



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

BOARD MEMORANDUM

SEPTEMBER 2, 2021

TO: RULES COMMITTEE

Claudia Reichert, CID, Chair
Daniel Baar, LS
Scott Holm, M.Ed, CBO, PM
Jami Neiber, PM

Meg Parsons, FAIA
Scott Robinson, LA
Melisa Rodriguez, PE
Travis Thul, PhD, PE

FROM: Claudia Reichert, CID, Chair

SUBJECT: SEPTEMBER 2, 2021 RULES COMMITTEE MEETING MINUTES
81 7th St, Suite 100, St. Paul
10:08 AM

1) CALL TO ORDER

Claudia Reichert, CID, Chair
Daniel Baar, LS
Scott Holm, M.Ed, CBO, PM - **Absent**
Jami Neiber, PM
Meg Parsons, FAIA
Scott Robinson, LA
Melisa Rodriguez, PE
Travis Thul, PhD, PE – **Absent**

OTHERS:

Doreen Johnson, Executive Director
Kay Weiss, Assistant Executive Director
Christie Vereide, OAS-I

GUESTS:

None

- 2) APPROVAL OF THE JULY 20, 2021 JOINT CREDENTIALING AND RULES COMMITTEE MEETING MINUTES – Carried over to next meeting. August 6, 2019 minutes will also need to be approved.

- 3) UNFINISHED BUSINESS
 - A) “Rules vs. Statutes” Refresher – Carried over
 - B) New Statutory Language Impacting Health-Related Licensing Boards **(ATTACH 3B)** – Discussed
 - C) Rule Change Proposals/Rules Review
 - i) Architect Comity “by Long Experience” (and Additional Criteria) – Carried over
 - ii) PE Direct Registration – Carried over
 - iii) CLARB Uniform Standard Development (FYI)
 - iv) MN Rule 1800.0900.4 (Evidence of Improved Qualifications) – Carried over

.... The board shall require an applicant failing an examination three or more times to submit evidence of improved qualifications before approving a new application for examination. – Carried over
 - D) Planning for Response to OLA Audit (Fee Reductions in Rule) – Discussed

- 4) NEW BUSINESS
 - A) Joint discussion with Credentialing Committee on Board Statutes **(ATTACH 4A)**
 - i) 326.10 LICENSURE AND CERTIFICATION. Subdivision 1

“Subdivision 1. Issuance. The board shall on application therefor on a prescribed form, and upon payment of a fee prescribed by rule of the board, issue a license or certificate as an architect, engineer, land surveyor, landscape architect, geoscientist, or certified interior designer. A separate fee shall be paid for each profession licensed.

(1) To any person ~~over 25 years of age,~~ who is of good moral character and repute, and who has the experience and educational qualifications which the board by rule may prescribe.

(2) 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, 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. who~~ meets the respective education and experience requirements for licensure as an architect, engineer, land surveyor, landscape architect, geoscientist, or certified interior designer, which were in place in Minnesota at the time of the applicant's registration or licensure in the other jurisdiction. The board may require such person to submit a certificate of technical qualification from the National Council of Architectural Registration Boards in the case of an architect, from the National Council of Examiners for Engineering and Surveying in the case of an engineer or land surveyor, from the Council of Landscape Architectural Registration Boards in the case of a landscape architect, from the National Association of State Boards of Geology in the case of geologists, from the Council for Soil Science Examiners for soil scientists, and from the National Council for Interior Design Qualification in the case of a certified interior designer.”

MSP: To recommend the language changes identified.

- ii) 326.10 LICENSURE AND CERTIFICATION. Subd. 2
“Subd. 2. **Examination.** ~~The board, or a committee of the board, may subject any~~ An applicant for licensure or certification ~~to such~~ must provide evidence of passing the required national examinations as ~~may be deemed necessary to establish~~ qualifications prescribed by rule of the board.”

MSP: To recommend the language changes identified.

- iii) 326.105 FEES
“The fee for initial licensure or renewal of licensure as an architect, professional engineer, land surveyor, landscape architect, or geoscience professional is \$120 per biennium. The fee for certification as a certified interior designer or for renewal of the certificate is \$120 per biennium. The fee for an architect applying for original certification as a certified interior designer is \$50 ~~per~~ biennium. The initial license or certification fee for all professions is \$120. The renewal fee shall be paid biennially on or before June 30 of each even-numbered year. The renewal fee, when paid by mail,

is not timely paid unless it is postmarked on or before June 30 of each even-numbered year. The application fee is \$25 for in-training applicants and \$75 for professional license applicants. The application fee is \$75 for certified interior design applicants who are not licensed architects.

Also recommend reducing comity fee from \$100 to \$75 (Rule 1800.0500, subp. 7A)

MSP: No changes at this time.

- iv) 3260.10, Subd. 10. TEMPORARY MILITARY LICENSE
“The Board shall establish a temporary license in accordance with section 197.4552 for the practice of architecture, professional engineering, geosciences, land surveying, landscape architecture, and interior design. The fee for the temporary license under this subdivision for the practice of architecture, professional engineering, geosciences, land surveying, landscape architecture, or interior design in ~~\$132~~ \$0.”

MSP: To recommend the fee reduction for Temporary Military License.

- v) 326.111 UNAUTHORIZED PRACTICE; DISCIPLINARY ACTION
“Subd. 3. Cease and desist orders.
- (a) The board, or the complaint committee if authorized by the board, may issue and have served upon a person an order requiring the person to cease and desist from the unauthorized practice of architecture, engineering, land surveying, landscape architecture, geoscience, or the unauthorized use of the titles architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, certified interior designer, or violation of the statute, rule, or order. The order shall be calculated to give reasonable notice of the rights of the person to request a hearing and shall state the reasons for the entry of the order.

(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. Actions against applicants and licensees.

(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. Procedure for temporary suspension of license or certificate.

(a) When the board, or the complaint committee if authorized by the board, issues a temporary suspension order, the suspension is in effect upon service of a written order on the licensee or counsel of record, specifying the statute, rule, or order violated. The order remains in effect until the board issues a final order in the matter after a hearing or upon agreement between the board and the licensee.

(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.

Subd. 8. 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."

MSP: To recommend the changes identified.

5) ADJOURN

MSP: To adjourn at 10:52 am

Next meeting: November 18, 2021