9:06

1) ROLL CALL/CALL TO ORDER

Denise Kazmierczak, PE, Chair	Jami Neiber, PM - Absent
Daniel Baar, LS	Keith Rapp, PG - Absent
Paul Brandt, PSS - Absent	Melisa Rodriguez, PE
Rachel Dwyer, PM - Absent	Travis Thul, PE
Alan Johnson, PE	Paul Vogel, LS
Daniel Kelsey, PE	

OTHERS:

Kay Weiss, Assistant Executive Director
Christie Vereide, OASI

GUESTS:

Philip E. Raines, Prevailing Wisdom, LLC

2) APPROVAL OF THE NOVEMBER 17, 2022 ELSGEO SECTION MEETING MINUTES
MSP: To approve the November 17, 2022 ELSGEO Section meeting minutes

- 3) UNFINISHED BUSINESS
 - A) Standards for work experience – Discussed. The staff procedures and online instructions provide enough guidance that applicants should know to provide detailed information. If insufficient information was provided by the applicant to determine whether the experience requirements were met, the reviewing Board member has the authority to deny the application.

- 4) NEW BUSINESS
 - A) NCEES nominations for Central Zone Secretary-Treasurer – Discussed.
 - B) Minnesota Land Surveying Exam (October 2022) Summary Report – FYI only.
 - C) City Engineers Association of Minnesota Annual Conference, Bloomington MN, January 25-27, 2023 - M. Rodriguez reported. The event was well-attended (approximately 160) and her presentation well received.
 - D) MAPSS comment regarding Minnesota Rule 1800.3910, subpart 6 and current rule text – Further discussion deferred until Paul Brandt is available.

- 5) ADJOURN

MSP: To adjourn at 9:40 am

Next meeting: May 10, 2023



MINNESOTA BOARD OF
ARCHITECTURE ■ ENGINEERING ■ LAND SURVEYING
LANDSCAPE ARCHITECTURE ■ GEOSCIENCE ■ INTERIOR DESIGN

BOARD MEMORANDUM

FEBRUARY 9, 2023

TO: CREDENTIALING COMMITTEE

Erica Larson, CID, Chair
Jason Amberg, LA
Paul Brandt, PSS
Rachel Dwyer, PM

Alan Johnson, PE
Daniel Kelsey, PE
Jami Neiber, PM
Graham Sones, LA

FROM: Erica Larson, CID, Chair

SUBJECT: FEBRUARY 9, 2023, CREDENTIALING COMMITTEE MEETING MINUTES
Golden Rule Building, STE 120
9:48 AM

1) CALL TO ORDER

Erica Larson, CID, Chair
Jason Amberg, LA
Paul Brandt, PSS - **Absent**
Rachel Dwyer, PM- **Absent**

Alan Johnson, PE
Daniel Kelsey, PE
Jami Neiber, PM - **Absent**
Graham Sones, LA

OTHERS:

Sally Grans Korsh, FAIA
Scott Holm, M.Ed., CBO, PM
Denise Kazmierczak, PE
Meg Parsons, FAIA
David Stenseth, CPA, PM
Doreen Johnson, Executive Director
Mary Roguski, OASI

GUESTS: None

2) APPROVAL OF THE JULY 12, 2022 CREDENTIALING COMMITTEE MEETING MINUTES

MSP: To approve the July 12, 2022 Credentialing Committee meeting minutes

- 3) UNFINISHED BUSINESS
 - A) None.

- 4) NEW BUSINESS
 - A) City Engineers Association of Minnesota Annual Conference, Bloomington MN, January, 25-27 2023 – Discussed.
 - B) Continuing Education Audit
 - i) Minnesota Statute 326.107 (2020), Continuing Education – Discussed.
 - ii) Example CE audit notification letter and CPE reporting form – Discussed.
 - iii) Audits were reviewed for the following licensees/certificate holders:
 - a. Mark Everett Spencer
 - b. Roy Gilman Garrison
 - c. Jason Christopher Sheets
 - d. Kelsey Rae Sullivan
 - e. Michelle Lynn Gallagher
 - f. Glen A. Mullenbach
 - g. David Alexander Sapp
 - h. Jason Christopher Radde
 - i. Mark James Azure
 - j. Suzanne Marie Frances
 - k. Leland B. Meyer
 - l. Erin Kathleen Grammas
 - m. Joan L. Nicol-Hoium
 - n. Paul E. Otto
 - o. Fouad K. Daoud
 - p. Michael E. Thomas
 - q. Jacob A. Kowalski
 - r. Sean Patrick Bohan
 - s. Steven Earl Robinson
 - t. Robert S. Staricka
 - u. Regina Marie Thompson
 - v. Roy Junior Yoder
 - w. Paul D. Ringdahl
 - x. Richard J. Olson
 - y. Jason R. Helsler
 - z. Sean Michael Johnson
 - aa. Jerilyn Kay Swenson
 - bb. Richard G. Groh
 - cc. Michael L. Johnson
 - dd. Michael F. Kramer

- ee. Joshua S. Kueber
- ff. Jason Curtis Hales
- gg. Gregg M. Curtis
- hh. Joshua James Fluecke
- ii. Lynsey Rochelle Zikmund
- jj. Kathleen A. O'Connell
- kk. Thomas John Herkenhoff

5) ADJOURN
MSP: To adjourn at 10:56 am

Next meeting: May 10, 2023