

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

268

Sydney Berde
Special Attorney

November 5, 1976

- AE & LS 2, 3, 4, 5, 7, 8, 9, 11 and 12
Training Classifications

ADMIN 1000

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL-Health

Office Memorandum

TO : Mike Miller
Special Assistant Attorney General
Department of Administration

DATE: Dec. 16, 1976

FROM : Terry P. O'Brien
Special Assistant
Attorney General

PHONE: 5371

SUBJECT: Record in support of rules of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

Pursuant to our telephone conversation, I am enclosing the above-referenced record. I apologize we did not discover this record before. Intrastate mail may have mistakenly routed this to Bill Miller.

In the future we will be more careful about what we receive.

TPO:mt
Encl.

268

January 24, 1977

Sydney W. Berde
Attorney at Law
2602 American National Bank Building
Saint Paul, Minnesota 55101

Re: Rules of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture

Dear Mr. Berde:

Rule 9 of the above-mentioned agency was submitted to me in December, 1976 and is ready for filing. I called your office about two weeks ago and left a message that I could not file these rules until the original Order Adopting Rules was submitted to me in order that it be filed with the Secretary of State.

As you know, this is necessary, and the Secretary of State will not accept the filing without the original.

I will file the rule immediately upon receipt of this document.

Very truly yours,

Michael B. Miller
Special Assistant
Attorney General

MBM:mb

STATE OF MINNESOTA

OFFICE OF THE BOARD
5TH FLOOR, METRO SQUARE
7TH AND ROBERT STREETS
SAINT PAUL, MINNESOTA 55101

BOARD OF REGISTRATION
OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING AND LANDSCAPE ARCHITECTURE

PHONE: 296-2388

February 1, 1977

Mr. Michael B. Miller
Special Assistant Attorney General
Office of the Attorney General
State of Minnesota
St. Paul, Minnesota 55155

Re: Rules of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture

Dear Mr. Miller:

This is in reference to your January 24, 1977 letter in the above matter. I am somewhat puzzled by your letter because it refers to Rule 9 which you state was submitted in December 1976 "and is ready for filing". Amendments to Rule 9 were submitted for approval as to form and legality on April 16, 1976. You will recall that the file was apparently lost somewhere in the Attorney General's office and, as a result, I forwarded a duplicate file to you on June 22, 1976. On July 13, 1976 the Amendments to Rule 9 were approved as to form and legality and, on that date, filed in the Office of the Secretary of State. I enclose the original of the Order Adopting Rules in that file which was signed on February 27, 1976.

I have no record of any Rules submitted to your office for approval as to form an legality in December of 1976. On November 5, 1976 I received from you a memorandum advising me that Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11 and 12 had been approved as to form and legality. Those Rules were published in the State Register on November 30, 1976. On October 29, 1976 I sent you the original of the Order Adopting Rules in the latter proceeding in response to your earlier request.

Please let me know if there is anything further you need in these files.

Sincerely,

SYDNEY BERDE
Special Attorney

SB:lv
Enclosure

AN EQUAL OPPORTUNITY EMPLOYER

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter Of:

Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

ORDER ADOPTING RULES

The above entitled matter came on for hearing before the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, on the 12th day of December 1975, at 9:30 o'clock a.m. at the offices of the Board, Metro Square Building, Seventh and Robert Streets, Saint Paul, Minnesota, after proper notice, as required by Minn. Stat. §15.0412, was duly served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced upon the records, files and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above captioned Rules;

NOW, THEREFORE, IT IS ORDERED that these Rules, in the form annexed hereto as Appendix "A" are adopted this 27th day of February, 1976, pursuant to authority vested in me by the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

G. Leigh Morrow

February 27, 1976.

G. Leigh Morrow, Chairman

APPENDIX "A"

AMENDMENTS TO RULE AE&LS 9 AS RECOMMENDED FOR ADOPTION BY THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE ON FEBRUARY 27, 1976

AE&LS 9.1 Examination of Landscape Architect Applicants.

(a) Education and Experience. An applicant for registration as a Landscape Architect shall be required to pass a written and oral examination as provided herein. To qualify for such examination, the applicant shall present satisfactory evidence that the following requirements have been met.

(1) Graduated from a landscape architecture curriculum of a university or college accredited by the American Society of Landscape Architects Committee on Education.

(2) Completed at least three years of satisfactory diversified experience, after graduation, under the supervision of registered Landscape Architects.

(3) An applicant may also qualify provided that satisfactory evidence is submitted to the Board that the education and subsequent experience of such applicant are substantially equivalent to the above requirements as set forth in the following table:

Classification	Professional Education (years)	Professional Experience (years)	Total Education and Experience
Graduate of ASLA Accredited Landscape Architectural Curriculum			
5-year course	5	3	8
4-year course	4	4	8
Other Related Degree Plus Graduate of ASLA Accredited Graduate L.A. Curriculum	5	3	8
Graduate of Non-Accredited Landscape Architectural Curriculum			
5-year course	4	5	9
4-year course	3	6	9
Other Related Field Degree Plus Graduate of Non-Accredited L. A. Curriculum	4	5	9
Graduate of NAAB Accredited Architectural Curriculum	3	7	10
Graduate of ECPD Accredited Engineering Curriculum	3	7	10

Classification	Professional Education (years)	Professional Experience* (years)	Total Education and Experience
Graduate of Non-Accredited Architectural Curriculum	2	9	11
Graduate of Non-Accredited Engineering Curriculum	2	9	11
Graduate of Two Years Technical School in Landscape Architecture	2	9	11
No Professional Education	0	13	13

*Professional experience must be acquired after graduation except that continuous experience gained in increments of ninety days or more, before graduation will be evaluated by the Board. Professional experience is defined as equivalent to satisfactory diversified general practice under the supervision of registered Landscape Architects.

(4) For non-graduates, each year of approved Landscape Architectural Education successfully completed at college level shall receive full credit.

(5) Employment by Government agencies, Engineering firms, general contractors, in areas directly related to landscape architectural construction, may be substituted for professional experience, as defined above; one full year of such experience will be considered the equivalent of one-half year of full-time professional experience, but not over two years of credit toward professional experience will be given for such experience.

(6) Employment by Government agencies, including the military, when diversified and comparable to employment in the office of a registered Landscape Architect with a verified record of substantial practice shall receive full credit with no time limitation. Such work shall be directly related to Landscape Architecture and shall be under the direct supervision of a registered Landscape Architect. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(7) Employment by organizations that have employees performing Landscape Architectural services in connection with projects used or owned by that organization when said employment is directly related to Landscape Architectural work and is under the direct supervision of a registered Landscape Architect shall receive full credit with no time limitation. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(8) Employment or practice in such fields as interior design, architecture, engineering, city planning and periods of employment with such organizations as VISTA, HUD, Peace Corps and advocacy planning shall receive full credit up to a maximum of two years when such work is related to Landscape Architecture.

(9) An advanced degree from an ASLA Committee on Education accredited Landscape Architecture curriculum shall receive full credit up to a maximum of two years. Teaching and research in an ASLA Committee on Education Accredited curriculum shall also receive full credit as determined by the Board.

(10) Other training, education, teaching or practical experience of a landscape architectural nature will be subject to review and determination by the Board.

(b) Application and Oral Examination.

The Board shall review the applicant's experience record and conduct a personal interview of each applicant for admission to the examination process. The personal interview shall consist of direct examination by the Board to include such additional exhibits of drawings, specifications, photographs of work, letters of reference, as the Board may direct.

(c) Written Examinations - Shall be provided by the National Council of Landscape Architectural Registration Boards (CLARB). Handbooks, tables, reference books, bound notes and hand-held non-programmable battery-operated electronic calculators are permitted when authorized by the Board.

(d) Landscape Architect-in-Training. An applicant for certification as a Landscape Architect-in-Training shall present satisfactory evidence to the Board that they have either:

(1) Graduated from an accredited Landscape Architectural curriculum appearing on the list of accredited curricula current at the time of applicant's graduation as published by the American Society of Landscape Architects (ASLA) Committee on Education, or

(2) Completed ten years of satisfactory diversified experience, when such experience is directly related to Landscape Architectural work and is approved by the Board. Each scholastic year of study satisfactorily completed in a curriculum accredited by the ASLA Committee on Education or its educational equivalent shall be considered equal to two years of Landscape Architectural experience.

(e) Professional Practice Examination.

An applicant for registration as Landscape Architect by examination shall be admitted to the Professional Practice Examination in Landscape Architecture provided the applicant has:

(1) Successfully completed the Landscape Architect-in-Training Examination and

(2) Completed total combined education and experience as noted in table contained in Rule 9.1(a).

(f) Qualification for Registration Without Written Examination. The Board shall, with reference to applications received from persons not residing in Minnesota, issue a certificate of registration as a landscape architect when a CLARB certificate is furnished to the Board. Applicants shall submit a treatise to the Board.

(g) Qualification for Registration Without Written Examination prior to January 1, 1977 (Expires January 1, 1977)

(1) The Board shall, with reference to applications for registration received prior to January 1, 1977, issue a certificate of registration as a landscape architect, without examination, to any applicant submitting evidence to the Board that one or more of the classifications listed in the table contained in Rule 9.1(a) has been met.

(2) Each applicant not holding a CLARB certificate shall appear before the Board for a personal interview for the purpose of reviewing the applicability of experience for registration.

(3) Applicants who are not residents of Minnesota and are registered by another jurisdiction but do not hold CLARB certification shall submit a treatise to the Board relative to Minnesota construction conditions and plant materials applicable to Minnesota.

APPENDIX "A"

AMENDMENTS TO RULE AE&LS 9 AS RECOMMENDED FOR ADOPTION BY THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE ON FEBRUARY 27, 1976

AE&LS 9.1 Examination of Landscape Architect Applicants.

(a) Education and Experience. An applicant for registration as a Landscape Architect shall be required to pass a written and oral examination as provided herein. To qualify for such examination, the applicant shall present satisfactory evidence that the following requirements have been met.

(1) Graduated from a landscape architecture curriculum of a university or college accredited by the American Society of Landscape Architects Committee on Education.

(2) Completed at least three years of satisfactory diversified experience, after graduation, under the supervision of registered Landscape Architects.

(3) An applicant may also qualify provided that satisfactory evidence is submitted to the Board that the education and subsequent experience of such applicant are substantially equivalent to the above requirements as set forth in the following table:

Classification	Professional Education (years)	Professional Experience (years)	Total Education and Experience
Graduate of ASLA Accredited Landscape Architectural Curriculum			
5-year course	5	3	8
4-year course	4	4	8
Other Related Degree Plus Graduate of ASLA Accredited Graduate L.A. Curriculum	5	3	8
Graduate of Non-Accredited Landscape Architectural Curriculum			
5-year course	4	5	9
4-year course	3	6	9
Other Related Field Degree Plus Graduate of Non-Accredited L. A. Curriculum	4	5	9
Graduate of NAAB Accredited Architectural Curriculum	3	7	10
Graduate of ECPD Accredited Engineering Curriculum	3	7	10

Classification	Professional Education (years)	Professional Experience* (years)	Total Education and Experience
Graduate of Non-Accredited Architectural Curriculum	2	9	11
Graduate of Non-Accredited Engineering Curriculum	2	9	11
Graduate of Two Years Technical School in Landscape Architecture	2	9	11
No Professional Education	0	13	13

*Professional experience must be acquired after graduation except that continuous experience gained in increments of ninety days or more, before graduation will be evaluated by the Board. Professional experience is defined as equivalent to satisfactory diversified general practice under the supervision of registered Landscape Architects.

(4) For non-graduates, each year of approved Landscape Architectural Education successfully completed at college level shall receive full credit.

(5) Employment by Government agencies, Engineering firms, general contractors, in areas directly related to landscape architectural construction, may be substituted for professional experience, as defined above; one full year of such experience will be considered the equivalent of one-half year of full-time professional experience, but not over two years of credit toward professional experience will be given for such experience.

(6) Employment by Government agencies, including the military, when diversified and comparable to employment in the office of a registered Landscape Architect with a verified record of substantial practice shall receive full credit with no time limitation. Such work shall be directly related to Landscape Architecture and shall be under the direct supervision of a registered Landscape Architect. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(7) Employment by organizations that have employees performing Landscape Architectural services in connection with projects used or owned by that organization when said employment is directly related to Landscape Architectural work and is under the direct supervision of a registered Landscape Architect shall receive full credit with no time limitation. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(8) Employment or practice in such fields as interior design, architecture, engineering, city planning and periods of employment with such organizations as VISTA, HUD, Peace Corps and advocacy planning shall receive full credit up to a maximum of two years when such work is related to Landscape Architecture.

(9) An advanced degree from an ASLA Committee on Education accredited Landscape Architecture curriculum shall receive full credit up to a maximum of two years. Teaching and research in an ASLA Committee cn Education Accredited curriculum shall also receive full credit as determined by the Board.

(10) Other training, education, teaching or practical experience of a landscape architectural nature will be subject to review and determination by the Board.

(b) Application and Oral Examination.

The Board shall review the applicant's experience record and conduct a personal interview of each applicant for admission to the examination process. The personal interview shall consist of direct examination by the Board to include such additional exhibits of drawings, specifications, photographs of work, letters of reference, as the Board may direct.

(c) Written Examinations - Shall be provided by the National Council of Landscape Architectural Registration Boards (CLARB). Handbooks, tables, reference books, bound notes and hand-held non-programmable battery-operated electronic calculators are permitted when authorized by the Board.

(d) Landscape Architect-in-Training. An applicant for certification as a Landscape Architect-in-Training shall present satisfactory evidence to the Board that they have either:

(1) Graduated from an accredited Landscape Architectural curriculum appearing on the list of accredited curricula current at the time of applicant's graduation as published by the American Society of Landscape Architects (ASLA) Committee on Education, or

(2) Completed ten years of satisfactory diversified experience, when such experience is directly related to Landscape Architectural work and is approved by the Board. Each scholastic year of study satisfactorily completed in a curriculum accredited by the ASLA Committee on Education or its educational equivalent shall be considered equal to two years of Landscape Architectural experience.

(e) Professional Practice Examination.

An applicant for registration as Landscape Architect by examination shall be admitted to the Professional Practice Examination in Landscape Architecture provided the applicant has:

(1) Successfully completed the Landscape Architect-in-Training Examination and

(2) Completed total combined education and experience as noted in table contained in Ruie 9.1(a).

(f) Qualification for Registration Without Written Examination. The Board shall, with reference to applications received from persons not residing in Minnesota, issue a certificate of registration as a landscape architect when a CLARB certificate is furnished to the Board. Applicants shall submit a treatise to the Board.

(g) Qualification for Registration Without Written Examination prior to January 1, 1977 (Expires January 1, 1977)

(1) The Board shall, with reference to applications for registration received prior to January 1, 1977, issue a certificate of registration as a landscape architect, without examination, to any applicant submitting evidence to the Board that one or more of the classifications listed in the table contained in Rule 9.1(a) has been met.

(2) Each applicant not holding a CLARB certificate shall appear before the Board for a personal interview for the purpose of reviewing the applicability of experience for registration.

(3) Applicants who are not residents of Minnesota and are registered by another jurisdiction but do not hold CLARB certification shall submit a treatise to the Board relative to Minnesota construction conditions and plant materials applicable to Minnesota.

STATE OF MINNESOTA

OFFICE OF THE BOARD
5TH FLOOR, METRO SQUARE
7TH AND ROBERT STREETS
SAINT PAUL, MINNESOTA 55101

BOARD OF REGISTRATION
OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING AND LANDSCAPE ARCHITECTURE

291-8106
PHONE: 296-2388

April 16, 1976

The Honorable Warren R. Spannaus
Attorney General
State of Minnesota
102 State Capitol
Saint Paul, Minnesota 55155

Attention: Michael J. Miller, Special Assistant
Attorney General

Re: Proposed Amendments to Rules and Regulations of Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture

Dear Mr. Miller:

I submit herewith for approval as to form and legality, pursuant to Minn. Stat.§15.0412, proposed amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture approved for adoption by the Board on February 27, 1976.

Enclosed are the following documents relating to the proposed amendments:

1. Record of Hearing on proposed amendments consisting of:

(a) Transcript of Hearing, December 12, 1975.

(b) Certificate of Adoption of Order Authorizing Hearing, Exhibit 1.

(c) Order for Hearing, Exhibit 2.

(d) Affidavit of Mailing, Exhibit 3.

(e) Notice of Hearing, Exhibit 4.

(f) Certificate of Secretary of State, listing persons to receive Notice of Hearing, Exhibit 5.

(g) Statement of Need, Exhibit 6.

(h) Recommended Changes to Proposed Rule AE&LS 9.1, Exhibit 7.

(i) Proposed Rule, Draft No. 2, September 19, 1975, Exhibit 8.

(j) Suggested Changes to Proposed Rule AE&LS 9.1, Exhibit 9.

(k) Suggested Changes to Proposed Rule AE&LS 9.1, December 12, 1975, Exhibit 10.

(l) Letter, December 19, 1975, from Roger D. Martin, Chairman, Department of Landscape Architecture, School of Architecture and Landscape Architecture, University of Minnesota enclosing recommended modifications of proposed Rule AE&LS 9.1(3) approved by the Landscape Architecture Faculty of the University of Minnesota, filed as part of the record herein.

2. Findings, Conclusions and Order on Proposed Amendments adopted by the Board on February 27, 1976.

3. Certificate of Resolution adopting amendments to Rules and Regulations, February 27, 1976.

4. Order adopting amended rules, February 27, 1976.

5. Statement of Compliance with Manual of Rule-making Procedures, April 15, 1976.

Very truly yours,

Sydney Berde

SYDNEY BERDE
Special Attorney

SB:cb
Enclosures

Exhibit 1

CERTIFICATE OF ADOPTION OF
RESOLUTION AUTHORIZING HEARING

1

I, Rudolph W. Monson, do hereby certify that I am Secretary of the Board of Registration for Architecture, Engineering, Land Surveying and Landscape Architecture, a Board duly authorized under the laws of the State of Minnesota, that the following is a true, complete and correct copy of a resolution adopted at a meeting of the Board duly and properly called and held on the 25th day of September, 1975; that a quorum was present at said meeting; that a majority of those present voted for the resolution; and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified:

RESOLUTION

"RESOLVED: That Rudolph W. Monson and G. Leigh Morrow, two of the members of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, be and they are granted the authority and directed to call a hearing for the purpose of promulgating amendments to the Rules of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture pursuant to Appendix A attached hereto, as well as to perform any and all acts incidental thereto, including without limitation, signing an order for hearing and notice of hearing as well as acting as presiding officer at all hearings."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 10 day of November, 1975.

Rudolph W. Monson
Secretary

Exhibit 2

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter Of:

Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

ORDER FOR HEARING

2

To effectively implement Minn. Stat. §§326.02 to 326.16 inclusive, the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture deems it necessary to consider adoption of amendments to the above captioned Rules pursuant to the authority vested in the Board by Minn. Stat. 1974 §§326.06 and 15.0412, as amended.

NOW, THEREFORE, IT IS ORDERED, this 25th day of September 1975, that a public hearing on the above captioned Proposed Amendments be held in the office of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, Metro Square Building, 7th and Robert Streets, Saint Paul, Minnesota, 55101, on December 12, 1975, commencing at 9:00 A.M., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard.

IT IS FURTHER ORDERED, that notice of said hearing be given to all representatives of associations or other interested groups or persons who have filed their names with the Secretary of State for that purpose and all persons who are presently members of the Minnesota Legislature.

BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

Rudolph W. Monson
Rudolph W. Monson, Secretary

By: G. Leigh Morrow
G. Leigh Morrow, Chairman

Exhibit 3

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter Of:

Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

AFFIDAVIT OF MAILING

3

Lowell E. Torseth, being first duly sworn, deposes and says:

That on the 10th day of November, 1975, at the City of Saint Paul, County of Ramsey, State of Minnesota, he served the Notice of Hearing in the above matter by depositing in the United States mail at said City of Saint Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached sheets, as well as all members of the Minnesota Legislature.

Lowell E. Torseth

Executive Secretary
Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture

Subscribed and sworn to before me
this 10th day of November, 1975.

Carol A. Andersen

Carol A. Andersen
Notary Public, Dakota County, Minnesota
My Commission Expires February 5, 1983

CAROL A. ANDERSEN
NOTARY PUBLIC - MINNESOTA
DAKOTA COUNTY
My Commission Expires Feb. 5, 1983

Exhibit 4

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter Of:

Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to Minn. Stat. 1974 §§ 326.06 and 15.0412, as amended, in the above entitled matter in the office of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, Metro Square Building, 7th and Robert Streets, Saint Paul, Minnesota, on Friday, December 12, 1975, commencing at 9:00 A.M., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning the Proposed Amendments captioned above by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted without appearing at the hearing.

A copy of the Proposed Amendments is attached hereto as Appendix A. The Proposed Amendments would amend Rule AE&LS 9 by adding thereto a new section to be designated AE&LS 9.1, Examination of Landscape Architect Applicants as set forth in Appendix A.

By Order of the Chairman

BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

By Lowell E. Torseth
Lowell E. Torseth
Executive Secretary

November 10, 1975.

APPENDIX A
PROPOSED RULE

AE&LS 9.1 Examination of Landscape Architect Applicants.

(a) Education and Experience. An applicant for registration as a Landscape Architect shall be required to pass a written and oral examination as provided herein. To qualify for such examination, he shall present satisfactory evidence that he has:

(1) Graduated from landscape architecture curriculum of a university or college accredited by the American Society of Landscape Architects Committee on Education.

(2) Completed at least three years of satisfactory diversified experience, after graduation, under the supervision of registered Landscape Architects.

(3) An applicant may also qualify provided that he submits to the Board satisfactory evidence that his education and subsequent experience are substantially equivalent to the above requirements as set forth in the following table:

Classification	Professional Education (years)	Professional Experience * (years)	Total Education and Experience
Graduate of ASLA Accredited Landscape Architectural Curriculum			
5-year course	5	3	8
4-year course	4	5	9
Graduate of Non-Accredited Landscape Architectural Curriculum			
5-year course	4	5	9
4-year course	3	7	10
Graduate of NAAB Accredited Architectural Curriculum	3	7	10
Graduate of ECPD Accredited Civil or Mechanical Engineering Curriculum	3	7	10
Graduate of Non-Accredited Architectural Curriculum	2	9	11
Graduate of Non-Accredited Civil or Mechanical Engineering Curriculum	2	9	11

*Professional experience must be acquired after graduation except that continuous experience gained before graduation will be evaluated by the Board. An applicant with qualified experience will be granted credit in accordance with CLARB Table of Equivalents. Professional Experience is defined as equivalent to satisfactory diversified general practice under the supervision of registered Landscape Architects.

(4) For non-graduates, each year of approved Landscape Architectural Education successfully completed at the college level shall be credited in accordance with the CLARB Table of Equivalents.

(5) Employment by Government agencies, Engineering firms, general contractors, in areas directly related to construction, may be substituted for professional experience, as defined above; one full year of such experience will be considered the equivalent of one-half year of full-time professional experience, but not over two years of credit toward professional experience will be given for such experience.

(6) Employment by Government agencies, including the military, when diversified and comparable to employment in the office of a registered Landscape Architect with a verified record of substantial practice shall receive full credit with no time limitation. Such work shall be directly related to Landscape Architecture and shall be under the direct supervision of a registered Landscape Architect. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(7) Employment by organizations that have employees performing Landscape Architectural services in connection with projects used or owned by that organization when said employment is directly related to Landscape Architectural work and is under the direct supervision of a registered Landscape Architect shall receive full credit with no time limitation. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(8) Employment or practice in such fields as interior design, architecture, engineering, city planning and periods of employment with such organizations as VISTA, HUD, Peace Corps and advocacy planning shall receive full credit up to a maximum of two years.

(9) Practical training gained prior to the acquisition of a Landscape Architecture degree shall be credited in accordance with the CLARB Table of Equivalents.

(10) An advanced degree from an ASLA Committee on Education accredited Landscape Architecture curriculum or teaching and research in such accredited curricula shall receive full credit up to a maximum of two years.

(11) Other training, education, teaching or practical experience will not be acceptable to the Board.

(b) Application and Oral Examination.

The Board shall review the applicant's experience record and conduct a personal interview of each applicant for admission to the examination process. The personal interview shall consist of direct examination by Board to include such additional exhibits of drawings, specifications, photographs of work, letters of reference, as the Board may direct.

(c) Written Examination.

(1) Landscape Architect-in-Training Examination

Part I -	History and Theory	2 hours
Part II -	Planting Design and Materials	6 hours
Part III -	Landscape Architectural Design	12 hours

(2) Professional Practice Examination

Part IV -	Landscape Architectural Construction	10 hours
Part V -	Professional Administration	2 hours

(3) Handbooks, tables, reference books, bound notes and hand-held non-programmable battery-operated electronic calculators are permitted when authorized by the Board.

(d) Landscape Architect-in-Training. An applicant for certification as a Landscape Architect-in-Training shall present satisfactory evidence to the Board that he or she has either:

(1) Graduated from an accredited Landscape Architectural curriculum appearing on the list of accredited curricula current at the time of his or her graduation as published by the American Society of Landscape Architects (ASLA) Committee on Education, or

(2) Completed ten years of satisfactory diversified experience under the supervision of registered Landscape Architects; each scholastic year of study satisfactorily completed in a curriculum accredited by the ASLA Committee on Education shall be considered in accordance with the National Council of Landscape Architectural Registration Boards (CLARB) Table of Equivalents.

(e) Professional Practice Examination.

An applicant for registration as Landscape Architect by examination shall be admitted to the Professional Practice Examination in Landscape Architecture provided he or she has:

(1) Successfully completed the Landscape Architect-in-Training Examination and

(2) Completed a total of thirteen years of combined education and experience satisfactory to the Board. Each year of education approved by the Board in accordance with the table herein shall be credited as two years of experience.

(f) Qualification for Registration Without Written Examination.

The Board shall, with reference to applications for registration received prior to January 1, 1977, issue a certificate of registration as a landscape architect, without examination, to any applicant submitting evidence to the Board that he has had not less than ten years full-time experience, or equivalent, in the practice of landscape architecture of a character satisfactory to the Board. Each such applicant shall appear before the Board for a personal interview for the purpose of reviewing the applicability of experience for registration.

Exhibit 5

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter Of:

Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

CERTIFICATE

I hereby certify that the State Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture received from this office on November 7, 1975 at 8:00 A. M. a current and complete list of persons, associations, and other interested groups who have requested pursuant to Minn. Stat. 1971, §15.0412, et seq. , that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on Proposed Rules on the subject captioned above.

Joan Anderson Growe
SECRETARY OF STATE
Joan Growe

By Ceil Dion
Ceil Dion

5

ALBERT,AA CALDER CORP
366 JACKSON ST
ST PAUL MN
55101

ALLENDORF MARSHALL
220 GRAIN EX 400 S 4TH
MPLS MN
55415

ALTMAN MILTON H
707 DEGREE OF HONOR BLD
ST PAUL MN
55101

AM CAMPING ASSN MRS LEACOCK
1235 BRIGHTON SQ
NEW BRIGHTON MN
55112

AM INST PROF GEOLOGISTS
2201 PRINCETON AVE
ST PAUL MN
55105

ANCHOR BLOCK COMPANY
PO BOX 3360
ST PAUL MN
55165

ANDERSON GRAHAM
951 E HENN
MPLS MN
55414

ANDERSON HERBERT
41[redacted]8TH ST. SO.
VIRGINIA MN
55792

ANDERSON HAROLD
BOX 3047
MANKATO MN
56001

ANDERSON JAMES
7703 NORMANDALE RD
MPLS MN
55435

ANDERSON STANFORD P
14600 MINNETONKA BLVD
MINNETONKA MN
55343

ANTHONY DICK WDSM RADIO
230 E SUPR ST
DULUTH MN
55102

ARNOLD ROBERT MESPA
41 SHERBURNE
ST PAUL MN
55103

ARROWHEAD REGIONAL DEV COMM
900 ALWORTH BLDG
DULUTH MN
55802

ARVER JOHN A
2467 COHANCY
ST PAUL MN
55113

ASMUSSEN,DENNIS,MPIRG
3036 UNIV AVE SE
MPLS MN
55414

ASSOCIATED GEN CONTROF MN
48 E 8TH STREET
ST PAUL MN
55101

ASSOCIATED INDUST OF MPLS
NATIONAL BLDG
MPLS MN
55402

ASSN OF MINN COUNTIES
55 SHERBURNE AVE #203
ST PAUL MN
55103

ASSN RESIDENCES FOR RETARDED
459 RICE SUITE 301
ST PAUL MN
55103

AUTOMOBILE MFRS ASSN INC
55 SHERBURNE AVE
ST PAUL MN
55103

BABCOCK LOCHER NELSON ET
118 E MAIN ST
ANOKA MN
55303

BADALICH JOHN P
2025 THOMPSON AVE
SO ST PAUL MN
55075

BARRETT FRED
ST LOUIS CO COURT HOUSE
DULUTH MN

BARTHOLOW HAROLD E FIRE CHF
2600 109 AVE N W
COON RAPIDS MN
55433

BECK PAT
953 HYACINTH AVE
ST PAUL MN
55106

BECKLIN ROBERT C
447 N W 4TH
CAMBRIDGE MN
55008

BEECHER EVERETT
10 10 1ST ST SO
HOPKINS MN

BEMIDJI STATE COLLEGE
PLACEMENT BUR.J.C.BRADY
BEMIDJI MN
56601

BENSONI PETER USW OF AM
609 PROVIDENCE BLDG.
DULUTH MN

BERGERUD ALF
300 ROANOKE BLDG
MPLS MN
55402

BERGSETH THOMAS
1011 NICOLLET MALL
MPLS MN
55403

BEST FLANAGAN ET AL
4040 IDS CENTER
MPLS MN
55402

BEUTEL ROBERT
2200 SILVER LAKE RD
NEW BRIGHTON MN
55112

BLOMQUIST BARRY L

NORTH BRANCH MN
55056

BLOOMINGTON CITY CLERK
2215 W OLD SHAKOPEE RD
BLOOMINGTON MN
55431

BREHL JAMES W
332 HAMM BLDG
ST PAUL MN
55102

BRIGGS & MORGAN - B F FRI
2200 W 1ST NATL BK BLDG
ST PAUL MN
55101

BRIGHAM E M III
RR4
RED WING MN
55066

BROEKER JOHN
2850METRO DR. SUITE 504
BLOOMINGTON MN
55420

BROOKS WILLIAM F JR
854 MIDLAND BK BLDG
MPLS MN
55401

BROWN D M GOODRIDGE PUB S
IND DIST #561
GOODRIDGE MN
56725

BROWN H D
4961 KINGSBERRY LANE
MINNETONKA MN
55343

BRUBACHER RICHARD COMM ADM
208 ADM BLDG
ST PAUL MN
55101

BRUNING C.R.DEPT.CLINIC.EXP.
BURTON HALL
MPLS. MN
55455

BUCHHOLTZ CHARLES
5044 BRENT AVE E
INV GRV HTS MN
55075

BURGER ALBERT
600 DEGREE OF HONOR BLD
ST PAUL MN
55101

BUR.ENGR.IND.DIV. MR.KIBIGER
219 N. 2ND ST.
MPLS. MN

BUR NATL AFFAIRS INC
1231 25TH ST NW
WASHINGTON DC
20037

BUSCH NOEL
3131 FERNBROOK LANE N
MPLS MN
55441

CAIN RUTH
730 E 38TH ST
MPLS MN
55407

CAIRNS JOHN A
47TH FLR IDS CENTER
MPLS MN
55402

CARLSON CARL L
7516 80TH ST S
COTTAGE GROVE MN
55016

CARLSON VERNE E
BOX 755 CITY HALL
WILLMAR MN
56201

CARRISON DALE K
MANKATO STATE COLLEGE
MANKATO MN
56001

CENTRAL BUSINESS DATA
BENSON RADIO ARCADE BLD
BENSON MN
56215

CENTRAL MN REGIONAL DEV C
1139 FRANKLIN AVE
SAUK RAPIDS MN
56379

CHAMBER OF COMMERCE
30 SO 1ST AVE EAST
ELY MN
55731

CHAMBERLAIN JOHN L
PO BOX 241
MPLS MN
55440

CHERCHES CHRIS CITY MGR
5005 MTKA BLVD
ST LOUIS PARK MN
55416

CHRISTIAN SCI COMM ON PUB
1821 UNIV AVE SUITE 271
ST PAUL MN
55104

CHRISTIANSEN FREDRIK
RM 505 CAPITOL SQ BLDG
ST PAUL MN
55155

CLARKSON J.B.
2350 I.D.S. CENTER
MINNEAPOLIS MN
55402

COMMUNITY DESIGN CENTER
11[illegible] 26TH ST
MPLS MN
55404

CHRYSALIS CENTER FOR WOMEN
2104 STEVENS AVE S
MPLS MN
55404

CLAUSEN PHILLIP
2307 STANDISH ST
ST PAUL MN
55108

CONCORDIA COLLEGE
DEAN
MOORHEAD MN
56560

CRAVEN NORMAN
10637 THOMAS AVE S
BLOOMINGTON MN
55431

DAILEY THOMAS ECONOMICS LAB
370 WABASHA ST
ST PAUL MN
55102

DEVELOP DISABILITIES PROGRAM
STATE PLAN 101 CAP SQ
ST PAUL MN
55155

DORSEY MARQUART
2400 1ST NATL BANK BLDG
MPLS MN
55402

DUDLEY E H
PT 7 BOX 122
EXCELSIOR MN
55331

CITY CLERK
386 CITY HALL
ST PAUL MN
55102

~~COLEMAN NICHOLAS D~~
~~700 LINWOOD AVE~~
~~ST PAUL MN~~
~~55105~~

CONSUMER SERVICES DEPT COMM
5TH FLR METRO SQ BLDG
ST PAUL MN
55101

CROW WING CO PLANNING & ADV
COURT HOUSE
BRAINERD MN
56401

DANKERS, KENNETH
1200 WEST FOURTH STREET
RED WING MN
55066

DICKINSON MRS JOANNE
BOX 1065
MARSHALL MN
56258

DOUGLASS BELL
525 OSBORN BLDG
ST PAUL MN
55102

DUNN OLIVER PLUMBERS LOC 15
708 SO 10TH ST
MPLS MN
55404

CITIZENS LEAGUE
530 SYNDICATE BLDG
MPLS MN
55402

COLLIN LAURENCE
RT 2
ISANTI MN
55040

COUNTY ATTYS COUNCIL
95 SHERBURNE AVE S203
ST PAUL MN
55103

CUSHMAN J S DAYTON HUDSON
700 NICOLLET MALL
MPLS MN
55402

DANIELSON RODNEY L
418 AUDITORIUM
ST PAUL MN
55102

DIEHL JOHN
26 KENWOOD PKWY
ST PAUL MN
55105

DOW CHEMICAL
47 BLDG
MIDLAND MI
48640

DZUGAN KEN ST PAUL PLANNI
421 WABASHA ST
ST PAUL MN
55102

[illegible]DON CHAS SIERRA CLUB
800 MIDLAND BANK BLDG
MPLS MN
55401

DISPATCH PIONEER PRESS
PRESS RM STATE CAPITOL
ST PAUL MN
55101

Doyton Maurice, MET SEWER BD
350 Metro Sq Bldg
St. Paul MN
55101

EBELING EDWARD H.
161 W. MAIN
PERHAM MN
56573

ELDER DR JAMES B
11140 WASHBURN AVE SO
BLOOMINGTON MN
55431

ELDRED R W ARMOUR & CO
UNION STOCK YARDS
SO ST PAUL MN
55075

ELMER EDWIN W
2901 PLEASANT AVE
MPLS MN
55408

EMERICK RICHARD A
1908 IDS CENTER
MPLS MN
55402

ENNIS A F BOISE CASCADE
PO BOX 713
INTL FALLS MN
56649

ENV SERV-GEN RESOURCE COR
6340 INDUSTRIAL DR
HOPKINS MN
55343

ERDMAN ROGER TENNANT CO
70[redacted]N LILAC DR
MPLS MN
55441

ERNEST K LEHMANN & ASSOC.
1409 WILLOW ST.
MPLS MN
55403

ESSE KENNETH
4801 W 50TH ST
EDINA MN
55424

ETHICS COMM
RM 410 STATE OFF BLDG
ST PAUL MN
55155

EVANS CHAS.L. PRENTICE-HALL
ENGELWOOD CLIFFS
NEW JERSEY

EVERETT JERRY NW PETRO ASSN
512 NICOLLET MALL RM917
MPLS MN
55402

EWALD DOUGLAS MINN HOSP ASSN
2333 UNIV AVE SE
MPLS MN
55414

EWING MRS WM
42 ASTAR RD
BABBITT MN
55706

FAEGRE & BENSON ATTN LIBR
1300 NW BANK BLDG
MPLS MN
55402

FARMERS ELEVATOR ASSN
852 GRAIN EXCH BLDG
MPLS MN
55415

FARRELL FRANK BUR NOR
RM 1180 176 E 5TH ST
ST PAUL MN
55101

F[redacted]HABER R S
W 1ST NATL BANK BLDG
ST PAUL MN
55101

FINLEY JAMES F
920 MINN BLDG
ST PAUL MN
55101

FINNEGAN J.R.
55 E. 4TH
ST.PAUL MN
55101

FLADLAND CLINTON MN L&P B
796 RAYMOND AVE
ST PAUL MN
55114

FLEMING FREDERICK A
1860 HIGHLAND PARKWAY
ST PAUL MN
55116

FITZGERALD DR BOB
3007 LYNDALE AVE SO
MPLS MN
55408

FORBES GORDON MINN RRS ASSN
203 HANOVER 480 CEDAR
ST PAUL MN
55101

FORSBERG AGR SERV
518 SUMMIT AVE
NEW ULM MN
56073

FOX W.E. LINDQUIST & VENNUM
4200 IDSCTR 80 S.8TH ST
MINNEAPOLIS MN
55402

FRANKLIN ROBERT B MPLS TRIB
426 PORTLAND
MPLS MN
55415

FREDIN CONRAD M
811 FIRST NATL BK BLDG
DULUTH MN
55802

FREDRIKSON BYRON ET AL
47TH FLR IDS CENTER M
PLS MN
55402

FURLONG DR JOHN
RT 1
BOVEY MN
55709

F W WOOLWORTH CO
3316 W 66TH ST
EDINA MN
55424

GALVIN M J JR
W2162 1ST NATL BK BLDG
ST PAUL MN
55101

GARDNER HDW - R A JOHNSON
515 WASHINGTON AVE N
MPLS MN
55401

GEBERT K L
220 GRAIN EXCH
MPLS MN
55415

GEO A HORMEL & CO LAW DEPT
PO BOX 800
AUSTIN MN
55912

GEORGE K GRANSE CO
1477 SELBY AVE
ST PAUL MN
55104

GIEL DAVID
RM 8-28 STATE CAPITOL
ST PAUL MN
55155

GLEESON MICHAEL
909 SOC SC BLDG U OF M
MPLS MN
55455

GLEN. HILLS HOSP.R.VAN HAUER
3901 GOLDEN VALLEY RD.
MPLS. MN
55422

GODIN RALPH J
3824 47TH AVE SO
MPLS MN
55406

GRAHAM THOS H
854 MIDLAND BK BLDG
MPLS MN
55401

GRANATH MARVIN -HONEYWELL
2701 4TH AVE SO
MPLS MN
55408

GREATER MET AREA HOSPITALITY
5152 CEDAR AVE S
MPLS MN
55417

GREEN DEL CITY MGR
BLOOMINGTON CITY HALL
BLOOMINGTON MN
55431

GREEN GARY J
41 SHERBURNE AVE
ST PAUL MN
55102

GREEN JANET
9773 N SHORE DR
DULUTH MN
55804

GUSTAFSON DAN-LABOR TEMPLE
312 CENTRAL
MPLS MN
55414

GUSTAFSON WALLACE
BOX 567
WILLMAR MN
56201

H B FULLER CO
2400 KASOTA AVE
ST PAUL MN
55108

HANFT PHILIP M
1200 ALWORTH BLDG
DULUTH MN
55802

HANSON ETHEL
2813 85TH AVE N
MPLS MN
55444

HAROLD J WESTIN CONSTRUCTORS
45 E 8TH ST
ST PAUL MN
55101

HARVEY MICHAEL
1390 W M HAHA PKWY
MPLS MN
55409

HALLBERG LEE & MCCABE
4927 34TH AVE S
MPLS MN
55417

HAUN DR J W GEN MILLS
PO BOX 1113
MPLS MN
55440

HAYES, THOMAS W
700 SELLWOOD BLG
DULUTH MN
55812

HEALTH MANPOWER C LARSON
717 DELAWARE ST SE
MPLS MN
55440

HENTHORN GARY WOODSTOCK
7365 LANDAU DR
BLOOMINGTON MN
55438

HART PATRICK V
112 E LIBERTY BOX 3271
MANKATO MN
56001

HARTFELDT WILL
434 HAMM BLDG
ST PAUL MN
55102

HEAD & TRUHN
1007 SOO LINE BLDG
MPLS MN
55402

HEIM PAUL
1320 SOO LINE BLDG
MPLS MN
55402

HEINTZ MARY ELLEN
PO BOX 599
CINCINNATI OH
45201

HEISENFELT WM
BOX 516
BEMIDJI MN
56601

HICHINGER-MARK PLANNING
421 WABASHA ST
ST PAUL MN
55102

HILL JIM ASSOC.MILK PROD.
7850 METRO PARKWAY
MINNEAPOLIS MN
55420

HINRICHSEN PATRICK
MANKATO FREE PRESS
MANKATO MN
56001

HOLDAHL SCOTT
380 N BLDG GRAIN EXCH
MPLS MN
55[redacted]15

HOLEY GEO AERONAUTICS
DOWNTOWN AIRPORT
ST PAUL MN
55107

HOLMES EUSTIS ET AL
4610 IDS CENTER
MPLS MN
55402

HOPKINS WM.B. DIR.MISCCA
3915 GOLDEN VALLEY ROAD
GOLDEN VALLEY MN
55422

HORNER WALDORF - KAZIJKEWICZ
PO BOX 3260
ST PAUL MN
55165

HOULE MELVIN
881 W HWY 96
SHOREVIEW MN
55112

HOUSE APPROPRIATIONS COMM
RM 109 STATE CAPITOL
ST PAUL MN
55101

HOUSE ED STANDING SUB COM
RM 109 STATE CAPITOL
ST PAUL MN
55101

HOUSE RESEARCH
RM 17 STATE CAPITOL
ST PAUL MN
55155

HULSTRAND ANDERSON & LARSON
PO BOX 130
WILLMAR MN
56201

HULTMAN WARREN R
C/O BARBAROSSA R3
OSSEO MN
55369

HUMAN RIGHTS
200 CAPITOL SQ BLDG
ST PAUL MN
55101

HUNT JAMES P JR
[redacted]70 GALTIER DR
B[redacted]NSVILLE MN
55378

HUTCHISON R.M. ANOKA CO.COMP
COURT HOUSE
ANOKA MN
55303

HYLAND DEAN
1501 W 50TH ST
MPLS MN
55419

ILLINGWORTH ROBT C
6750 FRANCE AVE S
MPLS MN
55435

INGEBRIGTSEN DR K H
23 SE 4TH ST
MPLS MN
55414

INGVALSON VERN MN.FARM BUR.
3110 WOODDALE DR PO 337
OST PAUL MN
55165

INS ED OF MINN
902 SOO LINE BLDG
MPLS MN
55402

INTERSTATE POWER RW STEELE
1000 MAIN ST
DUBUQUE IA
52001

IUOE LOC 49 CHAS SWENSON
2580 UNIV AVE
ST PAUL MN
55101

IVERSON DR JOS DEPT ED
ST OLAF COLLEGE
NORTHFIELD MN
55057

IZAAK WALTON LEAGUE MN DI
106 TIMES BLDG 57 S 4TH
MPLS MN
55401

JACKMAN DONALD G
4023 E LAKE ST
MPLS MN
55406

JAIN NIRMAL ENIV PROCESS
1220 GLENWOOD AVE
MPLS MN
55405

JENOS INC
525 LAKE AVE SO
DULUTH MN
55801

JENSEN CARL A
127 E MAIN ST
SLEEPY EYE MN
56085

JOHNSON & SANDERSON
ST MARYS HOSPITAL
ROCHESTER MN
55901

JOHNSON CLARENCE IBEW LU 292
3615 37TH AVE S
MPLS MN
55406

JOHNSON LEROY
9939 BLUEBIRD ST NW
COON RAPIDS MN
55433

JOHNSON M.D. FRUNDT & FRUNDT

BLUE EARTH MN
56013

JOHNSON LANCE J
265 S LAFAYETTE RD
ST PAUL MN
55107

KABLE RICHARD W

BETHEL MN
55006

KAVANEY RICHARD
1220 NORTHERN FED BLDG
ST PAUL MN
55102

KEABLE MIKE
909 6TH AVE N
ST CLOUD MN
56301

KEENAN RICHARD J
4444 IDS BLDG
MPLS MN
55402

KEILY DANILE
3549 V2 PLEASANT AVE
MPLS MN
55408

KIMBALL ROBERT
647 CAPITOL SQ BLDG
ST PAUL MN
55101

KLOSTER MARION PEAVEY CO
730 2ND AVE S
MPLS MN
55402

KLUZ STEVEN J
1910 1ST NATL BK BLDG
MPLS MN
55402

KNOPP TIMOTHY
COLLEGE FORESTRY U OF M
ST PAUL MN
55108

KNUTSON DR KEITH, BIOLOGY DPT
ST CLOUD STATE
ST CLOUD MN
56301

KNUTSON R N GRANNIS ETAL
F J SCHULT BLDG
ST ST PAUL MN
55075

KNVDSON ROBT
4375 BROWNDALE AVE
MPLS MN
55424

KOLLER MR & MRS ERWIN A
1568 DULUTH ST
ST PAUL MN
55108

KOPP MRS VERNON
2050 65TH ST E
INVER GR HGHT MN
55075

KRAMER ERNEST W
717 DELAWARE ST SE
MPLS MN
55440

KRONLOKKEN J E
10048 NORD RD
BLOOMINGTON MN
55437

LAKE SUPERIOR INDUSTRIAL BUR
828 FIRST AM. BK. BLDG.
DULUTH MN
55802

LANAHAN E F - SIBLEY CO
184 E 6TH ST
ST PAUL MN
55101

LANGVIN DAVID
7500 80TH ST S
COTTAGE GROVE MN
55016

LANSING & OAKES
400 SIBLEY ST
ST PAUL MN
55101

LAPP LAZAR LAURIE ET AL
1200 BUILDERS EXCHANGE
MINNEAPOLIS MN
55402

LARSON C L
3800 MINNEHAHA AVE SO
MPLS MN
55406

LARSON HANS P DIV HOSP SERV
717 DELAWARE ST SE
MPLS MN
55440

LEAGUE MN MUNIC
300 HANOVER 480 CEDAR
ST PAUL MN
55101

LEAGUE WOMEN VOTERS OF MINN
555 WABASHA
ST PAUL MN
55102

LIBBEY LEONARD
BOX 17011 NOKOMIS STA
MPLS MN
55417

LINDALL & JONATHAN DEVELOP.
VILLAGE ONE CENTER
CHASKA MN
55318

LOCKNER GARY
R R 1 BOX 23
BAUDETTE MN
56623

LOOS CALVIN J
6809 LYNDALE AVE SO
MPLS MN
55[redacted]3

LOWE DOUG
2701 N LEXINGTON AVE
ROSEVILLE MN
55113

LYNCH DONALD SIBLEY CO
184 E 6TH ST
ST PAUL MN
55102

MCDONALD PHILIP M
2077 SELBY AVE
ST PAUL MN
55104

MCFADDEN G H DISPATCH-PRESS
55 E 4TH ST
ST PAUL MN
55101

MCKIBBON MRS SHIRLEY
11 EVERGREEN LN
BABBITT MN
55706

MCLELLAN LARKIN
215 ADM BLDG ST CAPITOL
ST PAUL MN
55101

MALONE E I COMM LABOR & INDU
444 LAFAYETTE RD 5TH FL
ST PAUL MN
55101

MANKATO STAT STUDENT SENATE
CENTENNIAL STUDENT UN
MANKATO MN
56001

MANKATO STATE STUDENT AS
BOX 58 MANKATO COLLEGE
MANKATO MN
56001

MANTHEY T J PICKANDS MATHER
1100 SUPERIOR AVE
C[redacted]ELAND OH
44114

MASTOR & MATTSON LTD
315 PEAVEY BLDG
MPLS MN
55402

MAUL WARREN E
320 S 4TH ST
MPLS MN
55415

MAYO FOUNDATION G ORWOLL
200 FIRST AVE NW
ROCHESTER MN
55901

MECCA
867 GRAND AVE
ST PAUL MN
55105

MEIEROTTO, JOAN
1794 SO LEXINGTON
ST PAUL MN
55118

MERRITT GRANT POLLUTION CONT
1935 W CO RD 32
ROSEVILLE MN
55113

MET TER MEN ASSN A ROSENT
1821 UNIV AVE
ST PAUL MN
55104

METROPOLITAN COUNCIL LIBRARY
300 METRO SQUARE
ST PAUL MN
55155

MIDLAND GLASS- HD SPURLING
PO BOX 69
SHAKOPEE MN
55379

MILLER RICHARD A
1020 PLYMOUTH BLDG
MPLS MN
55402

MILLER TOM
2311 PILLSBURY AVE S
MPLS MN
55404

MPLS CHAMBER COMM TRANSP DPT
15 S 5TH ST
MPLS MN
55402

MPLS CITY ATTORNEY
325M CITY HALL
MPLS MN
55415

MPLS STAR PRESS ROOM
STATE CAPITOL
ST PAUL MN
55101

MPLS TRIBUNE CITY DESK
425 PORTLAND AVE
MPLS MN
55415

MIDLAND GLASS-HD SPURLING
PO BOX 69
SHAKOPEE MN
55379

MILLER PAUL J PHARMACY SERV
ST MARYS HOSP
ROCHESTER MN
55901

MINN APT ASSN
GRIGGS-MIDWAY BLDG
ST PAUL MN
55104

MN. ASN.C&IND H.D.PETERSO
480 CEDAR ST.
ST.PAUL MN
55101

MINN AFL-CIO, L O LA SHOMB
414 AUDITORIUM ST
ST PAUL MN
55102

MINN ASPHALT PAVEMENT ASSN
555 WABASHA RM 209
ST PAUL MN
55102

MINN ASSN COOPERATIVES
55 SHERBURNE AVE
ST PAUL MN
55103

MINN ASSN ELEC COOPERATIV
4901 W 77TH ST
MPLS MN
55435

MINN. ASSN. PET RETAILERS
1115 2ND AVE. SO.
MINNEAPOLIS MN
55403

MINN ASSN WATERSHED DIST'S

ADA MN
56510

MINN AUTOMOBILE DEALERS ASSN
GRIGGS MIDWAY BLDG
ST PAUL MN
55104

MINN COMM FOR HANDICAPPED
METRO SQ 492 7TH & ROBT
ST PAUL MN
55101

MINN COMMUNITY DEVELOP SERV
512 ROSSMOR BLDG
ST PAUL MN
55101

MINN COUNCIL STATE EMP NO 6
475 RICE ST
ST PAUL MN
55103

MINN DEPT HEALTH J C MCKASY
717 DELAWARE S E
MPLS MN
55440

MINN DENTAL HYGIENISTS
5041 YVONNE TERRACE
MPLS MN
55436

MINN ELECTRICAL ASSN INC
5[illegible] SO 7TH
MPLS MN
55415

MINN ENV LAW INST INC
PO BOX 15076 COMM STA
MPLS MN
55415

MINN FARMERS UNION PRES OFF
1275 UNIV AVE
ST PAUL MN
55104

MINN FOOD RETAILERS ASSN
555 WABASHA
ST PAUL MN
55101

MINN HEREFORD-LJ SCHAFER

BUFFALO LAKE MN
55314

MINN. HOTEL & MTR. ASSN
2001 UNIVERSITY AVE
ST PAUL MN

MINN HOUSING INST N T CARTER
7801 METRO PKWY
MPLS MN
55420

MINN HWYS MANAGEMENT SERV
407 HWY BLDG
ST PAUL MN
55101

MINN LAND USE COMMITTEE
4344 IDS CENTER
MPLS MN
55402

MINN LP GAS ASSN
7515 WAYZATA BLVD 106
MPLS MN
55426

MINNE MINE CREDIT UNION
3000 HUDSON PK S 100
ST PAUL MN
55119

MINN.MTR.TRANSP. .J.N.D
1821 UNIV.
ST.PAUL MN
55104

MINN PETROLEUM COUNCIL
1020 NORTHERN FED BLDG
ST PAUL MN
55102

MINN POULTRY & HATCHERY ASSN
BOX 158
MADELIA MN
56062

MN REP STATE CENTRAL COMM
555 WABASHA AVE
ST PAUL MN
55102

MINN RESTAURANT ASSN
2001 UNIVERSITY AVE.
ST PAUL MN 55
104

MINN RETAIL FEDERATION
7600 PARKLAWN STE 457
MPLS MN
55435

MINN RETAIL HARDWARE ASSN
3033 EXCELSIOR BLVD 313
MPLS MN
55416

MINN SOCIETY ARCHITECTS AIA
NW NATL BK BLDG
ST PAUL MN
55101

MINN SOC CERTIFIED PUB AC
1102 WESLEY TEMPLE BLDG
MPLS MN
55403

MINN STATE BAR ASSN
100 MINN FED BLDG
MPLS MN
5[redacted]02

MINN STATE BD PHARMACY
717 DELAWARE ST SE #351
MPLS MN
55414

MINN STATE CAPITOL EMP UNION
PO BOX 3215
ST PAUL MN
55165

MINN STATE MED ASSN
375 JACKSON ST
ST PAUL MN
55101

MINN STATE RETIREMENT SYSTEM
529 JACKSON ST
ST PAUL MN
55101

MINN TEAMSTERS CREDIT UNION
2021 HENN AVE E
MPLS MN
55413

MINN TBR PRODUCERS ASSN
200 CHRISTIE BLDG
DULUTH MN
55802

MINN.TURKEY GROWERS ASSN
2383 UNIV AVE
ST PAUL MN
55114

MINN VETERANS MED ASSN
2175 W HWY 36
ROSEVILLE MN
55113

MINN WATER RESOURCES BD
RM 206 555 WABASHA ST
ST PAUL MN
55102

MINN-WISC BOUNDARY AREA COMM
600 2ND ST
HUDSON WI
54016

MN PUB INT RESEARCH GROUP
3036 UNIV AVE SE
MPLS MN
55414

MOFFITT R C
RM 301 M MPLS CITYHALL
M[redacted]S MN
55415

MOOD R BLOOMINGTON HLTH DEPT
10200 PENN SO
BLOOMINGTON MN
55431

MOONEY, MICHAEL A.
BOX 903, ST.JOHN'S UNIV
COLLEGEVILLE MN
56321

MORTON BUILDINGS INC
R #1
FOLEY MN
56329

MPIRG
BOX 45 ST MARYS COLLEGE
WINONA MN
55987

MUCK THOS R
160 STATE OFF BLDG
ST PAUL MN
55155

MUELLER SHIRLEY A
787 W COTTAGE AVE
ST PAUL MN
55117

NASS GEO V HENN CO GEN HOSP
5TH AND PORTLAND AVE
MPLS MN
55415

NATL CAR RENTAL ATT D MITZEL
5501 GREEN VALLEY DR
MPLS MN
55437

NATL COUNCIL JEWISH WOMEN
4330 CEDAR LK RD
MPLS MN
55416

NATL FAMILY INS CO
2147 UNIV AVE
ST PAUL MN
55114

NAT'L SOLID WASTES-R. GRASSO
1730 RHODE ISLAND AV.NW
WASHINGTON DC
20036

NCEC INC C/O DR DAHLBERG
CONCORDIA COLLEGE
MOORHEAD MN
56560

NEDELL HAROLD - MEINEKE
6300 W LOOP S SUITE 200
BELLAIRE TX
77401

NEREN MADONNA
376 NEAL AVE S
AFTON MN
55001

NESBITT JOHN
7851 METRO PKWY S 118
MPLS MN
55420

NEUMAN RALPH W
RT 2 BOX 125
EMBARRASS MN
55732

NIELSEN STOCK & BLACKBURN
415 730 BLDG
MPLS MN

NO SUB MONTESSORI-S SADDL
2487 HELEN COURT
NO ST PAUL MN
55109

NORTH CENTRAL ELEC ASSN
PO BOX 202
BOTTLE LAKE MN
56515

NW COUNTRY ELEVATOR ASSN
802 GRAIN EXCH BLDG
MPLS MN
55415

NURSING HOME ADMRS BD EXAMRS
RM 340 717 DELAWARE SE
MPLS MN
55414

NUTTER JULIA
743 W MONTANA
ST PAUL MN
55117

NW BELL TEL CO LEGAL DEPT
224 S 5TH ST RM 2000
MPLS MN
55402

NYQUIST DEAN A
3707 53RD PL N
BROOKLYN CTR MN
55429

O'BRIEN J.DENNIS
1100 1ST NATL.BANK BLDG
MINNEAPOLIS MN
55402

OFFICE OF THE GOVERNOR
130 STATE CAPITOL
ST PAUL MN
55101

OLD COLONY GAS & OIL COMPANY
17TH AVE N AT 2ND ST
MPLS MN
55411

OLOFSON ARTHUR MBO & MAINC
927 SOO LINE BLDG
MPLS MN
55402

OSTRUM DONALD E
PO BOX 33163
COON RAPIDS MN
55433

OTTER TAIL POWER CO.
215 S. CASCADE ST.
FERGUS FALLS MN
56537

PATTISON ORVIS
BOX 645
WILLMAR MN
56201

PAYNE COL ALVIN

DEGRAFF MN
56233

PAYNE WM B
2400 FIRST NATL BK BLDG
MPLS MN
55402

PETERSON JOHN W
510 NW BK BLDG
ST PAUL MN
55101

PETERSON GARY
854 MIDLAND BK BLDG
MPLS MN
55401

PFEIFER AND SHULTZ, INC
1433 UTICA AVE S
MPLS MN
55416

PHAR MFGRS ASSN WM D PATT
1155 15TH ST NW
WASHINGTON DC DC
20005

PHILLIPS LEGISLATIVE SERVICE
459 RICE ST
ST PAUL MN
55103

PINNETTI NICK M HALEY & ASS.
40 CENTRAL PARK S
NEW YORK NY
10019

POPOVICH PETER S
314 MINN BLDG
ST PAUL MN
55101

PORTER LYLE O

TRACY MN
56175

PORT AUTH CITY OF ST PAUL
330 MINNESOTA BLDG
ST PAUL MN
55101

PORTER DAVID
3212 LONGFELLOW AVE S
MPLS MN
55407

POSS DONALD G
6301 SHINGLE CREEK PKWY
BROOKLYN CTR MN
55430

POYZER ROBT
BOX 675
FERGUS FALLS MN
56357

PRAUSE JOS.C.
2220 105TH AVE.N.W.
COON RAPIDS MN
55433

PROCTOR&GAMBLE L THEOHAROUS
IVORYDALE TECH CENTER
CINCINNATI OH
45217

PULSCHER RBT SPRINGSTED INC
813 OSBORN BLDG
ST PAUL MN
55102

RADMAN RICHARD-LABOR TEMPLE
418 AUDITORIUM
ST PAUL MN
55102

RANALLO CLARENCE
800 CENTRAL AVE N E
MPLS MN
55413

RAMSEY CO MEDICAL SOCIETY
1500 LOWRY MEDICAL BLDG
ST PAUL MN
55102

RAUENHORST CORP-C ANDERSON
7900 XERXES S. S-2200
MPLS MN
55431

REAGAN MICHAEL
% MINN LEARNING CTR
BRAINERD MN
56401

RED OWL STORES INC
215 E EXCELSIOR AVE
HOPKINS MN
55343

REID DAVID H
5633 WASHBURN AVE S
MPLS MN
55410

REINO O LAINE 3M COMPANY
3M CENTER
ST PAUL MN
55101

RENNER R.H. ST PAUL AREA CC
300 OSBORN BLDG.
ST PAUL MN
55102

RENQUIST ARTHUR NSP CO
414 NICOLLET MALL
MPLS MN
55401

RICHARDSON THOS
7851 METRO PKWY S 103
MPLS MN
55420

RICHARDS MONTGOMERY ET AL
[illegible] RAND TOWER
MPLS MN
55402

ROE DAVID
175 AURORA
ST PAUL MN
55103

ROBBIE JOSEPH
904 CARGILL BLDG NO CTR
MPLS MN
55402

ROBERTS DAVID E
1260 NW NATL BK BLDG
ST PAUL MN
55101

ROSS ALFRED
6356 WARE RD
LINO LAKES MN
55014

RUDY FLOYD
118 AVE C
CLOQUET MN
55720

SAN SIMEON DEVELOP CORP
OLD 1ST STATE BK BLDG
PAYNESVILLE MN

SANFORD S M
7000 PORTLAND AVE
RICHFIELD MN
55423

SATHRE, HARVEY
375 MARION STREET
ST PAUL MN
55103

SAX DOVE & STENSON
310 ENDICOTT BLDG
ST PAUL MN
55101

ST PAUL ASSN PLBG HTG MEC
614 AM NATL BK
ST PAUL MN

ST PAUL BUR HLTH DR P COX
555 CEDAR ST
ST PAUL MN
55101

ST PAUL FOOD RETAILERS ASSN
1220 ARCADE
ST PAUL MN
55106

SCARBOROUGH WILLIAM
DIV.ED. U.M.
MORRIS MN
56267

SCHLICHT REV RENT
611 W MAIN ST
BELLE PLAINE MN
56011

SCHMIDT D R MN ASSN REALTORS
6101 WAYZATA BLVD
MPLS MN
55416

SCHMIDT H W TCHRS RETIREMENT
302 CAPITOL SQ BLDG
ST PAUL MN
55101

SCHMIDT LARRY WCCO-TV NEWS
50 S 9TH ST
MPLS MN
55402

SCHNEIDER MAHLON
GREEN GIANT
LESUEUR MN
56058

SCHUTZ LINDA
RM 328 CAPITOL BLDG
ST PAUL MN
55155

SCHWARTAU NEAL METH HOSP
201 W CENTER ST
ROCHESTER MN
55901

SCHWERMAN EARL JR
1535 8TH AVE SE
ROCHESTER MN
55901

SCHWINN ROBT.P.
1400 SOO LINE BLDG.
MPLS. MN
55402

SCHNEIDER & NEESER
706 1ST ST SO PO BX 876
WILLMAR MN
56201

SCHROEDER ALFRED H
2172 CARROLL AVE
ST PAUL MN
55104

SENATE COUN OFF ROOM 24
STATE CAPITOL
ST PAUL MN
55101

SENATE FINANCE COMMITTEE
113 STATE CAPITOL
ST PAUL MN
55101

SENATE GOV OP COMM
RM 303 STATE CAPITOL
ST PAUL MN
55155

SHABATURA EUGENE H
2833 LAKE AVE SO
DULUTH MN
55811

SHARP BOB
4125 HIGHWOOD RD
ST LOUIS PK MN
55416

SHAW ROBERT M
616 MOBIL OIL BLDG
MPLS MN
55402

SHELL OIL CO. W.A. ROQUET
ONE SHELL PLAZA BX 2463
HOUSTON TX
77001

SITE ENGINEERS INC
900 REDWELL LANE
APPLE VALLEY MN
55124

SLOCUM CHARLES A
1203 IDS TOWER
MPLS MN
55402

SMERIKA WM.
BOISE CASCADE PAPERS
INTL FALLS MN
56649

SMITH MICHAEL
1423 NEWTON AVE N
MPLS MN
55411

SNELL LYN
BOX 314
EDEN VALLEY MN
55329

SNYDER ROBERT W
248 CO B U OF M
ST PAUL MN
55101

SODERBERG HAROLD J
1500 MIDWEST PLAZA BLDG
MPLS MN
55402

SODERMAN ANTHONY
152 S PLAZA BLDG
MPLS MN
55416

STANSFIELD ARLENE LAND OLKS
PO BOX 116
MPLS MN
55440

STATE BD.BARBER EXAMINERS
555 WABASHA
ST PAUL MN
55102

STATE BD VETERINARY EXAMI
C/O DR A C SPANNAUS DVM
WACONIA MN

STD AM LIFE & ANNUITY CO
3801 W 50TH ST
MPLS MN
55410

STEELWORKERS CREDIT UNION
BOX 250
BABBITT MN
55706

STENSLAND M.E. PRES. MVMA
203 NW 22ND ST.
AUSTIN MN
55912

STOLPESTAD BROWN & SMITH
1550 NW BK BLDG
ST PAUL MN
55101

STUPKA & MOREM
MIDTOWN BLDG
AUSTIN MN
55912

SULLIVAN J KIRK
PO BOX 200
BOISE ID
83701

SUMMIT NATL BANK D L MORRILL
205 AURORA AVE
ST PAUL MN
55103

SUSSEL CO.ATTN:TED SCHWEN
1850 COMO AVE.
ST PAUL MN
55108

SWANSON BURT E
W-2162 1ST NATL BK BLDG
ST PAUL MN
55101

SWANSON DALE
P O BOX 339
FOREST LAKE MN
55025

SWANSON GERALD H
212 CITY HALL
ROCHESTER MN
55901

SWEITZER R L HONEYWELL IN
2701 4TH AVE S
MPLS MN
55408

TATE VERN 3M CO
3M CENTER 220/6W
ST PAUL MN
55101

THOMPSON CONRAD
1107 23RD ST NW
ROCHESTER MN
55901

THOMPSON HESSIAN ET AL
1500 MIDWEST PLAZA BLDG
MPLS MN
55402

TIMESAVERS INC ATT R S VOLD
5270 HANSON COURT
MPLS MN
55422

TOUCHE ROSS & CO K H STOCKE
780 NORTHSTAR CNTR
MPLS MN
55402

TWIN CITY RETAIL DRUGGIST AS
2388 UNIV AVE
ST PAUL MN
55104

UNION STOCK YARDS
ATTN PRES
SO ST PAUL MN
55075

VAN CLEVE JOHN H
2101 HENN AVE
MPLS MN
55405

VAN DRAKE STEPHEN R
BOX 353
PELICAN RAPID MN
56572

VAN EVERA MUNDT ET AL
700 TORREY BLDG
DULUTH MN
55802

VERRILL JOHN E
DEPT SECONDARY ED UOF M
DULUTH MN
55812

VILLAGE OF WOODBURY-F.STRONG
561 TOWER DRIVE
NEWPORT MN
55055

VOLDNESS PERRY
IDS 8TH & MARQUETTE
MPLS MN
55402

~~VOSS REV GORDON O~~
~~11120 NE 7TH ST~~
~~BLAINE MN~~
~~55434~~

VOS LEROY
2137 BURNS AVE
ST PAUL MN
55119

WALD JEAN
5746 SANDER DR
MPLS MN
55417

WALTERS THOS H
4510 W 77TH ST STE 235
MPLS MN
55435

WANQUIST ALLEN
RM 252 FEDERAL BLDG
ST PAUL MN
55101

WELK G V NORTHERN STATES
414 NICOLLET MALL
MPLS MN
55401

WELLINGTON R R SKELLY OIL
PO BOX 1650
TULSA OK
75102

WESTIN CHAS W
220 MEDICAL ARTS BLDG
DULUTH MN
55802

WHITING RALPH
555 WABASHA SUITE 204
ST PAUL MN
55102

WHITLOCK A G
ECON LAB OSBORN BLDG
ST PAUL MN
55102

WILCOX J PATRICK
1220 NORTHERN FED BLDG
ST PAUL MN
55102

WM.MITCHEL COLLEGE LAW LIB.
2100 SUMMIT AVE.
ST.PAUL MN
55105

WILEY ENTERPRISES
101 5TH AVE SE
OSSEO MN
55369

WILSON R GARY PPG INDUST
1 GATEWAY CENTER
PITTSBURGH PA
15222

WIS FEEDER PIG MARKET CO-OP

FRANCIS CREEK WI

WOLKERSTORTER THEODORE
676 17TH AVE NW
NEW BRIGHTON MN
55112

WOZNIAK D D
401 FIRST FED BLDG
ST PAUL MN
55101

WYANT CLINTON W ATTY

ATKIN MN
56431

Norman Carpenter, Atty.
1300 NW Bank Bldg.
Minneapolis, Minnesota 55402

Minn. Government Engineers Council
700 Florida Ave. So.
Golden Valley, Mn. 55426

Minnesota Highway Signal & Lighting
Operations Unit
Twin City Airport, Mn. 55111

The individuals listed below received the Notice of Hearing with attachments for hearing scheduled for December 12, 1975.

Civil Service Bureau
Court House
Duluth, Minnesota 55802

Arthur V. Dienhart, VP-Engineering
Northern States Power Company
414 Nicollet Mall
Minneapolis, Minn. 55401

Civil Service Commission
312 - 3rd Avenue So.
Minneapolis, Mn. 55415

Jimmie Jones
Director of Public Works
City Hall-5005 Minnetonka Blvd.
St. Louis Park, Mn. 55416

Civil Service Bureau
265 Court House
St. Paul, Mn. 55101

Paul F. Cummings, Director
Architectural & Engineering Division
G-10 Administration Building
St. Paul, Mn. 55455

Minnesota State Personnel Department
215 Administration Building
St. Paul, Minn. 55155

National Electrical Contractors Assn.
St. Paul Chapter
Wesley Ohman, Chapter Manager
Minnesota State Bank Building
200 South Robert Street
St. Paul, Minn. 55107

Frank Marzitelli, Commissioner
Minnesota State Highway Department
411 Highway Building
St. Paul, Mn. 55155

Twin City Sheet Metal, Air Conditioning
and Roofing Contractors Assn.
Executive Director
2929 University Avenue SE
Minneapolis, Mn. 55414

National Electrical Contractors Assn.
Minneapolis Chapter
Oscar Norgren, Chapter Manager
2101 Hennepin Avenue
Minneapolis, Minn. 55405

Chris Enger
City of Eden Prairie
8950 Eden Prairie Rd.
Eden Prairie, Minn. 55343

Minnesota Association of Inst. Planners
Ronald H. West
Dir. of Community Development
City of Brooklyn Park
5800 - 85th Avenue No.
Brooklyn Park, Minn. 55443

Bruce A. Abrahamson
2675 University Avenue
St. Paul, Minn. 55114

Robert Knudson, Chmn.
Legis. & Gov' l. Affairs Committee
MSPE
4375 Browndale Avenue
Minneapolis, Minn. 55424

Rudolph W. Monson
414 West 1st Street
Duluth, Minnesota 55802

G. Leigh Morrow
P. O. Box 26388
Minneapolis, Minn. 55426

George A. Anderson
Gaylord, Minnesota 55334

Preston C. Haglin
3925 W. 44th Street
Minneapolis, Minnesota 55424

William A. Kleinhenz
University of Minnesota
125 Mechanical Engineering Building
Minneapolis, Minn. 55455

Richard F. Whiteman
1100 Alworth Building
Duluth, Minnesota 55802

L. W. Freeman, Jr.
Gas Utility
Northern States Power Company
6th Floor, 360 Wabasha
St. Paul, Minn. 55102

Lorenzo D. Williams
17 Washington Avenue No., Rm. 300
Minneapolis, Minnesota 55401

Guy Robert Johns
5528 Cumberland Road
Minneapolis, Minn. 55410

Norman Beck
Route 1
St. James, Minn. 56081

Mary Ann Murphy
136 Ruth Street
St. Paul, Minn. 55119

Elaine M. Fink
8701 Westmoreland
St. Louis Park, Minn. 55426

Edythe V. Naddy
9033 James Avenue
Bloomington, Minn. 55431

Diana R. Gramith
316 West Lake
Waconia, Minn. 55387

E. Jack Umland
8265 Scott Avenue
Minneapolis, Minn. 55443

American Institute of Aeronautics
and Astronautics
Twin Cities Section
c/o John C. Taylor, Honeywell, Inc.
2600 Ridgway Pkwy.,
Minneapolis, Minn. 55413

American Institute of Mining
Metallurgical and Petroleum Engineers
Minnesota Section
c/o J. B. Hustad
Hallett Minerals Co.
P. O. Box 6387
Duluth, Minn. 55806

American Institute of Chemical
Engineers
c/o John B. Brill
Economics Lab.
940 Lone Oak Rd.,
St. Paul, Mn. 55121

American Institute of Mining
Metallurgical and Petroleum Engineers
Twin Cities Sub-Section
c/o A. M. Anderson, State of Minn.
Centennial Bldg.
St. Paul, Minn. 55155

American Institute of Industrial
Engineers, Inc.
Twin City Chapter
c/o Mahendra Nath
Univac
2276 Highcrest Dr.
St. Paul, Mn. 55112

American Institute of Plant Engineers
Twin Cities Chapter
c/o Don Slathar
Pearson Candy Co.
2140 W. 7th St.
St. Paul, Mn. 55116

American Public Works Association
c/o Sherman Goldberg
Director of Public Works
Village of Plymouth
13800 Highway 55
Plymouth, Mn. 55441

American Society of Civil Engineers
Northwestern Section
c/o Herbert O. Klossner
Hennepin County Highway Division
320 Washington Ave. So.
Hopkins, Minn. 55343

American Society of Agricultural
Engineers
Minnesota Section
Eugene C. Meyer
Honeywell Inc.
2701 rth Ave. So.
Minneapolis, Min. 55408

American Society of Heating,
Refrigerating & Air-Conditioning
Engineers
Minnesota Chapter
c/o Larry E. Heinen
The Heinen Co.
5920 Wayzata Blvd.
Minneapolis, Mn. 55416

American Society of Agricultural
Engineers
North Central Region
c/o Arnold M. Flikke
Dept. of Agricultural Engineering
University of Minnesota
St. Paul, Mn. 55108

American Society of Landscape
Architects
Minnesota Chapter
c/o Herman D. Juffer
Office of Environmental Services
Minnesota Highway Dept.
St. Paul, Minn. 55155

Earl G. Oxley, Executive Director
Consulting Engineers Council of Minnesota
126 Wood-Excel Building
5009 Excelsior Blvd.
Minneapolis, Minn. 55416

American Society of Mechanical
Engineers
Minnesota Section
c/o Eigil J. Stordal
Control Data
7801 Computer Ave.
Minneapolis, Mn. 55421

County Highway Engineers Association
c/o Ralph Sleeper, Jr.
Blue Earth County
Highway Dept.
Box 3083
Mankato, Minn. 56001

City, Village Engineers Association
c/o John Strojan
City of Hopkins
1010 First St. So.
Hopkins, Minn. 55343

Engineers Club of Minneapolis
c/o John W. Danielson
Northwestern Bell Telephone Co.
15 S. Fifth St., Room 700
Minneapolis, Minn. 55402

Engineers Society of St. Paul
c/o John F. Garritsen
Minneapolis Sheet Metal
9 Eighth Ave. SW
New Brighton, Mn. 55112

Minnesota Federation of Engineering
Societies
c/o Keigh J. Allard
1974 Carl Street
St. Paul, Mn. 55113

Illuminating Engineering Society
Twin City Section
c/o Richard E. White
Fellan White & Assoc.
6524 Walker St.
Minneapolis, Mn. 55426

Mr. Elmer J. Peterson, Executive Secty.
Minnesota Land Surveyors Association
5724 - 11th Avenue So.
Minneapolis, Minn. 55417

Institute of Electrical & Electonics
Engineers Inc.
c/o Harry P. Bruncke
1710 N. Albert St.
Falcon Heights, Mn. 55113

Daniel J. Sheridan, Executive Director
Minnesota Society of Architects
100 Northwestern National Bank Building
St. Paul, Minnesota 55101

Minnesota Society of Industrial
Engineers
c/o Donn Willroth
PAKCO
6300 Olson Memorial Hwy.
Minneapolis, Minn. 55440

Society of American Value Engineers
Twin Cities Chapter
c/o Ellis Thompson
Donaldson Co.
1400 W. 94th St.
Minneapolis, Minn. 55431

Edward W. Johnson, Executive Director
Minnesota Society of Professional
Engineers
1821 University Avenue
St. Paul, Minnesota 55104

Society of Automotive Engineers
Twin City Section
c/o Richard Clemmer
Timken Co.
1104 Glenwood Ave.
Minneapolis, Mn. 55405

Society of American Military Engineers
Minneapolis-St. Paul Post
c/o J. L. Shiely, III
J. L. Shiely Co.
1101 Snelling Ave. No.
St. Paul, Mn. 55108

Society of Fire Protection Engineers
c/o A. G. Martino
Cargill
North Star Bldg.
Minneapolis, Mn. 55402

Society of Manufacturing Engineers
Minneapolis Chapter
c/o Robert Winter
Honeywell
4200 Philbrook Lane
Minneapolis, Minn. 55424

Society of Packaging and Handling
Engineers
Minnesota Chapter
c/o Paul A. Desens
Suburban Hennepin Co. Area Voc. Tech.
Center
9200 Flying Cloud Dr.,
Eden Prairie, Minn. 55343

Society of Manufacturing Engineers
St. Paul Chapter
c/o Laddy M. Miller
Miltec Devel. Co. Inc.,
1704 Norfolk Ave.
St. Paul, Minn. 55116

Society of Plastics Engineers
Upper Midwest Section
c/o Robert Kuhn
201 W. Burnsville Crosstown
Burnsville, Mn. 55373

Standards Engineers Society
c/o John Rehbein
MTS Systems
Box 6112
Minneapolis, Minn. 55425

House

The Honorable Irvin N. Anderson
State Representative
909 13th Street
International Falls, Minnesota 56649

The Honorable Glen H. Anderson
State Representative
Bellingham, Minnesota 56212

The Honorable Raymond J. Albrecht
State Representative
Brownton, Minnesota 55312

The Honorable Salisbury Adams
State Representative
250 North Central
Wayzata, Minnesota 55391

The Honorable Leo Adams
State Representative
3657 Maryland Ave. No.
New Hope, Minnesota 55427

The Honorable Lyle Abeln
State Representative
10930 Thomas Avenue South
Bloomington, Minnesota 55431

Start →

The Honorable James R. Casserly
State Representative
6441 University Avenue N.E.
Minneapolis, Minnesota 55432

The Honorable Roy Carlson
State Representative
350 8th Street
Pine City, Minnesota 55063

The Honorable Lyndon R. Carlson
State Representative
5819 Halifax Avenue North
Brooklyn Center, Minnesota 55429

The Honorable Arne Carlson
State Representative
4301 Fremont Avenue South
Minneapolis, Minnesota 55409

The Honorable Peggy Byrne
State Representative
524 Van Buren
St. Paul, Minnesota 55103

The Honorable Bernard J. Brinkman
State Representative
Richmond, Minnesota 56368

The Honorable Arthur M. Braun
State Representative
P. O. Box 10
Greenbush, Minnesota 56726

The Honorable Orv Birnstihl
State Representative
Route 5, Western Avenue
Faribault, Minnesota 55021

The Honorable John S. Biersdorf
State Representative
129 E. Broadway
Owatonna, Minnesota 55060

The Honorable Linda Berglin
State Representative
2309 Clinton Avenue South
Minneapolis, Minnesota 55404

The Honorable Tom Berg
State Representative
2112 Newton Avenue South
Minneapolis, Minnesota 55405

The Honorable Joseph R. Begich
State Representative
1001 W. 2nd Street
Eveleth, Minnesota 55734

The Honorable David Beauchamp
State Representative
1211 25th Avenue South
Moorhead, Minnesota 56560

The Honorable John Arlandson
State Representative
1304 Tyrol Trail
Golden Valley, Minnesota 55416

The Honorable Ron E[illegible]ms
State Representative
1104 Woodland Avenue
Mankato, Minnesota 56001

The Hon[illegible]ble Neil B. Dieterich
State Representative
113 Grain Exchange Building
Minneapolis, Minnesota 55415

The Honorable Gilbert Esau
State Representative
Mountain Lake, Minnesota 56159

The Honorable Frank H. DeGroat
State Representative
Lake Park, Minnesota 56554

The Honorable Wendell O. Erickson
State Representative
Hills, Minnesota 56138

The Honorable Bill Dean
State Representative
5225 York Avenue South
Minneapolis, Minnesota 55410

The Honorable Stanley A. Enebo
State Representative
3304 E. 25th Street
Minneapolis, Minnesota 55406

The Honorable Harold J. Dahl
State Representative
Box 337
Howard Lake, Minnesota 55349

The Honorable Willis R. Eken
State Representative
Twin Valley, Minnesota 56584

The Honorable John Corbid
State Representative
Oklee, Minnesota 56742

The Honorable A. J. Eckstein
State Representative
411 S. State
New Ulm, Minnesota 56073

The Honorable John Clawson
State Representative
Box 336
Center City, Minnesota 55012

The Honorable Gary Doty
State Representative
116 Parkland Avenue
Duluth, Minnesota 55801

The Honorable Janet Clark
State Representative
3025 Cedar Avenue South
Minneapolis, Minnesota 55407

The Honorable Robert Jensen
State Representative
17837 Flagstaff Avenue West
Farmington, Minnesota 55024

The Honorable Joseph P. Graba
State Representative
Route 1, Box 94
Wadena, Minnesota 56482

The Honorable Mike Jaros
State Representative
162 W. Palm Street
Duluth, Minnesota 55811

The Honorable Peter X Fugina
State Representative
5 Merritt Drive
Virginia, Minnesota 55792

The Honorable Joel Jacobs
State Representative
11932 Zion Street
Coon Rapids, Minnesota 55433

The Honorable Stanley J. Fudro
State Representative
2322 2nd St. N.E.
Minneapolis, Minnesota 55418

The Honorable Shirley Hokanson
State Representative
7345 Russell Avenue South
Richfield, Minnesota 55423

The Honorable Donald Friedrich
State Representative
R. R. #3
Rochester, Minnesota 55901

The Honorable O. J. Heinitz
State Representative
2555 Queensland Lane
Wayzata, Minnesota 55391

The Honorable Mary M. Forsythe
State Representative
4605 Edina Blvd.
Minneapolis, Minnesota 55424

The Honorable Neil S. Haugerud
State Representative
Route #3
Preston, Minnesota 55965

The Honorable David O. Fjoslien
State Representative
Route #2
Brandon, Minnesota 56315

The Honorable Walter R. Hanson
State Representative
1136 Hague Avenue
St. Paul, Minnesota 55105

The Honorable Ray W. Faricy
State Representative
2240 Goodrich Avenue
St. Paul, Minnesota 55105

The Honorable Michael George
State Representative
1140 Park Avenue
Mahtomedi, Minnesota 55115

The Honorable Doug Ewald
State Representative
15025 Highland Trail
Minnetonka, Minnesota 55343

The Honorable Richard Kostohryz
State Representative
2478 East Indian Way
North St. Paul, Minnesota 55109

The Honorable Randy Kelly
State Representative
1879 E. 7th Street
St. Paul, Minnesota 55119

The Honorable Franklin J. Knoll
State Representative
5316 1st Avenue South
Minneapolis, Minnesota 55419

The Honorable Henry Kalis
State Representative
Walters, Minnesota 56092

The Honorable Gerald Knickerbocker
State Representative
10100 Minnetonka Blvd.
Hopkins, Minnesota 55343

The Honorable John R. Kaley
State Representative
P. O. Box 996
Rochester, Minnesota 55901

The Honorable Marvin Ketola
State Representative
616 14th Street
Cloquet, Minnesota 55720

The Honorable Phyllis Kahn
State Representative
100 Malcolm Avenue S.E.
Minneapolis, Minnesota 55414

The Honorable Ray Kempe
State Representative
1 Signal Hills
West St. Paul, Minnesota 55118

The Honorable Thaddeus Jude
State Representative
5230 Sulgrove Road
Mound, Minnesota 55364

The Honorable Arnold Kempe
State Representative
28 Amelia Court
West St. Paul, Minnesota 55118

The Honorable Ralph P. Jopp
State Representative
Mayer, Minnesota 55360

The Honorable William N. Kelly
State Representative
East Grand Forks, Minnesota 56721

The Honorable Douglas J. Johnson
State Representative
P. O. Box 14
Cook, Minnesota 55723

The Honorable Carl M. Johnson
State Representative
Route 3, Box 124
St. Peter, Minnesota 56082

The Honorable Claudia Meier
State Representative
Route #2
Rice, Minnesota 56367

The Honorable George L. Mann
State Representative
Route #1
Windom, Minnesota 56101

The Honorable Tom Mangan
State Representative
533 Dean Street
Anoka, Minnesota 55303

The Honorable Bob McEachern
State Representative
601 North Walnut
St. Michael, Minnesota 55376

The Honorable Maurice McCollar
State Representative
3563 White Bear Avenue
White Bear Lake, Minnesota 55110

The Honorable M. J. McCauley
State Representative
404 East Howard Street
Winona, Minnesota 55987

The Honorable Paul McCarron
State Representative
732 - 82nd Avenue N.E.
Spring Lake Park, Minnesota 55432

The Honorable Bill Luther
State Representative
6925 Dallas Road
Brooklyn Center, Minnesota 55430

The Honorable John C. Lindstrom
State Representative
P. O. Box 913
Willmar, Minnesota 56201

The Honorable Richard Lemke
State Representative
Route #1
Lake City, Minnesota 55041

The Honorable Keith Langseth
State Representative
Glyndon, Minnesota 56547

The Honorable Gary Laidig
State Representative
114 North 4th Street
Bayport, Minnesota 55003

The Honorable Adolph L. Kvam
State Representative
25 W. Lockerbie
Litchfield, Minnesota 55355

The Honorable Carl Kroening
State Representative
3539 Vincent Avenue North
Minneapolis, Minnesota 55412

The Honorable James Pehler
State Representative
734 - 14th Avenue South
St. Cloud, Minnesota 56301

The Honorable Ken G. Nelson
State Representative
Room 299, State Office Building
St. Paul, Minnesota 55155

The Honorable Al Patton
State Representative
Box 163
Sartell, Minnesota 56377

The Honorable Bruce G. Nelsen
State Representative
Route 1
Staples, Minnesota 56479

The Honorable Richard J. Parish
State Representative
3826 W. Broadway
Golden Valley, Minnesota 55422

The Honorable Howard Neisen
State Representative
5150 Irondale Road
Moundsview, Minnesota 55112

The Honorable Tom Osthoff
State Representative
766 W. Maryland
St. Paul, Minnesota 55117

The Honorable Willard M. Munger
State Representative
1121 - 70th Avenue West
Duluth, Minnesota 55807

The Honorable Steve Novak
State Representative
2110 14th Street N. W.
New Brighton, Minnesota 55112

The Honorable Donald M. Moe
State Representative
232 State Office Bldg.
State Capitol, St. Paul, Minn. 55155

The Honorable Fred C. Norton
State Representative
1230 Commerce Building
St. Paul, Minnesota 55101

The Honorable Jim Metzen
State Representative
401 Orchard Lane
South St. Paul, Minnesota 55075

The Honorable Joseph T. Niehaus
State Representative
Route #3
Sauk Centre, Minnesota 56378

The Honorable Marion (Mike) Menning
State Representative
Box 464
Edgerton, Minnesota 56128

The Honorable Wayne Schumacher
State Representative
Rural Route
Glenwood, Minnesota 56334

The Honorable James I. Rice
State Representative
2220 Vincent Avenue North
Minneapolis, Minnesota 55411

The Honorable Victor Schulz
State Representative
Route #1
Goodhue, Minnesota 55027

The Honorable Leo Reding
State Representative
709 12th Avenue, N.W.
Austin, Minnesota 55912

The Honorable William H. Schreiber
State Representative
10001 Zane Avenue North
Brooklyn Park, Minnesota 55443

The Honorable Norman Prahl
State Representative
P. O. Box 537
Grand Rapids, Minnesota 55744

The Honorable Henry J. Savelkoul
State Representative
1100 Cedar
Albert Lea, Minnesota 56007

The Honorable Ray O. Pleasant
State Representative
9841 Xerxes Curve
Bloomington, Minnesota 55431

The Honorable John J. Sarna
State Representative
2837 Ulysses Street N.E.
Minneapolis, Minnesota 55418

The Honorable B. J. Philbrook
State Representative
2755 Rice Street
St. Paul, Minnesota 55113

The Honorable Donald B. Samuelson
State Representative
1018 Portland Avenue
Brainerd, Minnesota 56401

The Honorable Paul Petrafeso
State Representative
3200 Virginia
St. Louis Park, Minnesota 55426

The Honorable Martin O. Sabo
State Representative
3129 E. 22nd Street
Minneapolis, Minnesota 55406

The Honorable Darrell Peterson
State Representative
R. R. #3
Fairmont, Minnesota 56031

The Honorable Ted Suss
State Representative
Box 319
Prior Lake, Minnesota 55372

The Honorable Wayne Simoneau
State Representative
465 57th Place N.E.
Minneapolis, Minnesota 55432

The Honorable Russell P. Stanton
State Representative
Arco, Minnesota 56113

The Honorable Ron Sieloff
State Representative
1934 Rome
St. Paul, Minnesota 55116

The Honorable Douglas St. Onge
State Representative
Route 4, Box 387
Bemidji, Minnesota 56601

The Honorable Michael R. Sieben
State Representative
1652 Cedar Lane
Newport, Minnesota 55055

The Honorable John J. Spanish
State Representative
P. O. Box 575
Hibbing, Minnesota 55746

The Honorable Harry Sieben, Jr.
State Representative
4940 Viking Drive
Minneapolis, Minnesota 55435

The Honorable Elsworth Smogaard
State Representative
Route #2, Box 52
Madison, Minnesota 56256

The Honorable Glen Sherwood
State Representative
Star Route 60
Pine River, Minnesota 56474

The Honorable Howard E. Smith
State Representative
116 West Main
Crosby, Minnesota 56441

The Honorable A. O. H. Setzepfandt
State Representative
Bird Island, Minnesota 55310

The Honorable Wesley J. Skoglund
State Representation
5701 - 19th Avenue South
Minneapolis, Minnesota 55417

The Honorable Rodney N. Searle
State Representative
Route #1
Waseca, Minnesota 56093

The Honorable Ken Zubay
State Representative
1326 N.W. 2nd Street
Rochester, Minnesota 55901

The Honorable Gene Wenstrom
State Representative
Elbow Lake, Minnesota 56531

The Honorable Bruce Williamson
State Representative
121 West 90th Street
Bloomington, Minnesota 55431

The Honorable Gordon O. Voss
State Representative
11120 - 7th Street, N.E.
Blaine, Minnesota 55434

The Honorable Richard E. Wigley
State Representative
Route 2
Lake Crystal, Minnesota 56055

The Honorable Bruce F. Vento
State Representative
1534 Atlantic
St. Paul, Minnesota 55106

The Honorable Al Wieser
State Representative
704 South 4th Street
LaCrescent, Minnesota 55947

The Honorable Robert E. Vanasek
State Representative
807 N.E. Third Street
New Prague, Minnesota 56071

The Honorable Jim White
State Representative
512 Oak Street
Farmington, Minnesota 55024

The Honorable James E. Ulland
State Representative
Route 6, Box 181
Duluth, Minnesota 55804

The Honorable Stephen G. Wenzel
State Representative
Little Falls, Minnesota 56345

The Honorable John D. Tomlinson
State Representative
2176 Glenridge Avenue
St. Paul, Minnesota 55119

The Honorable James C. Swanson
State Representative
6827 5th Avenue South
Richfield, Minnesota 55423

Senate

Hon. Winston W. Borden
State Senator, District 13
6th & Laurel
Brainerd, Minnesota 56401

Hon. J. C. Anderson
State Senator, District 19
P. O. Box 460
North Branch, Minnesota 55056

Hon. Jerome V. Blatz
State Senator, District 38
7701 Harriet Avenue S.
Bloomington, Minnesota 55423

Hon. John J. Bernhagen
State Senator, District 22
Route 1
Hutchinson, Minnesota 55350

Hon. Charles Berg
State Senator, District 15
Chokio, Minnesota 56221

Hon. Otto T. Bang, Jr.
State Senator, District 39
5200 Dugan Plaza
Edina, Minnesota 55435

Hon. Robert O. Ashbach
State Senator, District 48
1585 Lake Johanna Blvd.
St. Paul, Minnesota 55112

Hon. Norbert Arnold
State Senator, District 3
Route 1, Box 93
Pengilly, Minnesota 55775

Hon. Roger Hanson
State Senator, District 10
Box 128
Vergas, Minnesota 56587

Hon. Mel Hansen
State Senator, District 61
4505 28th Avenue S.
Minneapolis, Minnesota 55406

Hon. Baldy Hansen
State Senator, District 31
State Bank of Rose Creek
Rose Creek, Minnesota 55970

Hon. Edward J. Gearty
State Senator, District 54
1102 W. Broadway
Minneapolis, Minnesota 55411

Hon. Mel Frederick
State Senator, District 32
414 Clyde St.
West Concord, Minnesota 55985

Hon. Richard W. Fitzsimons
State Senator, District 1
303 E. Prairie Ave.
Warren, Minnesota 56762

Hon. Robert G. Dunn
State Senator, District 18
503 8th Ave. S.
Princeton, Minnesota 55371

Hon. Ralph R. Doty
State Senator, District 8
4107 Dodge St.
Duluth, Minnesota 55804

Hon. John F. Davies
State Senator, District 60
2100 Summit Ave.
St. Paul, Minnesota 55105

Hon. George R. Conzemius
State Senator, District 25
800 W. Hoffman
Cannon Falls, Minnesota 55009

The Honorable Nicholas D. Coleman
Room 208
State Capitol
St. Paul, Minnesota 55155

Hon. Florian Chmielewski
State Senator, District 14
Sturgeon Lake, Minnesota 55783

Hon. John C. Chenoweth
State Senator, District 66
1126 Ivy Avenue East
St. Paul, Minnesota 55106

Hon. Robert J. Brown
State Senator, District 51
c/o College of St. Thomas
2115 Summit
St. Paul, Minnesota 55105

Hon. Nancy Brataas
State Senator
839 South West 10½ Street
Rochester, Minnesota 55901

Hon. Gene Merriam
State Senator
2924 116th Avenue N. W.
Coon Rapids, Minnesota 55433

Hon. William McCutcheon
State Senator, District 67
2238 Edgebrook Ave.
St. Paul, Minnesota 55119

Hon. Robert B. Lewis
State Senator, District 41
1601 Hillsboro Ave. S.
St. Louis Park, Minnesota 55426

Hon. Roger Laufenburger
State Senator, District 34
Box 6
Lewiston, Minnesota 55952

Hon. L. W. Larson
State Senator, District 35
Mabel, Minnesota 55954

Hon. Al Kowalczyk
State Senator, District 45
6016 70th Ave. N.
Brooklyn Park, Minnesota 55429

Hon. Howard A. Knutson
State Senator, District 53
1907 Woods Lane
Burnsville, Minnesota 55337

Hon. Jack [illegible] Kleinbaum
State Senator, District 17
27 - 7th Ave. S.
St. Cloud, Minnesota 56301

Hon. W. G. Kirchner
State Senator, District 37
6625 Lyndale Ave. S.
Richfield, Minnesota 55423

Hon. Stephen Keefe
State Senator, District 59
4217 Garfield Ave. S.
Minneapolis, Minn. 55409

Hon. John B. Keefe
State Senator, District 40
32 - 10th Ave. S.
Hopkins, Minnesota 55343

Hon. J. A. Josefson
State Senator, District 20
310 Grant N.
Minneota, Minnesota 56264

Hon. C. A. Jensen
State Senator, District 28
127 E. Main St.
Sleepy Eye, Minnesota 56085

Hon. Hubert H. Humphrey, III
State Senator, District 44
8116 40th Ave. N.
New Hope, Minnesota 55428

Hon. J. M. Hughes
State Senator, District 50
1978 Payne Avenue
Maplewood, Minnesota 55117

Hon. George S. Pillsbu
State Senator, District 42
930 Dain Tower
Minneapolis, Minnesota 55402

Hon. George Perpich
State Senator, District 5
104½ W. Lake St.
Chisholm, Minnesota 55719

Hon. A. J. Perpich
State Senator, District 6
4 Lakeside Drive S.
Ely Lake
P.O. Eveleth, Minnesota 55734

Hon. John Patton
State Senator, District 30
1007 S. Moore
Blue Earth, Minnesota 56013

Hon. Joseph T. O'Neill
State Senator, District 63
1381 Summit Ave.
St. Paul, Minnesota 55105

Hon. J. L. Olson
State Senator, District 26
612 Lake St.
Worthington, Minnesota 56187

Hon. H. D. Olson
State Senator, District 27
Route 3
St. James, Minnesota 56081

Hon. A. G. Olson
State Senator, District 21
RR #1
Spicer, Minnesota 56288

Hon. Wayne Olhoft
State Senator, District 11
Herman, Minnesota 56248

Hon. Harmon T. Ogdahl
State Senator, District 58
5026 Morgan Ave. S.
Minneapolis, Minnesota 55419

Hon. Robert D. North
State Senator, District 62
1642 Blair
St. Paul, Minnesota 55104

Hon. Rolf Nelson
State Senator, District 43
3735 N. Highway 52
Robbinsdale, Minnesota 55422

Hon. Roger D. Moe
State Senator, District 2
304 S. 2nd St. W.
Ada, Minnesota 56510

Hon. John Milton
4101 E. Co. Line Road
White Bear Lake, Minnesota 55110

Hon. Gerald L. Willet
State Senator, District 4
207 Mill Road
Park Rapids, Minnesota 56470

Hon. Myrton O. Wegener
State Senator, District 12
Bertha, Minnesota 56437

Hon. Arnulf Ueland, Jr.
State Senator, District 29
2013 Roe Crest Dr.
North Mankato, Minnesota 56001

Hon. Robert J. Tennessen
State Senator, District 56
700 Title Insurance Bldg.
Minneapolis, Minnesota 55405

Hon. Peter Stumpf
State Senator
1283 Danforth
St. Paul, Minnesota 55117

Hon. Eugene Stokowski
State Senator, District 55
2231 Stinson Blvd.
Minneapolis, Minnesota 55418

Hon. Robert J. Stassen
State Senator, District 52
2320 Kraft St.
South St. Paul, Minnesota 55075

Hon. Allan H. Spear
State Senator, District 57
2204 Seabury Ave. S.
Minneapolis, Minnesota 55406

Hon. Sam G. Solon
State Senator, District 7
616 W. 3rd St.
Duluth, Minnesota 55806

Hon. Douglas H. Silers
State Senator, District 9
Route 2
Moorhead, Minnesota 56560

Hon. Ed Schrom
State Senator, District 16
Route 2
Albany, Minnesota 56307

Hon. Robert Schmitz
State Senator
R. R. #1
Jordan, Minnesota 55352

Hon. David D. Schaaf
State Senator, District 46
6550 E. River Road
Fridley, Minnesota 55432

Hon. Earl W. Renneke
State Senator, District 23
RR # 2
LeSueur, Minnesota 56058

Hon. Clarence M. Purfeerst
State Senator, District 24
Route 2
Faribault, Minnesota 55021

Exhibit 6

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE STATE BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, LAND SURVEYORS AND LANDSCAPE ARCHITECTS

In the Matter of:

Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Registration for Architects, Engineers, Land Surveyors and Landscape Architects.

STATEMENT OF NEED

By Laws 1975 chapter 329, the Minnesota Legislature provided for the registration of professional landscape architects by the Board of Registration for Architects, Engineers and Land Surveyors, effective August 1, 1975. By the same Act, the legislature changed the name of the Board to the State Board of Registration for Architects, Engineers, Land Surveyors and Landscape Architects (Section 6), authorized the Board to determine by rule the qualification for registration of landscape architects (Section 12), to register landscape architects by comity (Section 12), and under certain conditions, to grant certificates to landscape architects-in-training. There are presently no rules of the Board as authorized and directed by the foregoing statute. Such rules are necessary for the effective enforcement of the statute.

The proposed rules are necessary to enable the Board to administer its new duties in connection with registration of landscape architects. Procedures for registration, both with and without examination, are necessary to comply with the governing statute. These rules are designed to protect the public from unqualified persons and to measure the qualifications and experience of

candidates for registration as landscape architects.

The proposed rules would define the education background and professional experience necessary for a candidate to possess before he or she could make application to take a written and oral examination for registration. It would also provide for the written and oral examinations, review by the Board of an applicant's professional work, and an architect-in-training examination.

The prerequisites for the professional examination would be successful completion of the landscape architect-in-training examination and completion of the combined education and experience requirement. The written portion of the professional practice examination would be that provided by the National Council of Landscape Architecture Registration Board. The rule would also provide a registration procedure for those landscape architects currently practicing their profession.

The proposed rule is based upon a similar rule adopted by the Council of Landscape Architects Registration Board (CLARB) and modified to the particular situation in Minnesota. CLARB is the instrumentality through which the Landscape Architecture Registration Boards of the several states are able to grant comity registration to out-of-state registrants (Minn. Stat. §326.10 subd. 1 (2)). If the principle of comity registration is to operate effectively to protect the citizens of Minnesota and to assure reciprocal acceptance of Minnesota registrants in other states, a uniform system of examination is required. The proposed rule would accomplish that end.

Dated December 11, 1975

Exhibit 7

RECOMMENDED CHANGES TO PROPOSED RULE AE&LS 9.1

The following changes have been recommended by the Ad Hoc Committee for the Registration of Landscape Architects to be made to the Proposed Rule for the registration of Landscape Architects being heard today.

1. In the first classification appearing in the chart on page 1 of the Proposed Rule the figures appearing under the columns "Professional Experience" and "Total Education and Experience" for a 4-year course should read 4 and 8 respectively.

2. In the second classification appearing in the chart on page 1 of the Proposed Rule the figures appearing under the columns "Professional Experience" and "Total Education and Experience" for a 4-year course should read 6 and 9 respectively.

3. A classification "No Professional Education" should be added at the bottom of page 1 of the Proposed Rule with the figure "0" added in the column under the heading "Professional Education"; the figure "13" added in the column under the heading "Professional Experience" and the figure "13" added in the column under the heading "Total Education and Experience".

4. Line 2, page 2 of the Proposed Rule should read "...experience gained in increments of ninety days or more, before..."

5. Lines 2 and 3, clause (a)(5), page 2 of the Proposed Rule should read "...directly related to landscape architectural construction..."

6. Line 5, clause (a)(8), page 2 of the Proposed Rule should read "...of two years when such work is related to Landscape Architecture."

7. Clause (a)(11), page 3 of the Proposed Rule should read "Other training, education, teaching or practical experience of a landscape architectural nature will be subject to review and determination by the Board."

8. Clause (c), page 3 of the Proposed Rule should be deleted and replaced with the following language "Written Examination - shall be as provided by the National Council of Landscape Architectural Registration Boards (CLARB). Handbooks, tables, reference books, bound notes and hand-held non-programmable battery-operated electronic calculators are permitted when authorized by the Board.

9. Clause (d)(2), page 3 of the Proposed Rule should be deleted and replaced with the following language

"Completed ten years of satisfactory diversified experience, when such experience is directly related to Landscape Architectural work and is approved by the Board. Each scholastic year of study satisfactorily completed in a curriculum accredited by the ASLA Committee on Education or its educational equivalent shall be considered equal to two years of Landscape Architectural experience."

10. Clause (e)(2), page 4 of the Proposed Rule should read "Completed total combined education and experience as noted in the chart contained herein."

11. Clause (f), page 4 of the Proposed Rule should be deleted and replaced with the following language

"Qualification for Registration Without Written Examination.

(1) The Board shall, with reference to applications received from persons not residing in Minnesota, issue a certificate of registration as a landscape architect when a CLARB certificate is furnished to the Board. Such applicants shall submit a treatise to the Board relative to Minnesota construction conditions and planting materials applicable to Minnesota.

(2) The Board shall, with reference to applications for registration received from Minnesota residents prior to January 1, 1977, issue a certificate of registration as a landscape architect, without examination, to any applicant submitting evidence to the Board that he:

(a) holds CLARB certification.

(b) meets one of the classifications listed in the table contained herein.

Each applicant not holding a CLARB certificate shall appear before the Board for a personal interview for the purpose of reviewing the applicability of experience for registration."

Exhibit 8

PROPOSED RULE (Draft #2, 9/19/75)

8

E&LS 9.1 Examination of Landscape Architect Applicants.

) Education and Experience. An applicant for registration as a Landscape Architect shall be required to pass a written and oral examination as provided herein. To qualify for such examination, he shall present satisfactory evidence that he has:

(1) Graduate from a landscape architecture curriculum of a university or college accredited by the American Society of Landscape Architects Committee on Education.

(2) Complete at least three years of satisfactory diversified experience, after graduation, under the supervision of registered Landscape Architects.

(3) An applicant may also qualify provided that he submits to the Board satisfactory evidence that his education and subsequent experience are substantially equivalent to the above requirements as set forth in the following table:

Classification	Professional Education (years)	Professional Experience * (years)	Total Education and Experience
Graduate of ASLA Accredited Landscape Architectural Curriculum			
5-year course	5	3	8
4-year course	4	4	8
Graduate of Non-Accredited Landscape Architectural Curriculum			
5-year course	4	5	9
4-year course	3	6	9
Graduate of NAAB Accredited Architectural Curriculum	3	7	10
Graduate of ECPD Accredited Civil or Mechanical Engineering Curriculum	3	7	10
Graduate of Non-Accredited Architectural Curriculum	2	9	11
Graduate of Non-Accredited Civil or Mechanical Engineering Curriculum	2	9	11
No Professional Education	0	13	13

*Professional experience must be acquired after graduation except that continuous experience gained in increments of ninety days or more, before graduation will be evaluated by the Board. An applicant with qualified experience will be granted credit in accordance with CLARB Table of Equivalents. Professional Experience is defined as equivalent to satisfactory diversified general practice under the supervision of registered Landscape Architects.

(4) For non-graduates, each year of approved Landscape Architectural Education successfully completed at the college level shall be credited in accordance with the CLARB Table of Equivalents.

(5) Employment by Government agencies, Engineering firms, general contractors, in areas directly related to landscape architectural construction, may be substituted for professional experience, as defined above; one full year of such experience will be considered the equivalent of one-half year of full-time professional experience, but not over two years of credit toward professional experience will be given for such experience.

(6) Employment by Government agencies, including the military, when diversified and comparable to employment in the office of a registered Landscape Architect with a verified record of substantial practice shall receive full credit with no time limitation. Such work shall be directly related to Landscape Architecture and shall be under the direct supervision of a registered Landscape Architect. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(7) Employment by organizations that have employees performing Landscape Architectural services in connection with projects used or owned by that organization when said employment is directly related to Landscape Architectural work and is under the direct supervision of a registered Landscape Architect shall receive full credit with no time limitation. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(8) Employment or practice in such fields as interior design, architecture, engineering, city planning and periods of employment with such organizations as VISTA, HUD, Peace Corps and advocacy planning shall receive full credit up to a maximum of two years when such work is related to Landscape Architecture.

(9) Practical training gained prior to the acquisition of a Landscape Architecture degree shall be credited in accordance with the CLARB Table of Equivalents.

(10) An advanced degree from an ASLA Committee on Education accredited Landscape Architecture curriculum or teaching and research in such accredited curricula shall receive full credit up to a maximum of two years.

(11) Other training, education, teaching or practical experience of a landscape architectural nature will be subject to review and determination by the Board.

(b) Application and Oral Examination.

The Board shall review the applicant's experience record and conduct a personal interview of each applicant for admission to the examination process. The personal interview shall consist of direct examination by Board to include such additional exhibits of drawings, specifications, photographs of work, letters of reference, as the Board may direct.

(c) Written Examination - shall be as provided by the National Council of Landscape Architectural Registration Boards (CLARB). Handbooks, tables, reference books, bound notes and hand-held non-programmable battery-operated electronic calculators are permitted when authorized by the Board.

(d) Landscape Architect-in-Training. An applicant for certification as a Landscape Architect-in-Training shall present satisfactory evidence to the Board that he or she has either:

(1) Graduated from an accredited Landscape Architectural curriculum appearing on the list of accredited curricula current at the time of his or her graduation as published by the American Society of Landscape Architects (ASLA) Committee on Education, or

(2) Completed ten years of satisfactory diversified experience, when such experience is directly related to Landscape Architectural work and is approved by the Board. Each scholastic year of study satisfactorily completed in a curriculum accredited by the ASLA Committee on Education or its educational equivalent shall be considered equal to two years of Landscape Architectural experience.

(e) Professional Practice Examination.

An applicant for registration as Landscape Architect by examination shall be admitted to the Professional Practice Examination in Landscape Architecture provided he or she has:

(1) Successfully completed the Landscape Architect-in-Training Examination and

(2) Completed total combined education and experience as noted in chart contained herein.

(f) Qualification for Registration Without Written Examination.

(1) The Board shall, with reference to applications received from persons not residing in Minnesota, issue a certificate of registration as a landscape architect when a CLARB certificate is furnished to the Board. Such applicants shall submit a treatise to the Board relative to Minnesota construction conditions and planting materials applicable to Minnesota.

(2) The Board shall, with reference to applications for registration received from Minnesota residents prior to January 1, 1977, issue a certificate of registration as a landscape architect, without examination, to any applicant submitting evidence to the Board that he:

(a) holds CLARB certification.

(b) meets one of the classifications listed in the table contained herein.

Each applicant not holding a CLARB certificate shall appear before the Board for a personal interview for the purpose of reviewing the applicability of experience for registration.

Exhibit 9

Suggested Changes to Proposed Rule AE&LS 9.1

The following changes are suggested to made to the Proposed Rule for the registration of Landscape Architects being heard today.

1. Delete the sentence beginning on line 3 and ending on line 5 of page 2 that reads "An applicant with qualified experience will be granted credit in accordance with CLARB Table of Equivalent."

2. Clause (a) (4), page 2 should read "For non-graduates, each year of approved Landscape Architectural Education successfully completed at the college level shall receive full credit."

3. Delete Clause (a) (9), page 2.

4. Renumber Clause (a) (10), page 3 as Clause (a) (9).

5. Renumber Clause (a) (11), page 3 as Clause (a) (10).

9

12 Dec. '75

Suggest Change to Proposed
Rule AE&LS 9.1

Exhibit (8) Page 4

Exhibit 10

(5) (2) [redacted]
TO Be Added

(5) (2) (C) * IS A LICENSED LANDSCAPE ARCHITECT IN ANOTHER STATE OR COUNTRY WHERE THE QUALIFICATIONS PRESCRIBED AT THE TIME OF LICENSING ~~WERE~~, IN THE OPINION OF THE BOARD, EQUAL TO THOSE PRESCRIBED IN THE STATE OF MINNESOTA AT THE DATE OF APPLICATION. *

RECEIVED
DEC 22 1975

UNIVERSITY OF MINNESOTA
TWIN CITIES

School of Architecture and Landscape Architecture
110 Architecture Building
Minneapolis, Minnesota 55455

December 19, 1975

Mr. Lowell Torseth, Executive Secretary
Board of Registration of Architecture, Engineering,
Land Surveying and Landscape Architecture
5th Floor
Metro Square Building
St. Paul, Minnesota 55101

Dear Mr. Torseth:

As you have requested the faculty in Landscape Architecture reviewed the registration requirements for landscape architects in Minnesota.

In general we found the requirements reasonable and well prepared. Our concerns focused in two areas; proper credit for graduate school trained professionals, and credit for paraprofessional education. The accompanying chart indicates those adjustments we would recommend under AE&LS 9.1 (3) to allow proper credit for professionals receiving their training via these two methods.

We reviewed the issue of whether or not one should allow a person to take the exam who has no professional education and 13 years of experience, and recommend that this be allowed. Although we believe in the value of education, we also believe that someone could learn the functions of a professional via the apprenticeship training situation.

We also recommend that the paragraph (10) be altered as shown on the attached sheet to give a minimum of credit for years spent in education and research in lieu of practice.

If you have any questions on these recommendations please give me a call.

Sincerely,

Roger B. Martin, Chairman
Landscape Architecture

RBM:be

cc Bob Johns

UNIVERSITY OF MINNESOTA
Landscape Architecture Program

Approved by Faculty 12/19/75

Landscape Architect Registration Rules

The following proposed additions to rules of the Minnesota Board of Registration were approved:

1. Revise the chart under AE&LS 9.1 (3) to include the following:

Classification	Professional Education (years)	Professional Experience * (years)	Total Education and Experience
Other Related Degree Plus Graduate of ASLA Accredited Graduate L.A. Curriculum	5	3	8
Other Related Field Degree Plus Graduate of Non-Accredited L.A. Curriculum	4	5	9
Graduate of Two Year Technical School in Landscape Architecture	2	9	11

NOTE: Other related degrees may include degrees such as Forestry, Horticulture, Art, Architecture, Engineering, etc.

2. Revise the paragraph AE&LS 9.1 (10) to the following:

An advanced degree from an ASLA Committee on Education accredited Landscape Architecture curriculum shall receive full credit up to a maximum of two years. Teaching and research in an ASLA Committee on Education Accredited curriculum shall also receive full credit for up to a maximum of two years.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter Of:

Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

FINDINGS, CONCLUSIONS AND ORDER ON PROPOSED AMENDMENTS

The above entitled matter came on for hearing before the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture (the "Board") at 9:30 o'clock a.m. on the 12th day of December, 1975, at the offices of the Board, Metro Square Building, Seventh and Robert Streets, St. Paul, Minnesota, after proper notice, as required by Minn. Stat. §15.0412, was duly served on November 10, 1975, upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present oral and written data, statements and arguments, and upon the basis of the evidence introduced at the hearing and the record thereof, and upon all the records, files and proceedings therein, the Board makes the following Findings, Conclusions and Order recommending adoption of the annexed amendments to its Rules and Regulations.

FINDINGS AND CONCLUSIONS

The following Findings and Conclusions are based upon evidence presented at the hearing and the record thereof:

1. On September 25, 1975, the Board adopted a resolution directing that a hearing be called for the purpose of promulgating amendments to the Rules of the Board to establish qualifications for registration of landscape architects.

2. The need to promulgate Rules relating to the practice of landscape architecture arose as a result of the adoption by the Legislature of Laws 1975, c. 329, §§1 and 2, subd. 4a, defining the practice of landscape architecture and prohibiting the practice thereof by any person without registration in the manner required by law.

3. Laws 1975, c.329, §2, subd. 4a (Minn. Stat. §326.02, subd. 4a) defines the practice of landscape architecture to mean:

> ... any professional service in connection with the development of land areas where the dominant purpose of the service is the preservation, enhancement or determination of proper land use, natural land features, ground cover and the planting, naturalistic and aesthetic values, the settings, approaches or environment for structures or other improvements and the consideration and determination of inherent problems of the land relating to erosion, wear and tear, blight and hazards. This practice shall include the location and arrangement of tangible objects and features incidental and necessary to the purposes outlined but shall not include the design of structures or facilities with separate and self-contained purposes as ordinarily included in the practice of engineering or architecture or the preparation of boundary surveys or final land plats, as ordinarily included in the practice of land surveying.

Subd. 4a excludes from the coverage of the law regulating the practice of landscape architecture any duly registered professional engineer, architect, or land surveyor, or any "nurserymen or other small businessmen" engaged in the "preparation of landscape plans appropriate to the normal operation of their business."

4. Laws 1975, c. 329 also authorized the Board to determine by Rule the qualification for registration of landscape architects (§12), to register landscape

architects by comity (§12), and under certain conditions, to grant Certificates to "landscape architects-in-training".

5. On November 10, 1975 the Board issued and distributed a Notice of Hearing, together with a copy of Proposed Amendments relating to the examination and registration of landscape architect applicants, advising all interested persons that a Hearing would be held to receive evidence in support or modification of the Proposed amendments as published.

6. Following publication of the Notice of Hearing, the Executive Secretary of the Board met with representatives of the landscape architect profession to review the proposed amendments and to consider whether, as published, they would carry out and implement the purposes of Laws 1975, c. 329, §§1 and 2.

7. The Ad Hoc Committee for the Registration of Landscape Architects, consisting of three members of the Board of Registration and six representatives of the landscape architects profession, recommended certain modifications of the Proposed Amendments as published which were presented and considered at the December 12, 1975 Hearing (Exhibits 7 and 8, Tr. pp. 8-14).

8. During the course of the Hearing, additional proposed modifications to the proposed Rules, as published, were presented for consideration by the Board. (Exhibits 9, 10; Tr. pp. 29-39).

9. Following the close of the Hearing, additional comments were received proposing further modifications of the proposed Rules as published and as proposed to be modified at the Hearing. The additional comments were received from Roger B. Martin, Chairman, Department of Landscape Architecture, School of Architecture and Landscape Architecture, University of Minnesota whose proposed modification was supported and approved by the Faculty of his Department.

10. Following the close of the Record, the Rules Revision Committee of the Board met to review the entire Record, the Proposed Rules, as originally published, and all proposed modifications thereof. On February 27, 1976, the Rules Revision Committee presented its findings and recommendations to the Board together with a proposed draft of Rule AE&LS 9.1 which incorporated such changes in the Rule , as originally published or modified, as the Committee found to be supported by the Record. Proposed Rule AE&LS 9.1, as recommended by the Rules Revision Committee, was adopted by the Board on that same date.

11. Proposed Rule AE&LS 9.1 defines the educational background and professional experience that a candidate must possess before he or she may make application to take a written and oral examination for registration as a landscape architect. It also provides for written and oral examinations, review by the Board of an applicant's professional work, and establishes the requirements and qualifications for examination and certification as a landscape architect-in-training.

12. Proposed Rule AE&LS 9.1 is based upon a similar rule adopted by the Council of Landscape Architects Registration Boards (CLARB) but modified to conform with the requirements of Minnesota Law and other factors as disclosed in the Record. CLARB is the instrumentality through which the Landscape Architect Registration Boards of the several states are able to grant comity registration to out-of-state registrants in accordance with the provisions of Minn. Stat. §326.10, subd. 1(2). If the principle of comity registration is to operate effectively to protect the citizens of Minnesota and to assure reciprocal acceptance of Minnesota registrants in other states, a uniform statement of examination is required. The proposed Rule will accomplish that end while, at the same time, carrying out the purposes of Laws 1975, c.329, §§1 and 2.

BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

G. Leigh Morrow S/B

G. Leigh Morrow, Chairman

ORDER RECOMMENDING ADOPTION OF RULES

Upon the basis of the foregoing Findings and Conclusions, and the Resolution of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, approving adoption of the annexed Rules, it is hereby recommended that the Rules and Regulations of the Board of Registration of Archecture, Engineering, Land Surveying and Landscape Architecture be amended by the adoption of Rule AE&LS 9.1 as set forth in Appendix "A" hereto.

BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

G. Leigh Morrow S/B.

G. Leigh Morrow, Chairman

Dated February 27, 1976.

CERTIFICATE OF RESOLUTION BY BOARD ADOPTING
AMENDMENTS TO RULES AND REGULATIONS

I, Rudolph W. Monson, do hereby certify that I am Secretary of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, a Board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board duly and properly called and held on the 27th day of February, 1976; that a quorum was present at said meeting; that said resolution is set forth in the Minutes of said meeting and has not been rescinded or modified.

RESOLUTION

"RESOLVED: That the Rules and Regulations of the Board relating to Landscape Architecture and Landscape Architect-in-Training classifications and the examination of applicants for registration and certification thereof, as set forth in Appendix "A" hereto be and they hereby are approved and adopted, pursuant to authority vested in this Board by Minn. Stat. §§326.10 and 15.0412, and that G. Leigh Morrow, Chairman of this Board, be and hereby is authorized to sign an Order adopting these Rules."

IN WITNESS WHEREOF, I have hereunto subscribed my name this

27 day of February, 1976.

Rudolph W. Monson S/B.
Secretary

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter Of:

Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

ORDER ADOPTING RULES

The above entitled matter came on for hearing before the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, on the 12th day of December 1975, at 9:30 o'clock a.m. at the offices of the Board, Metro Square Building, Seventh and Robert Streets, Saint Paul, Minnesota, after proper notice, as required by Minn. Stat. §15.0412, was duly served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced upon the records, files and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above captioned Rules;

NOW, THEREFORE, IT IS ORDERED that these Rules, in the form annexed hereto as Appendix "A" are adopted this 27th day of February, 1976, pursuant to authority vested in me by the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

G. Leigh Morrow S/B

G. Leigh Morrow, Chairman

February 27, 1976.

APPENDIX "A"

AMENDMENTS TO RULE AE&LS 9 AS RECOMMENDED FOR ADOPTION BY THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE ON FEBRUARY 27, 1976

AE&LS 9.1 Examination of Landscape Architect Applicants.

(a) Education and Experience. An applicant for registration as a Landscape Architect shall be required to pass a written and oral examination as provided herein. To qualify for such examination, the applicant shall present satisfactory evidence that the following requirements have been met.

(1) Graduated from a landscape architecture curriculum of a university or college accredited by the American Society of Landscape Architects Committee on Education.

(2) Completed at least three years of satisfactory diversified experience, after graduation, under the supervision of registered Landscape Architects.

(3) An applicant may also qualify provided that satisfactory evidence is submitted to the Board that the education and subsequent experience of such applicant are substantially equivalent to the above requirements as set forth in the following table:

Classification	Professional Education (years)	Professional Experience (years)	Total Education and Experience
Graduate of ASLA Accredited Landscape Architectural Curriculum			
5-year course	5	3	8
4-year course	4	4	8
Other Related Degree Plus Graduate of ASLA Accredited Graduate L.A. Curriculum	5	3	8
Graduate of Non-Accredited Landscape Architectural Curriculum			
5-year course	4	5	9
4-year course	3	6	9
Other Related Field Degree Plus Graduate of Non-Accredited L. A. Curriculum	4	5	9
Graduate of NAAB Accredited Architectural Curriculum	3	7	10
Graduate of ECPD Accredited Engineering Curriculum	3	7	10

Classification	Professional Education (years)	Professional Experience* (years)	Total Education and Experience
Graduate of Non-Accredited Architectural Curriculum	2	9	11
Graduate of Non-Accredited Engineering Curriculum	2	9	11
Graduate of Two Years Technical School in Landscape Architecture	2	9	11
No Professional Education	0	13	13

*Professional experience must be acquired after graduation except that continuous experience gained in increments of ninety days or more, before graduation will be evaluated by the Board. Professional experience is defined as equivalent to satisfactory diversified general practice under the supervision of registered Landscape Architects.

(4) For non-graduates, each year of approved Landscape Architectural Education successfully completed at college level shall receive full credit.

(5) Employment by Government agencies, Engineering firms, general contractors, in areas directly related to landscape architectural construction, may be substituted for professional experience, as defined above; one full year of such experience will be considered the equivalent of one-half year of full-time professional experience, but not over two years of credit toward professional experience will be given for such experience.

(6) Employment by Government agencies, including the military, when diversified and comparable to employment in the office of a registered Landscape Architect with a verified record of substantial practice shall receive full credit with no time limitation. Such work shall be directly related to Landscape Architecture and shall be under the direct supervision of a registered Landscape Architect. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(7) Employment by organizations that have employees performing Landscape Architectural services in connection with projects used or owned by that organization when said employment is directly related to Landscape Architectural work and is under the direct supervision of a registered Landscape Architect shall receive full credit with no time limitation. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(8) Employment or practice in such fields as interior design, architecture, engineering, city planning and periods of employment with such organizations as VISTA, HUD, Peace Corps and advocacy planning shall receive full credit up to a maximum of two years when such work is related to Landscape Architecture.

(9) An advanced degree from an ASLA Committee on Education accredited Landscape Architecture curriculum shall receive full credit up to a maximum of two years. Teaching and research in an ASLA Committee on Education Accredited curriculum shall also receive full credit as determined by the Board.

(10) Other training, education, teaching or practical experience of a landscape architectural nature will be subject to review and determination by the Board.

(b) Application and Oral Examination.

The Board shall review the applicant's experience record and conduct a personal interview of each applicant for admission to the examination process. The personal interview shall consist of direct examination by the Board to include such additional exhibits of drawings, specifications, photographs of work, letters of reference, as the Board may direct.

(c) Written Examinations - Shall be provided by the National Council of Landscape Architectural Registration Boards (CLARB). Handbooks, tables, reference books, bound notes and hand-held non-programmable battery-operated electronic calculators are permitted when authorized by the Board.

(d) Landscape Architect-in-Training. An applicant for certification as a Landscape Architect-in-Training shall present satisfactory evidence to the Board that they have either:

(1) Graduated from an accredited Landscape Architectural curriculum appearing on the list of accredited curricula current at the time of applicant's graduation as published by the American Society of Landscape Architects (ASLA) Committee on Education, or

(2) Completed ten years of satisfactory diversified experience, when such experience is directly related to Landscape Architectural work and is approved by the Board. Each scholastic year of study satisfactorily completed in a curriculum accredited by the ASLA Committee on Education or its educational equivalent shall be considered equal to two years of Landscape Architectural experience.

(e) Professional Practice Examination.

An applicant for registration as Landscape Architect by examination shall be admitted to the Professional Practice Examination in Landscape Architecture provided the applicant has:

(1) Successfully completed the Landscape Architect-in-Training Examination and

(2) Completed total combined education and experience as noted in table contained in Rule 9.1(a).

(f) Qualification for Registration Without Written Examination. The Board shall, with reference to applications received from persons not residing in Minnesota, issue a certificate of registration as a landscape architect when a CLARB certificate is furnished to the Board. Applicants shall submit a treatise to the Board.

(g) Qualification for Registration Without Written Examination prior to January 1, 1977 (Expires January 1, 1977)

(1) The Board shall, with reference to applications for registration received prior to January 1, 1977, issue a certificate of registration as a landscape architect, without examination, to any applicant submitting evidence to the Board that one or more of the classifications listed in the table contained in Rule 9.1(a) has been met.

(2) Each applicant not holding a CLARB certificate shall appear before the Board for a personal interview for the purpose of reviewing the applicability of experience for registration.

(3) Applicants who are not residents of Minnesota and are registered by another jurisdiction but do not hold CLARB certification shall submit a treatise to the Board relative to Minnesota construction conditions and plant materials applicable to Minnesota.

STATEMENT OF COMPLIANCE WITH MANUAL
OF RULE-MAKING PROCEDURES

I, Sydney Berde, Special Attorney for the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, do hereby declare that I have examined the proposed Rules and other documents relating to the Hearing on said proposed Rules and that, based on said documents and my personal familiarity with the applicable procedures, the Manual of Rule-Making Procedures has been followed.

Sydney Berde

SYDNEY BERDE

Dated: April 15, 1976.

STATE OF MINNESOTA
COUNTY OF RAMSEY

BEFORE THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter of:
Proposed Amendments to Rule AE&LS9 of the Rules and Regulations of the Board of Registration of Architecture, Engineering LandSurveying and Landscape Architecture.

PUBLIC HEARING

The foregoing matter came on for hearing before the above-entitled Board on the 12th day of December, 1975 in the offices of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, Metro Square Building, Seventh and Robert Streets, St. Paul, Minnesota, on Friday, the 12th of December, 1975, commencing at 9:30 o'clock a.m.

* * *

APPEARANCES:

Sidney Berde, Esquire, Special Attorney, 2602 American National Bank Building, St. Paul, Minnesota, appeared as counsel for the Board.

MEMBERS OF THE BOARD

G. Leigh Morros, Chairman
Bruce A. Abrahamson
Rudolph W. Monson
George A. Anderson
Preston C. Haglin
Richard F. Whiteman
Lorenzo D. Williams
William A. Kleinhenz
L. W. Freeman, Jr.
Guy Robert Johns
Norman Beck
Mrs. Elaine M. Fink
Mrs. Karl (Diana R.) Gramith
Mrs. Edythe V. Naddy
Mr. E. Jack Umland

ALSO PRESENT:

Lowell Torseth, Executive Secretary
Carol A. Anderson, Assistant Executive Secretary.

MILLERS HILLS

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LOGAN & STYRBICKI
COURT REPORTING AGENCY
W 856 FIRST NATIONAL BANK BLDG.
SAINT PAUL, MINNESOTA 55101
291-1095

MR. MORROW: Ladies and Gentlemen: This is a public hearing before the Minnesota State Board of Registration for Architects, Engineers, Land Surveyors and Landscape Architects. The Hearing is held pursuant to the provisions of Minn. Statutes §15.0412 and §326.06. The subject of the Hearing is the adoption of proposed revisions and additions to the Rules and Regulations of the Board which relate to the examination of Landscape Architect Applicants.

On September 25, 1975, the Board adopted a resolution directing that a Hearing be held for the purpose of promulgating amendments to the Rules of the Board of Registration for Architects, Engineers, Land Surveyors and Landscape Architects pertaining to examinations of Landscape Architect Applicants as set forth in Appendix A which is attached to the Notice of Hearing. I now hand the reporter the original of the Certification of the Board's authorizing resolution and direct him to mark it as Exhibit 1 and make it a part of the record of this Hearing.

On September 25, 1975, the Board issued its Order for Hearing directing that a public hearing on the proposed amendments to the rules be held in the office of the Board of Registration for Architects, Engineers, Land Surveyors and Landscape Architects, Metro Square Building, Seventh and Robert Streets, St. Paul, Minnesota on December 12, 1975, commencing at 9 o'clock a.m., and con-

tinuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard; and further ordering that said Notice of Hearing be given to all representatives of associations or other interested groups or persons who have filed their names with the Secretary of State for that purpose and all persons who are presently members of the Minnesota Legislature.

I now hand the original of that Order to the reporter and direct him to mark it as Exhibit 2 and to make it a part of the record of this Hearing.

As directed by the Board, Notice of this Hearing was sent to all persons who had placed their names on file with the Secretary of State for the purpose of receiving Notice of Public Hearing on the Proposed Rules. I now hand the reporter an Affidavit of Mailing and direct that it be marked Exhibit 3 and be made a part of the record of this Hearing. The Affidavit of Mailing shows that a true and correct copy of the Notice of Hearing was served on all persons and associations at the addresses listed on the Secretary of State's list by depositing said Notice properly addressed, with postage prepaid, in the United States mail at the City of St. Paul, on November 10, 1975.

The Notice of Hearing mailed pursuant to the Order for Hearing provides:

"Notice is hereby given that a public hearing will be held pursuant to Minn. Stat. 1974 §§326.06 and 15.0412, as amended, in the above entitled matter in the office of the Board of Registration for Architects, Engineers, Land Surveyors and Landscape Architects, Metro Square Building, Seventh and Robert Streets, St. Paul, Minnesota, on Friday, December 12, 1975, commencing at 9:00 a.m., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning the Proposed Amendments captioned above by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted without appearing at the hearing. A copy of the Proposed Amendments is attached hereto as Appendix A. The Proposed Amendments would amend Rule AE&LS 9 by adding thereto a new section to be designated AE&LS 9.1, Examination of Landscape Architect Applicants as set forth in Appendix A."

A copy of the Proposed Rules was included with the Notice of Hearing. I now hand the reporter the original of the Notice of Hearing and Proposed Rules and direct that it be marked as Exhibit 4 and that Exhibit 4 be made a part of the

record of this Hearing.

The persons, associations, and other interested groups to whom the Notice of Hearing was sent are those who have requested that their names be placed on file with the Secretary of State for the purpose of receiving such Notice. I now hand the reporter a Certificate executed by the office of Secretary of State which Certificate states that the State Board of Registration for Architects, Engineers, Land Surveyors and Landscape Architects received from the office of Secretary of State on November 7, 1975, a current and complete list of persons, associations and other interested groups who have requested pursuant to Minn. Stat. 1971 §15.0412 et seq. that their name be placed on file with the Secretary of State for the purpose of receiving Notice of Public Hearings on Proposed Rules on the subject captioned above. The certificate will be marked as Exhibit 5 and be made a part of this record.

I also have a Statement of Need reciting the reasons why the Board has proposed for consideration the amendment to the Rules referred to in the Notice of Hearing. I now hand the Statement to the reporter and direct that it be marked as Exhibit 6 and be made a part of the record of this Hearing.

I note for the record the presence of a quorum. The following members of the Board are present: Bruce A. Abrahamson, Rudolph W. Monson, George A. Anderson, Preston

Haglin, Richard F. Whiteman, Lorenzo D. Williams, William A. Kleinhenz, L. W. Freeman, Jr., Guy Robert Johns, Norman Beck, Mrs. Elaine M. Fink, Mrs. Karl (Diana R.) Gramith, Mrs. Edythe V. Naddy, and Mr. E. Jack Umland. Also present is Sydney Berde who is a Special Attorney for the Board, Lowell Torseth, Executive Secretary and Carol A. Andersen, Assistant Executive Secretary.

MR. MORROW: My name is G. Leigh Morrow and I'm Chairman of the Board of Registration for the Architects, Engineers, Land Surveyors and Landscape Architects.

The procedural rules under which this hearing will be conducted are as follows:

1. All persons interested in presenting their views will be given an opportunity to do so. Unsworn, written statements or evidence may be received, but the fact that it is unsworn may be considered by the Board in determining the weight to be given.

2. Anyone wishing to be heard will also indicate by signing the "Speaking" sheet, listing his name, address and group which he represents.

3. A witness should spell his nane, identify the group he is representing,and speak clearly when he is making his statement.

4. By giving testimony a witness subjects himself to questioning by the Board. A witness is subject to cross examination by non-members of the Board only if he affirmatively consents to being so examined. A refusal to be cross-examined may be considered by the Board in determining the weight to be given to his testimony.

5. The purpose of the hearing is to allow

interested persons to express their views and present facts bearing only upon the proposed rules.

6. All parties interested in introducing any written matter may do so by having it marked as an exhibit and then introduced for the record.

7. Following the hearing the Board will allow 20 days for any interested party to submit further written materials or briefs. Any person who intends to submit this material or brief should notify the Executive Secretary of the Board for such intent at some point during the hearing.

8. With reference to each proposed amendment I, or the Board's counsel, will explain the effect of proposed amendments and then we will hear first from the person speaking in support of the proposed amendment. When those persons have finished, persons wishing to speak in opposition to the proposed amendments will be heard. Each speaker shall identify himself for the record by giving his name and address, and if he represents an organization, the name of that organization.

MR. BERDE: Mr. Chairman, I am going to ask that there be circulated in the room a sheet to be used by anyone who wants to testify either in support or in opposition to the proposed rules, or who wants to testify with respect to any proposed changes to the rules

as published, that is, the proposed rules as published.

The proposed rules as published and which have been described as Appendix A in the Notice of Hearing sets forth only rules which form the basis for the call of the hearing. Anyone, however, who believes that changes should be made in those rules as proposed may propose those changes at this hearing and state his reasons why he believes or she believes such changes should be made.

So if Mrs.Anderson would circulate such a list at this time we can get some understanding of how many witnesses there will be and have their names for the reporter as they appear to testify.

I am going to ask, first, that Mr. Torseth take the stand to explain the purpose of the proposed rule changes and to give such other testimony as may be appropriate.

LOWELL TORSETH,

Called as a witness, having been first duly sworn, testified under oath as follows:

EXAMINATION

BY MR. BERDE:

Q Mr. Torseth, will you state your name for the record? Would you identify yourself for the record?

A. I am the Executive Secretary of the State Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

Q. Are you familiar with Appendix A as published in the Notice of Hearing?

A. Yes, sir. I am.

Q. Can you briefly state the reasons why amendments to the existing Rules of the Board are necessary?

A. The Rules of the Board as they currently exist make no provision for the registration of landscape arechitects. The intent of the proposed rule is to provide a vehicle for determining the eligibility of applicants for registration as landscape architects by examination and also provides a vehicle for a short period of about one year for the registration of qualifying applicants as landscape architects in the State of Minnesota without examination.

Q. Now since the time that Appendix A, that is, the published proposed rules, were printed in the Notice of Hearing, have you met with any members of the Landscape Architect profession to review those proposed amendments?

A. Yes, I have.

Q. As a result of those meetings have you drawn some changes to those proposed rules as originally published?

A. Yes, sir, I have.

MILLER FALLS REPORTING

Q. Would you briefly describe the recommended changes to those proposed rules as originally published which have been identified as Proposed Rule AE&LS 9.1?

A. There have been developed a total of 11 changes to the proposed rule as published with the hearing notice. This documentation has been circulated to each person here in this hearing room.

Q. And by what committee or by what group were those changes developed?

A. These changes were developed by the Ad Hoc Committee for the Registration of Landscape Architects, which consists of three members of the Board of Registration and its six representatives from the profession of landscape architects.

Q. Would you read into the record the changes recommended by the Ad Hoc Committee forthe Registration of Landscape Architects?

A. Change 1. In the first classification appearing in the charts on page 1 of the Proposed Rule the figures appearing under the column "Professional Experience" and "Total Education and Experience" for a 4-year course should read 4 and 8 respectively.

Change 2. In the second classification appearing in the chart on page 1 of the Proposed Rule the figures appearing under the columns "Professional

Experience" and "Total Education and Experience" for a 4-year course should read 6 and 9 respectively.

Change Number 3. A classification "No Professional Education" should be added at the bottom of page 1 of the Proposed Rule with the figure "0" added in the column under the heading "Professional Education"; the figure "13" added in the column under the heading "Professional Experience" and the figure "13" added in the column under the heading "Total Education and Experience."

Change 4. Line 2, page 2 of the Proposed Rule should read " . . . experience gained in increments of 90 days or more, before . . . "

Change 5. Lines 2 and 3, clause (a)(5), page 2 of the Proposed Rule should read " . . . directly related to landscape architectural construction . . . ".

Change 6. Line 5, clause (a)(8) page 2 of the Proposed Rule should read " . . . of two years when such work is related to Landscape Architecture."

Change 7. Claus (a)(11), page 3 of the Proposed Rule should read "Other training, education, teaching or practical experience of a landscape architectural nature will be subject to review and determination by the Board."

Change 8. Clause (c), page 3 of the

Proposed Rule should be deleted and replaced with the following language "Written Examination - shall be as provided by the National Council of Landscape Architectural Registration Boards (CLARB). Handbooks, tables, reference books, bound notes and hand-held non-programmable battery-operated electronic calculators are permitted when authorized by the Board."

Change 9. Clause (d)(2), page 3 of the Proposed Rule should be deleted and replaced with the following language:

"Completed ten years of satisfactory diversified experience, when such experience is directly related to Landscape Architectural work and is approved by the Board. Each scholastic year of study satisfactorily completed in a curriculum accredited by the ASLA Committee on Education or its educational equivalent shall be considered equal to two years of Landscape Architectural experience."

Change 10. Clause (e)(2), page 4 of the Proposed Rule should read "Completed total combined education and experience as noted in the chart contained herein."

Change 11. Clause (f), page 4 of the Proposed Rule should be deleted and replaced with the following language:

"Qualification for Registration Without Written Examination.

(1) The Board shall, with reference to applications received from persons not residing in Minnesota, issue a certificate of registration as a landscape architect when a CLARB certificate is furnished to the Board. Such applicants shall submit a treatise to the Board relative to Minnesota construction conditions and planting materials applicable to Minnesota.

(2) The Board shall, with reference to applications for registration received from Minnesota residents prior to January 1, 1977, issue a certificate of registration as a landscape architect, without examination, to any applicant submitting evidence to the Board that he:

(a) holds CLARB certification.

(b) meets one of the classifications listed in the table contained herein.

Each applicant not holding a CLARB certificate shall appear before the Board for a personal interview for the purpose of reviewing the applicability of experience for registration."

The end of the proposed changes.

Q. Mr. Torseth, the proposed changes from the proposed amendent as described in the Notice of Hearing that you

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have just read into the record, do you have that material in writing before you?

A. I do have that material in writing.

Q. You also have a document that is headed "Recommended Changes to Proposed Rule AE&LS 9.1", do you not?

A. That is correct.

Q. And it is that document from which you have just read into the record?

A. That is correct.

One correction on this next one. It is a typo.

Q. Have you made the correction?

A. I have made it. It is okay there (indicating). It is where the "e" was left out.

MR. BERDE: I'm going to ask the reporter to mark as Exhibit 7 a two-page document which bears the heading "Recommended Changes to Proposed Rule AE&LS 9.1".

(Exhibit 7 marked for identification by the court reporter)

BY MR. BERDE:

Q. Mr. Torseth, the changes that you have just read into the record and which appear on Exhibit 7, have those changes been incorporated in a revised draft of the proposed rule?

A. These changes have indeed been incorporated in a revised draft of the proposed rules.

MR. BERDE: I am going to ask the reporter to mark next as Exhibit 8 a four-page document which is headed "Proposed Rule (Draft #2, 9/19/75)".

(Exhibit 8 marked for identification by the court reporter)

Q Mr. Torseth, I show you what has been marked for identification as Exhibit 8 and ask you if that document incorporates the proposed changes to Proposed Rule relating to landscape architecture as originally published in the Notice of Hearing?

A It does.

Q Can you tell me, or, describe briefly for the record, the manner in which these recommended changes were developed.

A These recommended changes were developed by the Ad Hoc Committee in reviewing the initial draft. The rationale for the changes was to clarify certain elements of the original Proposed Rule as published to alleviate problems that could arise later with prospective applicants. There was a reduction in the amount of stringency in certain of the qualifying criteria shown in Chart 1 to provide for the difference in the educational training received by a person who graduated from a five-year curriculum versus one who graduated from a four-year curriculum.

Q Mr. Torseth, did you participate in the discussions which

led to the formulation of Exhibit 8?

A. Yes, sir. I did.

Q. And who were the other members of the Committee of Landscape Architects with whom you met?

A. Mr. Abrahamson chaired this Ad Hoc Committee for the Board. I believe Mr. Freeman and Mr. Umland were members of that committee.

Q. Mr. Umland is one of the public members of the Board?

A. That is correct. I don't recall all the names of the people for the Landscape Architects, but they involved Don Hess, Keith Worman, who is present; Don Ripple, Ed West, Herman Juffer. And there is one other that I don't recall.

Q. Can you state for the record the basic source data for the rule as finally proposed; that is, what documents or what information was drawn upon in developing Proposed Rule AE&LS 9.1?

A. Prior to the preparation of the original draft of this rule we queried several State Boards who currently, or, at that time who currently had registered Landscape Architects over a period of years. We also contacted the National Council of Landscape Architectural Registration Boards. They provided a great deal of information. The Table of Equivalents for the National Council of Landscape Architectural Registration Boards was drawn on quite

extensively in preparing the eligibility criteria for registration by examination of Landscape Architects. The rationale for this was that the committee believed that this would provide a better basis for subsequent reciprocal registration for people registered by Minnesota. For example, there is a provision herein that would require the Board to utilize the national examinations provided by the National Council as one step in reciprocity arrangement. And we further attempted to follow the requirements as set forth by the National Council, but also borrowed certain facets of the rule as it appears before you from other states who have registered landscape architects.

Q. Now you have mentioned an organization which, I think, is described as CLARB and also the National Council of Landscape Architectural Registration Boards. That is what CLARB stands for?

A. That is correct.

Q. Would you briefly describe for the record just what the National Council of Landscape Architectural Registration Boards is?

A. The National Council of Landscape Architectural Registration Boards is, I guess you might call it, a confederation of State Boards of Registration for Landscape Architects. It is similar to the National Council of Architectural Registration Boards, which is a similar group of Boards

of Registration for Architects or Architectural Examiners.

Q. By "Boards" you are referring to State Boards?

A. State Boards. There are, of course,four or five territorial registration jurisdictions also. But it is a grouping of state and territorial Boards of Registration who have banned together in an effort to come up with a standard examination and to standardize to a maximum extent practicable the registrationof various professions to facilitate licensing in other states; a reciprocal or comity type arrangement.

Q. Do you know whether the members of the landscape architect profession with whom you met in formulating these proposed rules are members of CLARB?

A. No, sir, they are not because individual persons cannot belong to these national councils.

Q. This, the national council, is only an organization of State Boards; is that correct?

A. That is correct.

Q. Do you know whether the persons with whom you met, the landscape architect professionals, are members of any professional societies?

A. Yes, I do.

Q. Can you identify that society?

A. The Minnesota Chapter of The American Society of Landscape Architects, who is also a representative of Nurserymen's

Association.

Q. Do you know whether any of the individuals representing the Landscape architects profession are members of the American Society of Landscape Architects?

A. I assume, to be a member of the State Chapter, one must be a member of the National Society.

Q. Now there is a reference in Exhibit 8, and also, I believe, in Appendix A, the originally drafted Proposed Rule, to the American Society of Landscape Architects Committee on Education; are you familiar with that?

A. Yes, sir.

Q. Can you describe for the record what the American Society of Landscape Architects Committee on Education is?

A. The ASLA Committee on Education is the accrediting arm of the Society for the accrediting of landscape architectural curricula in the various colleges and universities around the country. They have, for example, accredited the landscape architecture course at the University of Minnesota in 1962, I believe it was.

Q. And by accrediting arm you refer to officially recognized accrediting arm as recognized by the United States Department of Education?

A. Yes.

Q. HEW?

A. Yes, sir.

Q. Is that right?

A. Yes, sir.

Q. Do you know whether these proposed rules used or drew upon the information and recommendations of the American Society of Landscape Architects Committee on Education?

A. No, sir. I do not. The language in our proposed rule was adopted, or, adopted from the material in the CLARB Table of Equivalents to a certain degree. And based upon my rather limited knowledge of their activities that document was drawn by representatives of the various State Registration Boards. So I do not believe that the American Society of Landscape Architects Committee on Education had much to do with the drawing of this document since they are not a member of the --

Q. Is one objective of these proposed rules to insure that landscape architects registered in this state will be afforded comity privileges in other states?

A. That is one objective. But the major objective is to insure that in registering landscape architects we register people who are the most qualified and can appropriately practice the profession.

MR. BERDE: Off the record a minute.

I have no further questions os this witness.

In the event that any of the members of the Board wants to question, the witness is available for

examination at this time, or in the event that any member of the public interested in these proceedings wants to question this witness he is available for examination at this time.

MR. WILLIAMS: Lorenzo Williams, Architect member of the Board.

BY MR. WILLIAMS:

Q. Mr. Torseth, I believe you stated in your testimony that an individual could not be a member of CLARB; is that correct?

A. Yes, sir. As I understand it, yes.

Q. CLARB does have a process of certifying landscapers; is that correct?

A. That is correct.

Q. Were there members on your committee that were certified by CLARB?

A. I don't know. One of the people that was part of the committee is here today. I would say no.

MR. WILLIAMS: Thank you.

BY MR. MORROW:

Q. I'm interested in why civil and particularly mechanical engineers were singled out as having qualifying education as compared, for example, to Agricultural engineers.

A. I am unable to answer that question, Mr. Morrow. Perhaps

our landscape architect member of the Board can answer that later.

MR. MORROW: Thank you.

MR. BERDE: Anyone else?

Would you state your name please for the record?

MR. OLIN: Pete Olin. I'm an assistant professor at the University of Minnesota.

MR. BERDE: Peter Olin?

MR. OLIN: O-l-i-n.

MR. BERDE: O-l-i-n.

BY MR. OLIN:

Q. I have several questions. What is a CLARB certification? On page 5, "holds CLARB certification." (f) (2).

MR. BERDE: What is the page 5 that you are referring to?

MR. OLIN: Page 4. Excuse me.

A. (2)(a)?

Q. Right.

A. The National Council of Architect Registration Board puts out a national certification which is based on a National Council record. An individual who desires national certification must apply for same for a fee. The National Council then gathers from this information the

information on his educational background, his experience record, employer preferences, personal preferences, client preferences, information pertaining to registration, various registrations the individual has, the date that the individual was registered, by what means he was registered, whether it be by examination, by grandfather clause, by oral examination or whatever. And there are certain certification criteria that CLARB publishes in their table of equivalents that set up, well, really qualification criteria for acceptability for the council record; and the council record is then transmitted to other states. Say you were registered in the State of Minnesota and had the national certificate; you wanted to become registered in North Dakota, which may also require a national certificate for registration; you would then contact the national council for the transmittal of a copy of your national record to the North Dakota Board.

Q If you are registered in another state and now living in the State of Minnesota, there is no provision here for those that do not hold that CLARB certification; how would that be considered?

A Well, the last sentence there, "Each applicant not holding a CLARB certificate shall appear before the Board for a personal interview for the purpose of reviewing the

applicability of experience for registration." The CLARB certification is there. So the individual who holds that certificate, in order to get it, has been all through this before. So it would not be necessary for the individual to take time off and come in and sit before his peers for a half hour or so to determine what his qualifications are.

Q. Well, it is not spelled out in here what the CLARB examination is and when you can take it. And I understand that that comes in various parts; that can be taken at various times. Wouldn't it be clearer for those persons coming through that school to have that as part of that and spelled out in here?

A. It was in the original draft, but CLARB is in the process of changing their criteria. So realizing the problem in changing the rule we set it up like this; and we will keep the University informed as to what the requirements are through a policy thing or a newsletter or something like that.

Q. And is it spelled out somewhere, the definition of a four-year curriculum and a five-year curriculum?

A. Not that I am aware of.

Q. There may be a difference here in the number of years of professional experience and so on with these four and five-year courses; and knowing just a bit about -- and

I am not an expert on what all the other schools are doing -- I would say that there is probably absolutely no difference whatsoever between a four-year curriculum and a five-year curriculum.

A The only thing we could go by, Mr. Olin, is the fact that the Committee on Education has accredited certain five-year curriculum and certain four-year curriculum and they are listed on their listed curricula in that manner. We cannot verify or validate any type of curriculum. We have to take somebody's word for it. And if we get a case where the curriculum is non-accredited, then we have to go to somebody at the University of Minnesota to evaluate the transcripts for that individual.

Q My last question concerns the top of page 2, the Asterisk part, "Professional experience . . . ".

MR. BERDE: You are now referring to Appendix A as published in the Notice of Hearing, I assume?

MR. OLIN: I guess so. Yes. This one I have here.

MR. BERDE: Yes. I will take a look at that.

The question relates to page 2 of Exhibit 8, not Appendix A of the original publication, which has been changed.

BY MR. OLIN:

Q "Professional Experience is defined as equivalent to satisfactory diversified general practice under the supervision of registered Landscape Architects." Since many people here have been working under landscape architects, who will be accredited, or registered only after this goes through, does that experience that he had before that count?

A I would hope so.

Q Well, I would rather like to know.

A Well, I think that, Mr. Olin, you should direct that question to the Board because I just work for them. Mr. Johns might be the appropriate one.

Q I do direct the question to the Board.

MR. BERDE: Perhaps the record, however, should reflect the manner in which the Board intends to interpret that provision.

I believe the question is an appropriate one since the record may later be used or relied upon by some applicant where that specific provision is in question.

A During the course of the building of this document this particular point was discussed and at that time the statement was made that experience gained working for a landscape architect, registered or not, would have to be credited because right today there is no such thing as a registered landscape architect in the State of Minnesota.

So such experience would be credited if that landscape architect were a qualified landscape architect. Somebody could be registered if there were a provision for it.

MR. BERDE: Perhaps when we call the landscape architect as a witness you may want to direct that same question to the landscape architect.

Any other questions?

BY MR. WILLIAMS:

Q. Referring to the fourth page, (f) (1), the last sentence of number (1), "Such applicants shall submit a treatis to the Board relative to Minnesota construction conditions and planting materials applicable to Minnesota." I think that is a very good requirement. Was there any consideration given to eliminating the possibility of this becoming a standardized submission, or submission of a standardized type of document?

A. What was discussed was the listing of subjects that could be written on, and at that time it was thought better that not to have that listing in the rules because of the difficulty in getting the rules changed. But the danger of having a standardized submission was discussed. This is being taken into consideration.

Q. I see. Thank you.

MR. BERDE: Any other questions of the

witness?

MR. HILDRUM: My name is Norman Hildrum.

MR. BERDE: Spell your name for the reporter, please.

MR. HILDRUM: H-i-l-d-r-u-m. I have a general question. May I propose a change to Exhibit 8 at this time?

MR. BERDE: If you have a change that you want to propose, I suggest that you write it out and at the appropriate time you can take the stand and propose it as your change and it will be considered in formulating the final rules for adoption.

MR. HILDRUM: Fine.

MR. BERDE: Anyone else?

If there are no further questions of the witness, that is all, Mr. Torseth.

I would like to call next Mr. Johns.

GUY ROBERT JOHNS,

Called as a witness in the above-entitled matter, after having been first duly sworn, testified under oath as follows:

EXAMINATION

BY MR. BERDE:

Q. Mr. Johns, would you state your full name for the record?

A. My name is Guy Robert Johns.

Q. Where do you live, Mr. Johns?

A. I live in Minneapolis.

Q. And would you briefly describe your background and experience as a landscape architect?

A. Yes. My education is from the California State Polytechnic University in Pomona, California; graduating in 1960. I had four years of experience within the State of California prior to taking the examination and being registered as a landscape architect in the state. Mostly I spent my time in private offices and as an instructor at the University. And then my professional experience continued in California until four years ago, at which time I moved to Minnesota, and at that time I was in charge of a landscape architect office that had opened here, and for the last two years I have been with Bather, Ringrose & Wolsfeld, Edina, as a landscape architect.

Q. And that is where you are now employed?

A. That is where I am currently employed.

My experience is quite diversified. In private practice from various types of private and public design work to currently in environmental design, large-scale regional planning projects, environmental impact statements and so on.

Q. Are you a member of any professional societies, Mr. Johns?

A. Yes. I'm a member of the American Society of Landscape Architects and also am the president of the Minnesota Society of Landscape Architects.

Q. Mr. Johns, are you familiar with the proposed amendments relating to landscape architecture as originally published and as further changed by Exhibit A, the Proposed Rule, Draft #2, September 19, 1975?

A. Yes, I am.

Q. And have you reviewed those proposed rule changes?

A. Yes, I have.

Q. Now with respect to those proposed rule changes as appear in Exhibit 8, have you proposed any changes, or, additions to those rules, both?

Before I ask you that, do you generally support the structure of the Proposed Rule in terms of its experience and education requirements?

A. Yes, I do.

Q. Did you participate in its formulation?

A. Briefly.

Q. Would you describe what you mean by briefly?

A. It was primarily to review the original document that was prepared. I discussed it with the Committee. At that time it was Mr. Torseth.

Q. Now since the drafting of Proposed Rule Draft #2, which is Exhibit 8, have you concluded that further changes should be made from that Proposed Rule?

A. Yes. Last Wednesday we had a Chapter meeting to discuss the Proposed Rules and there were several questions that were raised. At that time we felt that some clarification might be required in that we had proposed our own rules for professional education, professional experience, equivalents and so forth. The document still referred to the CLARB Table of Equivalents and we thought that could be confusing to applicants and therefore felt that the Table of Equivalents should either be as we propose it here or as CLARB proposes it and not a combination of both. So, therefore, we had these suggested changes, we thought, clarified this, whatever the number is here.

Q. Exhibit 8?

A. Exhibit 8.

Q. You feel that the changes that you are about to propose would clarify Exhibit 8; is that correct?

A. That is correct.

Q. Now you have before you a list of suggested changes to Proposed Rule AE&LS 9.1, do you not?

A. I do.

MR. BERDE: I'm going to ask the reporter to mark as Exhibit 9 a single-page document which is

headed "Suggested Changes To Proposed Rule AE&LS 9.1", consisting of five numbered paragraphs.

(Exhibit 9 marked for identification by the court reporter)

Q. Mr. Johns, I show you what has been marked for identification as Exhibit 9. And, I believe, you have a copy before you, do you not?

A. Yes, I do.

Q. I ask you if you can identify that document.

A. It is titled "Suggested Changes to Proposed Rule AE&LS 9.1".

Q. Did you participate in its drafting?

A. I did.

Q. And with whatever person?

A. It was primarily Mr. Ripple, who worked on the Ad Hoc Committee, and Mr. Torseth.

Q. That is Mr. Ripple, R-i-p-p-l-e?

A. That's right.

Q. Can you identify Mr. Ripple for the record?

A. He is a landscape architect in private practice. He is not here today.

Q. Is he a graduate of an accredited landscape architectural curriculum?

A. He is a graduate of Iowa State. I don't know when it was an accredited school. I think about '58,'59, I believe.

He is registered in the State of New York and he has worked for registration of landscape architects in the State of Minnesota, or, I should say, towards for the last two or three years.

Q Now can you tell us how it came about that these suggested changes were thought necessary or appropriate?

A We felt that, in reading the proposed rules, that we discuss the education and experience equivalents, but then we also make reference to a CLARB Table, which is not adopted here.

Q Did you initate then a consideration of these proposed changes with Mr. Torseth?

A That is correct.

Q And with other members of the landscape architect profession?

A No.

Q Justwith Mr.Torseth?

A Just with Mr. Torseth and Mr. Ripple.

Q And how did Mr. Ripple happen to get involved in it?

A Well, after the meeting on Wednesday with the Chapter, John and I were discussing some of the questions raised at the time and began to discuss suggested changes to delete some references to the CLARB Table of Equivalents in that we thought it was somewhat confusing in the document to have one for the State of Minnesota, but yet

refer to another document for Table of Equivalents.

Q. Now the document that you looked at and which you decided was confusing was the document that has now been identified as Exhibit 8 in this record; namely, the Proposed Rule Draft #2?

A. That is correct.

Q. And now the document originally published in the Notice of Hearing?

A. That is correct.

Q. Very good. Now I want to go through with you your suggested changes and key them to the appropriate paragraphs of Exhibit 8 so that you can explain for the record in each case why you believe that the suggested changes would be desirable.

Let's take first paragraph 1, where you proposed deletion of the sentence beginning on line 3 and ending on line 5 of page 2. Would you describe the reason for that change?

A. Well, I believe the sentence reads, "An applicant with qualified experience will be granted credit in accordance with CLARB Table of Equivalent." And yet we discussed here on page 1, the education and professional experience, which sets forth, it seems to me, the experience portion, and then we discuss in the next several paragraphs also outlining experience, and we felt that it was sufficient

and that we should not then refer to the CLARB Table. I guess, you know, there were some changes -- what I am trying to say is that our statement is not 100 percent CLARB and it was confusing to go back and forth as to what was required in the state and what was required in CLARB.

Q. It is your feeling then that the inclusion of that sentence which refers to the CLARB Table of Equivalents would be confusing in that it mixed two separate standards of criteria in the application form?

A. That is correct.

Q. Very well. Let's move then to the next proposed change, which is listed in your paragraph 2. You propose a change in Clause (a) (4), at page 2.

A. Again it was mentioned that the CLARB Table of Equivalents is mentioned, and rather than to mix the document we thought it was better to change the sentence to read, ""For non-graduates, each year of approved Landscape Architectural Education successfully completed at the college level shall receive full credit."

In other words, we were giving the non-graduates recognition for the courses they had taken and again we weren't mixing our requirements with another document.

Q. Did you discuss that proposed change with any other

members of the Landscape Architectural Profession other than Mr. Ripple?

A. I did not.

Q. Very well. Would you then refer to paragraph 3, where you propose deletion of Clause (a) (9) on page 2. That clause now reads, and I quote from Exhibit 8, "Practical training gained prior to the acquisition of a Landscape Architecture degree shall be credited in accordance with the CLARB Table of Equivalents."

A. Again we thought it was mixing two documents and we felt that we spelled out here the professional experience that was required to receive registration in the state whether it is prior to or after graduation and thought that that was then not necessary.

Q. Mr. Johns, do you have any concern that the elimination of the reference to the CLARB Table of Equivalents, as you proposed, will adversely affect the application of the comity principles now afforded between registrants of different states?

A. I don't believe so because, as I understand our registration, they will have to take the CLARB examinations in the state to receive registration and, therefore, they have to meet the requirements anyway, and I don't see that that is any difficulty.

Q. Very well. Next then paragraph 4 of your proposed change.

A. That was just renumbering.

Q. That is just renumbering. That is just a technical change in the event that paragraph 9 of Exhibit 8 on page 2 is deleted; is that right?

A. Right.

Q. And paragraph 5 is again a change in order to take account of the deletion of paragraph (a)(9) at the bottom of page 2?

A. That is correct.

Q. Very well. Do you have anything more that you want to say about these proposed rules as suggested to be changed by Exhibit 9?

A. Not at this time.

MR. BERDE: Does anybody want to examine the witness on the basis of his proposed changes?

BY MRS. EDYTHE V. NADDY:

Q. I'm wondering, sir, "qualified experience", under the paper I'm looking at, that is apparently in accordance with your testimony, number 1. I am just curious as to how that would be determined, qualified experience. Would this be determined by you as a professional on the Board and the other two people that may be working with you; is that correct?

A. That is correct.

Q. And what criteria would we use to determine these factors?

A. I think at the time what we would look at would be the applicant, his experience, his background, his education as it comes through, the school he has gone to, would be the guiding factors.

I think in the next sentence it says, "Professional Experience is defined as equivalent to satisfactory diversified general practice under the supervision of registered landscape architects." So I think that the individual has to demonstrate his capabilities. That will be determined when the applicant submits it.

MR.BERDE: Any further questions to the witness?

If there are no further questions of the witness, that is all, Mr. Johns.

Are there any other witnesses to want to testify in support of the proposed amendments either as originally published, or as further amended by Exhibit 8?

Are there any other witnesses who want to testify generally in favor of the proposed amendments, or any modifications thereto?

Would you state your name?

MR. HILDRUM: Norman Hildrum.

MR. BERDE: Mr. Hildrum, do you want to take the stand?

NORMAN HILDRUM

Called as a witness in the above-entitled matter, after having been first duly sworn, testified under oath as follows:

EXAMINATION

BY MR. BERDE:

Q. Mr. Hildrum, would you state your full name for the record?

A. Norman W. Hildrum.

Q. And where do you live?

A. Cottage Grove, Minnesota.

Q. And where are you employed?

A. I am currently employed as a supervisor of landscape architect for the U. S. Army Corp of Engineers, St.Paul District; St. Paul, Minnesota.

Q. Can you briefly state your experience and education for the record?

A. I am a graduate of the University of Minnesota; I have seven years professional experience in landscape architecture; I am a licensed landscape architect in the State of Kentucky.

EXHIBIT COTTON CONTENT

Q And has your professional experience since your graduation been entirely with the U. S. Army Corp of Engineers?

A Except for a period with the Idaho Department of Parks.

Q Can you briefly state for the record the nature of the work you do for the Army Corp of Engineers?

A Our mission and work basically involves the area of landscape architecture related to water resources planning, recreation, public use planning, environmental assessments, environment reviews of proposed projects. So in a basic sense it is a broad-scaled planning with emphasis on water resources, public use planning and interpretative developments.

Q Mr. Hildrum, have you examined Exhibit 8?

A Yes, I have.

Q And have you examined it with the view of making certain changes to it?

A Yes.

Q Or do you have certain changes that you want to propose?

A Yes, I have. I have a proposed change to Exhibit 8.

Q And would you briefly state -- or, not briefly -- but completely state the change that you want to make and in what paragraph?

A The proposed change that I have relates to page 4(f) (2). I am proposing an addition, which would be labeled (c), which is the following statement:

"Is a licensed landscape architect in another state or country where the qualifications prescribed at the time of licensing were, in the opinion of the Board, equal to those prescribed in the State of Minnesota at the date of application."

Q Let me take a look at that.

MR. BERDE: I am going to ask the reporter to mark for identification as Exhibit 10 a single page, handwritten proposed modification to Exhibit 8 that has been drafted by Mr. Hildrum.

(Exhibit 10 marked for identification by the court reporter)

Q Mr. Hildrum, can you state for the record the reasons why you believe that your proposed modification, or, additions of additional requirements for licensure or registration would be appropriate?

A It is my personal opinion that this amendment would provide for the licensing of existing practicing landscape architects who do not have CLARB certification, but who are duly licensed in other states. It will provide them the opportunity of becoming licensed in the State of Minnesota at the time of application without undue paperwork in a sense.

Q Now are you familiar with the process of CLARB certification?

A. Just to the extent that it has been described today.

Q- Are you aware that there are in MInnesota a number of landscape architects registered in other states who do not hold CLARB certification?

A. I personally know of one other person.

Q. That is, besides yourself?

A. Yes, sir. And he is here today.

Q. I see.

A. I don't doubt that there is a number of landscape architects in the State of Minnesota who are licensed in other states who do not have presently CLARB certification.

Q. You understand that subparagraph (f)(2) of Exhibit 8 relates solely to the registration of applicants prior to January 1, 1977?

A. Right.

Q. And as I understand it then your proposed modification would similarly relate only to the registration of applicants prior to that date?

A. Yes.

Q. And it is your view, as I understand it, that the public would be adequately protected if it were to accept for registration in this state a person who has been registered in another state under criteria or standards equal, in the opinion of the Board, to those here being

prescribed; is that right?

A. Yes.

Q. And that is the intent of your proposed modification?

A. Yes.

Q. Very well.

MR. BERDE: The witness is available for examination.

BY MR. MORROW:

Q. I am a little confused. It seems merely that you are repeating item (2)(b).

A. No. (2)(b) is basically relating to the table of experience and education. In some cases a person may have been licensed in another state under, if you will, professional education and experience that did not necessarily meet this table, who, subsequently, through professional practice from the time of their registration in another state, have gained experience that would qualify them in perhaps some form other than that listed in the table. I can't right off the top of my head give you any specific example, but I could rationalize that one who was licensed in another state, who has been practicing the profession of landscape architecture would qualify now under the proposed rules of Minnesota. And the purpose here is comity of reciprocity in a general

sense because the states that are registered, or have registration programs, is increasing every year, but I do not believe it is the majority of the states right now. There are a number of states that don't. All this is doing is simply making the process for the Board a bit easier in their review through January, 1977 of the qualifications and requests for registration in the state.

BY MR. BRUCE A. ABRAHAMSON:

Q Mr. Hildrum, to the best of your knowledge, the various states that do now have registration laws for landscape architecture, are the standards equal to or as high as what we are proposing in this rule? Or is there indeed a great variation in the standards and rules within the various states?

A Well, I'm giving you basically an opinion. I don't have, you know, a great deal of experience in other states.

The law that was passed in the state I am currently registered in, in Kentucky, basically, I found, in my opinion, the rules and regulations and the nature of the examinations are comparable. The rules that are usually approved under the grandfather clauses vary considerably, depending on the states involved. That is the particular reason why I added

"in the opinion of the Board, equal to". So that is an opinion. I can't say it is a fact. It is an interpretation of what I have seen in other state registration laws.

MR. BERDE: Anyone else? Mrs. Johns.

BY MR. JOHNS:

Q. I was just wondering whether the last paragraph really didn't handle that situation; "Each applicant not holding a CLARB certificate shall appear before the Board for a personal interview . . . ", at which time you could examine his license or what he had to do to take the examination in his state?

A. That one review is applicability of experience. It could be possible, but it doesn't review the educational background.

MR. BERDE: Any other questions of the witness?

I have a question as a followup of Mr. Morrow's question. I don't know if Mr. Morros was completely satisfied.

BY MR. BERDE:

Q. Do I understand that in the classification table there may be circumstances where a person licensed in another

state could technically satisfy the classification table, but in the opinion of the Board he may not have been examined under standards equivalent to what this board is now adopting? Is that what you are saying?

A. Not exactly. I think the point I was trying to make -- and it was alluded to earlier when you mentioned mechanical and civil engineering. Let's say there was a professional engineer, or a person who has an educational background in a curriculum that is not stated in this table, but who has the professional background and experience in landscape architecture which, to the satisfaction of another state, the Board currently deems as being reasonable or equal to the requirements of the State of Minnesota, has licensed that person. What I am saying is, I believe there is. I can't really give you, as I say, a specific example, but the situation could arise where a person, through his educational background and experience, was licensed in the past in another state where the Board in Minnesota currently feel is equal requirements, but not specifically meet the requirements stated here, could be considered for licensing because of the fact of a prior reciprocal licensing agreement.

MILLERS FALLS

BY MR. MORROW:

Q. I believe you are recommending universal comity; and we do not, for example, where we have the experience in the comity licensing of engineers, grant universal comity in Minnesota.

Now this criteria was established as a minimum. You are proposing to lower that minimum?

A. No, I'm not.

Q. Then if they meet this condition there is no additional requirements necessary.

A. I don't really understand the nature of your last statement.

Q. If they meet the conditions, any one of the conditions called out in the table, then there are no other comity requirements necessary.

A. What I am saying is that the conditions prescribed in the table are not all inclusive.

Q. You are proposing then, if you want them all inclusive, universal comity?

A. No, I don't. I am saying there may be a requirement not stated in the table that in the opinion of the Board is equal to the requirements in this table, but not stated through the licensing, the existing licensing, of a person who may be considered as applicable and equal.

Q. In the opinion of the Board?

A. In the opinion of the Board.

Q. They already have that right, however. If in the opinion of the Board they meet the requirements they can license them.

A. Where does it say that in this rule?

MR. KLEINHENZ: I think before you brought up the point what about agricultural engineers. Now that is not stated and it doesn't really fit anyplace in this classification or combinations thereof. Also, I believe, I know a forester who has been practicing for many years. He has been involved in water resource studies. That is not covered here.

I think the statement he makes merely allows the public, or, the person to be aware that the Board, in their opinion, could consider other people that have been practicing landscape architecture even though they don't meet the table and statement (2)(a) and (b).

MR. MORROW: As you recall, the question on engineering was not answered earlier and I was hoping we could attack that sometime later and refer to curriculum without qualifying it as civil or mechanical.

MR. BERDE: Let me see if I can further develop the reasons of Mr. Hildrum for this proposal.

BY MR. BERDE:

Q. Your proposal would permit this Board to register an applicant who is licensed in another state, or, I should say, registered in another state under circumstances where, in the Board's opinion, the standards for registration were equivalent; not the same, but equivalent?

A. Right.

Q. Notwithstanding the fact that that applicant for registration did not meet any combination of the requirements for registration as stated in the table; isn't that correct?

A. Yes.

Q. So it would be simply for purposes of this first time around, it would give greater flexibility to the Board; is that what you are suggesting?

A. Yes. And that would expire in January.

Q. And that in January of '77 registration in that manner would expire; does that accurately state what you are proposing?

A. Yes, it does.

MR.BERDE: Rudy Monson.

BY MR. MONSON:

Q. I have one question. (f)(2), and if there were a proposed part (c), (2) refers only to Minnesota residents.

Now are you saying people that are MInnesota residents now but registered in other states, or are you saying registered in other states period, which is covered in part (1)?

A. That's a very good point. My own interpretation of this was for people practicing in Minnesota as residents of Minnesota who are currently licensed in other states because there is no licensing or registration available in this state. That was the intent of my proposed change.

Q. I see.

MR. UMLAND: I wholeheartedly support Mr. Hildrum's flexibility to the amendment.

BY MR. BERDE:

Q. Mr. Hildrum, I want to follow up a bit on Mr. Monson's excellent point.

How would your proposal treat a resident of another state who does not intend to become a resident of the state, but who may want to practice in this state and who is registered in another state?

A. Quite honestly, I feel it would be a legitimate application there, too. I feel that, when you consider it, if a person who is, again, licensed and wishes to practice in Minnesota, but Minnesota does not offer it now, I think it would be a reasonable amendment to

include both (1) and (2) under that provision. So quite possibly then it should be listed as (f)(3) rather than (f)(2)(b), or (f)(2)(c).

Does that not bring it back out and allow it to be applied either way?

MR. BERDE: Are there any other questions of Mr. Hildrum? If not, thank you very much, Mr. Hildrum.

Are there any other witnesses?

Does anybody think we need a break at this time? Or do you want to go on?

Are there any other witnesses who want to testify in support of or in modification to the proposed rule?

Yes, sir? Will you come up to the witness stand?

ROGER S. WILLIAMS,

Called as a witness in the above-entitled matter, after having been first duly sworn, testified under oath as follows:

EXAMINATION

BY MR. BERDE:

Q Mr. Williams, would you state your full name for the record?

A. My name is Roger S. Williams.

Q. And where do you live?

A. I live in New Brighton.

Q. And where are you employed?

A. I am employed by the State Planning Agency of the State of Minnesota.

Q. Would you briefly describe your background and experience?

A. I have a degree in Landscape Architecture from Iowa State University, which is an accredited college, in Landscape Architecture; I have approximately four years of experience in private practice with the firm of Agur, Jyring, Whiteman & Moser in Duluth.

Q. Do you want to spell that for the reporter?

A. A-g-u-r, J-y-r-i-n-g, W-h-i-t-e-m-a-n and M-o-s-e-r.

I have approximately eight years of experience in the public sector, primarily with the State of Minnesota. I was with the Bureau of Engineering in the Department of Natural Resources for a number of years. I was with the Governor's office for a couple of years, working on the Voyageurs National Park work, and I have been Director of Land Use Planning for the State Planning Agency for the last four years.

Q. Do you have a modification or any testimony that you want to give with respect to the proposed rules?

A. My purpose in testifying this morning is simply to

indicate my support of the proposed rules. I believe they are Exhibit 8, as amended by, or, as proposed to be amended by Mr. Johns on the one-page amendment. I have reviewed these amendments. I have spoken very briefly with Mr. Johns as to the reason for these amendments at the beginning of the meeting and, I believe, that the amendments would help clarify the experience and educational qualifications that are required by relying, I guess, on the table on page 1 as opposed to just a general reference to CLARB equivalency ratings. I believe that the rules as drafted and proposed to be amended represent a fair balance between, where they consider at least, the rights of the professional and yet, and perhaps more pertinently, certainly more importantly, I think, adequately protect the safety, health and welfare of the public.

Q. Does that complete your statement?

A. That completes my statement.

MR. BERDE: The witness is available for cross-examination. Mr. Monson.

BY MR. MONSON:

Q. Mr. Williams, how do you feel about Mr. Hildrum's proposed addition?

A. I haven't studied Mr. Williams' proposal. I personally

feel that registration in another state should not necessarily be a determining factor for registration in Minnesota. I think if a person is registered in another state and if the registration certificate in that other state is based on the same experience and educational levels, then there should be no problem. But I think the table on page 1 should be the guideline for the Board to follow as opposed to automatic registration because somebody holds a certificate in another state.

MR. MONSON: Thank you.

MR. BERDE: Any other questions?

Thank you, Mr. Williams.

MR. WILLIAMS: Thank you.

MR. BERDE: Now are there any other witnesses who want to speak with respect to the proposed amendment?

MR. MARTIN: Roger Martin.

MR. BERDE: Would you come up here, Mr. Martin?

ROGER B. MARTIN,

Called as a witness in the above-entitled matter, after having been first duly sworn, testified under oath as follows:

EXAMINATION

BY MR. BERDE:

Q. Mr. Martin, would you state your full name for the record?

A. Roger B. Martin.

Q. Where do you live?

A. I live at 2912 45th Avenue South in Minneapolis.

Q. Where are you employed?

A. At the University of Minnesota.

Q. Would you briefly state the nature of your employment, your background and experience?

A. My role there is Chairman of the Landscape and Architectural Program in Educating Landscape Architects. My previous background is that of an undergraduate degree at the University of Minnesota, Master's Degree from Harvard University in Landscape Architecture, and I previously taught at the University of California, Berkeley, and came here in 1966 to develop the program in Landscape Architecture.

Q. Can you briefly describe your experience in the practice of Landscape Architecture?

A. Throughout my time in education, which now numbers 11 years, at various times I hae been practicing as well as teaching in the field.

Q. And you are presently Chairman of the Landscape Architectural program at the University of Minnesota;

is that correct?

A. That is right. I did also want to indicate that I am on the Board of Accreditation, National Accreditation Committee, the American Society of Landscape Architects, and it is related to their accrediting methods, or, in fact, criteria that I might sit here today.

Q. I take it then you are a member of the American Society of Landscape Architecture; is that right?

A. That is right.

Q. Are you a member of any other professional societies?

A. Not at this time.

Q. Okay. Do you have a statement that you want to make with respect to the proposed rule changes?

A. In general, with the recommendations that Mr. Johns has made, I would concur with them at this particular point in time. I do feel that they are proper in terms of the approach which the National Accreditation Board has taken in accrediting schools and evaluating the various equivalencies of years of education related to practice. The Board itself has not taken any definitive policy reference to registration, but my particular point here is in regard to the accreditation of a five and four-year courses. The Board does accredit both programs.

Q. You are speaking now of the Board of Accreditation of the American Society; is that correct?

A. Right. They accredit both five- and four-year undergraduate programs for the training of professional landscape architects; and I do feel that, as a member of the Board, the registration law here in MInnesota should reinforce the five-year requirement as opposed to the four-year requirement in terms of giving the opportunity for one to use fewer years of experience in that particular case.

Q. Are you familiar, Mr. Martin, with CLARB certification and the process of CLARB certification?

A. Only to the extent that we have talked about it here and general readings on the requirements.

Q. Are you a member of the Minnesota Society?

A. Yes, I am.

Q. Do you have an opinion, Mr. Martin, with respect to the modifications proposed by Mr. Hildrum?

A. I really do not, not having a clear sense of the nature of that proposal. However, I do feel in general that we should allow these registrants from other states to present their credentials and be evaluated on the basis of those rather than necessarily any registration they received.

Q. Your suggestion, I take it, is that in addition to the fact of registration you want to look at the background and experience of the applicant; is that correct?

A. I would recommend that direction, yes.

Q. If you determined that an applicant registered in another state was registered under standards and requirements as rigid, in the opinion of the Board, as those required under the standards proposed to be adopted, would you accept such registration in another state, given those assumptions?

A. Yes.

Q. As the basis for registration in this state up until January 1, 1977?

A. Yes. I would say that that would be proper as long as one could examine those criteria for registration in those states.

Q. Is there anything further you want to add?

A. No.

MR. BERDE: Is there anyone who wants to examine the witness?

BY MR. HAGLIN:

Q. Have you studied the exhibit which is identified as Exhibit 8?

A. Yes, I have.

Q. Has your experience been primarily in education?

A. Yes, it has.

Q. Does your interpretation of this exhibit preclude your

registration because ofyour lack of experience or professional experience?

A. To my knowledge, it does not. I guess I would have to present my credentials to the Board to determine whether it does or not. Apparently it does not, or I have not found the section which equates amount of educational work and teaching to that of professional practice.

MR. HAGLIN: Well, Mr. Chairman, I would point out the paragraph in here that, on page 3, paragraph (10), which limits the credit to two years; and, I guess, my concern is whether the witness, in his thorough examination of this exhibit, would feel that such limitation would preclude him as the head of the department from being registered.

MR. MORROW: I believe the witness stated that he has experience, in addition to teaching, which he would submit to the Board for examination.

MR. HAGLIN: That is why I asked the question, if his experience is primarily teaching.

A. Well, certainly if one did not look at my related professional experience I may have difficulty underneath this requirement as I read it.

BY MR. LORENZO WILLIAMS:

Q. Mr. Martin, have you been involved in the structuring

of this rule that we are considering here today?

A. No, I have not.

Q. Not at all. Okay.

BY MR. MONSON:

Q. Mr. Martin, in your work on the Accrediting end of the Society -- to clear up a point that refers back to Table 1, where they are giving credit to civil and mechanical engineers specifically rather than engineers in general -- I guess I will make the statement and see if you concur with it or if this is the reasoning. There is an overlap in the education of a landscape architect, as I understand it, in these two fields in that landscape architects receive training in hydrology and pipe flows and so forth, which is a critical part of landscape architecture, and thereby they have been given some credit for civil and mechanical; is this correct?

A. I am not sure the reason for the listing of that category, but at least the landscape architects do study those areas in their education, and that may have been the reason why we included it.

BY MR. MORROW:

Q. Mr. Martin, I have two questions. As an educator, would you recommend that the Board consider curriculum rather

than the title of civil or mechanical engineering?

A. It seems a reasonable clarification, or more general listing of engineering curricula rather than two specific ones. It does not seem problematic to me.

Q. The other question gets to the chart which gives no recognition of advanced degrees, which you indicated you have. In a left-handed manner it refers to a five-year course, but as an accredited one. But, however, no advance degrees are ever accredited.

A. In the case of landscape architecture that is not the case. Many institutions, who normally only have graduate programs, that degree is the accredited degree at that institution.

Q. That is the only accredited degree.

A. That's right.

Q. Yes, but do they accredit them as a doctorate, or are they credited as an undergraduate degree?

A. It is accredited at the level that it is given. At this point there is no accredited doctor degrees, but only masters and undergraduate degrees.

Q. The question I am getting to, for example, on one chart we have a graduate of a non-accredited landscape, four-year course, three years,and six years of professional experience. Now that experience could also have a doctorate in landscape architecture for which he would

receive no credit; is that your understanding as an educator?

A. Well, there could be an accredited masters program. If you would rephrase that in terms of not referring to doctorate, which potentially, I see under this proposal, he would not receive credit for, yes.

MR. MORROW: Thank you.

BY MR. BERDE:

Q. Mr. Martin, are you aware of whether there are people with a degree from a non-accredited undergraduate curriculum who then go on to graduate landscape architecture in an accredited curriculum?

A. Generally this is common amongst the graduate programs; that most of the undergraduates entering those accredited graduate programs have degrees in other fields; forestry, horticulture and so forth.

Q. And that constitutes the major share of the applicants to landscape architecture graduate programs; that is, they are graduates, undergraduates, of a different discipline?

A. I am not sure of the actual figures, but it is a high percentage. I wouldn't want to say it was as high as 50 percent.

Q. Minnesota has a graduate program in landscape

architecture, did you say?

A No, we do not.

Q You do not. Very well.

MR. BERDE: Mr. Haglin.

MR. HAGLIN: Question to counsel, Mr. Chairman.

Mr. Berde, would it be appropriate to ask the witness' department at the University to respond within 20 days to the question raised by the limitation placed on teaching experience?

MR. BERDE: Yes, that would be appropriate.

I might state for the record at this point, in response to Mr. Haglin's question, that following the close of this hearing there will be afforded an opportunity for a period of 20 days for any independent persons to submit written statements, which will be incorporated as part of the record.

So, Mr. Martin, if you or any member of your staff, of your faculty in landscape architecture, desires to file a supplementary statement you may do so.

MR. HAGLIN: Mr. Chairman?

Mr. Berde, I would like to ask the witness to have his department give this consideration and request that they do file such consideration from the department for the consideration of this hearing.

MR. BERDE: And that statement may include either supportive material or proposals to amend or modify any specific provision in the draft proposal.

Jack Umland.

MR. UMLAND: I think there is another side of the coin that has to be realized. I am a firm believer that practical experience is extremely important; and I see here, and according to the chart, where a man may have his own business and may be a self-learned man, self-educated man in the world of architecture, or landscape architecture, that has been in the business for ten years, let's say, and yet, in 1977, January 1, 1977, he is no longer going to be able to be registered, and that does concern me. He will not have any experience here (indicating). So I think we have to look at the other side of the coin as well. And I'm not so sure I want to see '77. I would rather see '78 and give the man two years time to get his education. I just want that point brought forward.

MR. BERDE: Comments with respect to Mr. Umland's remarks?

You are talking about the man with no professional education, but who has had experience solely as appears in the bottom line of Exhibit 8 under the heading "Professional Education 0"?

MR. UMLAND: That is correct.

MR. BERDE: And "Professional Experience 13" years in total?

MR. UMLAND: That's right.

MR. BERDE: "Total 13"?

MR. UMLAND: right. Just plug "10" into those. In other words, if the man only had 10 years today, no education under this column, no professional education.

MR. ABRAHAMSON: I would like to say that the classification chart we are talking about is determinant on whether a man can take the examination. And so still it would be possible for a man to qualify to take the examination just with experience in 13 years, ending after 1977.

MR. UMLAND: What I am saying is after 1977 the man will only have 11 years.

BY MR. LORENZO WILLIAMS:

Q. I assume it is possible for the Master's Degree in Landscape Architect to be the first profession; is that correct?

A. That is right.

Q. This doesn't address itself to that?

A. That's right. It suggests that maybe there is another

listing here that may indicate a situation of numbers between professional practice and education relating to graduate education. And I think the faculty will look at this, as I understand.

Q When you consider that would you correspond that as part of your charge?

A Yes.

MR. BERDE: Mr. Haglin.

BY MR. HAGLIN:

Q On page 2, subparagraph (4) it relates to non-graduates of approved landscape architecture education. What is the approval status of your department at the University?

A Our program is accredited by the American Society of Landscape Architects.

Q Are there extension programs, evening courses and so forth available that are approved out of your department that are other than full-time day students?

A Currently we do offer several courses through an extension service, also through the summer sessions, which are non-academic year kinds of courses and they are courses that are acceptable and usable for the degree.

Q Well, could you describe for us the opportunities available in accredited courses for a person who has no prior formal education, but who would wish to get

approved credits during other than normal working hours?

A. The program is set up basically in day school at this particular time and the chance to receive the degree without working in other hours is most difficult at this particular time.

MR. HAGLIN: That is all.

MR. BERDE: Any other questions?

MR. JOHNS: I would just like for clarification to say that Mr. Martin's staff is working with the Ad Hoc Committee, so there has been some input to this document. It isn't totally without the educational aspect.

Another thing that was pointed out to me. On the top of page 3, (10) and (11) talked about "An advanced degree from an ASLA Committee on Education accredited Landscape Architecture curriculum or teaching and research in such accredited curricula shall receive full credit up to a maximum of two years." And (11) states, "Other training, education, teaching or practical experience of a Landscape Architectural nature will be subject to review and determination by the Board." And I would assume that would cover the advanced degrees or any other kind of professional practices.

MR.BERDE: Any other questions of Mr. Martin?

BY MRS. GRAMITH:

Q Are there any other accredited schools in the State of Minnesota?

A No, there are none.

MR. GRAMITH: Thank you.

MR. BERDE: Mr. Johns.

MR. JOHNS: I was just wondering if Mr. Martin could speak to the professional experiences of his staff that he has. I think there is a question as to whether it is strictly educational.

BY MR. BERDE:

Q In your experience, Mr. Martin, does your staff have experience?

A I think one thing that we have encouraged the faculty to do during their time in teaching and in their summers is practice in the field. All our faculty are nine-month appointments, which means that they are out in the field during at least three months of the year. They have the opportunity to take at least eight hours a week, according to the University regulations, to participate in professional practice, and they have afforded themselves this opportunity. Most of the people that we have on the staff in fact have practiced for an average of three or four years prior to getting into education and coming

and working at the University of Minnesota. So we do have that situation with our staff.

Also, there is an opportunity for a staff member to reduce his time. We have granted this in the past so that he can participate in professional activities. And this has taken place in a great many cases.

MR. BERDE: Any other questions?

If there are none, thank you, Mr. Martin.

Are there any other witnesses now that want to speak to the proposed rules, either as originally published or as proposed to be modified or amended?

If there are no other witnesses who want to testify either in support of the proposed published amendments or any modification thereof, I will now ask whether there are any witnesses who want to testify in opposition to the adoption of the rules relating to landscape architecture or in opposition to any proposed amendment to the published rules.

If there are none, then that will close the testimonial part of the hearing.

I want to state again for the record that, as the chairman pointed out in his opening statement, interested parties will be afforded an opportunity to file written statements following the close of the hearing. The time allowed is 20 days from today.

Any person who intends to submit this material, any written material, should notify the Executive Secretary of the Board, Mr. Lowell Torseth, and any written material should be directed to him at the Board office.

If there is nothing further --

VOICE: Mr. Berde?

MR. BERDE: Yes?

VOICE: Could I ask if legal holidays and so forth are inclusive in that, or not?

MR. BERDE: The 20 days includes; that is, you count 20 days from today. If the holidays were to fall at the end of the period, then you jump the holiday and add a day. But if the holidays fall within the 20-day period you would include those holidays within the 20-day span.

MR. GEORGE ANDERSON: Mr. Berde, could I ask a question of one of the witnesses?

I would like to ask, Mr. Johns, either in your Ad Hoc Committee or in your chapter meetings, in light of the last category on page 1, no professional education, in any of your discussions was there any thought given to the setting of a possible target date to eliminate no professional education; that is, a degree be required?

MR. JOHNS: No, therewasn't. I would

suggest that the greatest portion of the practicing landscape architects have degrees or advanced degrees.

MR. BERDE: Is there anything else? If not, that will close the hearing record.

* * *

REPORTER'S CERTIFICATE

I, Leo J. Styrbicki, do hereby certify that I recorded in Stenotypy the hearing in the above-entitled matter on the 12th day of December, 1975, at St. Paul, Minnesota;

That I was then and there a notary public in and for the County of Ramsey, State of Minnesota, and by that virtue thereof, I was duly authorized to administer an oath;

That the witnesses before testifying were by me first duly sworn to testify the whole truth and nothing but the truth relative to said cause;

I further testify that thereafter and on the same date I transcribed into typewriting under my direction the foregoing transcript of the preceding 74 typewritten pages.

I further certify that said hearing of such interview is true and correct to the best of my ability.

Leo J. Styrbicki,
Court Reporter

Dated this 19th day
ofDecember, 1975.

LEO J. STYRBICKI,
Notary Public, Ramsey County, Minn.
My Commission Expires Sept. 12, 1977

CERTIFICATE OF ADOPTION OF
RESOLUTION AUTHORIZING HEARING

I, Rudolph W. Monson, do hereby certify that I am Secretary of the Board of Registration for Architecture, Engineering, Land Surveying and Landscape Architecture, a Board duly authorized under the laws of the State of Minnesota, that the following is a true, complete and correct copy of a resolution adopted at a meeting of the Board duly and properly called and held on the 25th day of September, 1975; that a quorum was present at said meeting; that a majority of those present voted for the resolution; and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified:

RESOLUTION

"RESOLVED: That Rudolph W. Monson and G. Leigh Morrow, two of the members of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, be and they are granted the authority and directed to call a hearing for the purpose of promulgating amendments to the Rules of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture pursuant to Appendix A attached hereto, as well as to perform any and all acts incidental thereto, including without limitation, signing an order for hearing and notice of hearing as well as acting as presiding officer at all hearings."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 10 day of November, 1975.

Rudolph W. Monson
Secretary

Ex. 1

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter Of:

Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

ORDER FOR HEARING

To effectively implement Minn. Stat. §§326.02 to 326.16 inclusive, the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture deems it necessary to consider adoption of amendments to the above captioned Rules pursuant to the authority vested in the Board by Minn. Stat. 1974 §§326.06 and 15.0412, as amended.

NOW, THEREFORE, IT IS ORDERED, this 25th day of September 1975, that a public hearing on the above captioned Proposed Amendments be held in the office of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, Metro Square Building, 7th and Robert Streets, Saint Paul, Minnesota, 55101, on December 12, 1975, commencing at 9:00 A.M., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard.

IT IS FURTHER ORDERED, that notice of said hearing be given to all representatives of associations or other interested groups or persons who have filed their names with the Secretary of State for that purpose and all persons who are presently members of the Minnesota Legislature.

BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

Rudolph W. Monson

Rudolph W. Monson, Secretary

By: G. Leigh Morrow

G. Leigh Morrow, Chairman

Ex. 2

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter Of:

Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

AFFIDAVIT OF MAILING

3

Lowell E. Torseth, being first duly sworn, deposes and says:

That on the 10th day of November, 1975, at the City of Saint Paul, County of Ramsey, State of Minnesota, he served the Notice of Hearing in the above matter by depositing in the United States mail at said City of Saint Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached sheets, as well as all members of the Minnesota Legislature.

Lowell E. Torseth

Executive Secretary
Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture

Subscribed and sworn to before me this 10th day of November, 1975.

Carol A. Andersen

Carol A. Andersen
Notary Public, Dakota County, Minnesota
My Commission Expires February 5, 1983

CAROL A. ANDERSEN
NOTARY PUBLIC-MINNESOTA
DAKOTA COUNTY
My Commission Expires Feb. 5, 1983

Ex. 3

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter Of:

Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to Minn. Stat. 1974 §§ 326.06 and 15.0412, as amended, in the above entitled matter in the office of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, Metro Square Building, 7th and Robert Streets, Saint Paul, Minnesota, on Friday, December 12, 1975, commencing at 9:00 A.M., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning the Proposed Amendments captioned above by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted without appearing at the hearing.

A copy of the Proposed Amendments is attached hereto as Appendix A. The Proposed Amendments would amend Rule AE&LS 9 by adding thereto a new section to be designated AE&LS 9.1, Examination of Landscape Architect Applicants as set forth in Appendix A.

By Order of the Chairman

BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

By Lowell E. Torseth
Lowell E. Torseth
Executive Secretary

November 10, 1975.

Ex. 4

4

APPENDIX A
PROPOSED RULE

AE&LS 9.1 Examination of Landscape Architect Applicants.

(a) Education and Experience. An applicant for registration as a Landscape Architect shall be required to pass a written and oral examination as provided herein. To qualify for such examination, he shall present satisfactory evidence that he has:

(1) Graduated from landscape architecture curriculum of a university or college accredited by the American Society of Landscape Architects Committee on Education.

(2) Completed at least three years of satisfactory diversified experience, after graduation, under the supervision of registered Landscape Architects.

(3) An applicant may also qualify provided that he submits to the Board satisfactory evidence that his education and subsequent experience are substantially equivalent to the above requirements as set forth in the following table:

Classification	Professional Education (years)	Professional Experience * (years)	Total Education and Experience
Graduate of ASLA Accredited Landscape Architectural Curriculum			
5-year course	5	3	8
4-year course	4	5	9
Graduate of Non-Accredited Landscape Architectural Curriculum			
5-year course	4	5	9
4-year course	3	7	10
Graduate of NAAB Accredited Architectural Curriculum	3	7	10
Graduate of ECPD Accredited Civil or Mechanical Engineering Curriculum	3	7	10
Graduate of Non-Accredited Architectural Curriculum	2	9	11
Graduate of Non-Accredited Civil or Mechanical Engineering Curriculum	2	9	11

*Professional experience must be acquired after graduation except that continuous experience gained before graduation will be evaluated by the Board. An applicant with qualified experience will be granted credit in accordance with CLARB Table of Equivalents. Professional Experience is defined as equivalent to satisfactory diversified general practice under the supervision of registered Landscape Architects.

(4) For non-graduates, each year of approved Landscape Architectural Education successfully completed at the college level shall be credited in accordance with the CLARB Table of Equivalents.

(5) Employment by Government agencies, Engineering firms, general contractors, in areas directly related to construction, may be substituted for professional experience, as defined above; one full year of such experience will be considered the equivalent of one-half year of full-time professional experience, but not over two years of credit toward professional experience will be given for such experience.

(6) Employment by Government agencies, including the military, when diversified and comparable to employment in the office of a registered Landscape Architect with a verified record of substantial practice shall receive full credit with no time limitation. Such work shall be directly related to Landscape Architecture and shall be under the direct supervision of a registered Landscape Architect. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(7) Employment by organizations that have employees performing Landscape Architectural services in connection with projects used or owned by that organization when said employment is directly related to Landscape Architectural work and is under the direct supervision of a registered Landscape Architect shall receive full credit with no time limitation. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(8) Employment or practice in such fields as interior design, architecture, engineering, city planning and periods of employment with such organizations as VISTA, HUD, Peace Corps and advocacy planning shall receive full credit up to a maximum of two years.

(9) Practical training gained prior to the acquisition of a Landscape Architecture degree shall be credited in accordance with the CLARB Table of Equivalents.

(10) An advanced degree from an ASLA Committee on Education accredited Landscape Architecture curriculum or teaching and research in such accredited curricula shall receive full credit up to a maximum of two years.

(11) Other training, education, teaching or practical experience will not be acceptable to the Board.

(b) Application and Oral Examination.

The Board shall review the applicant's experience record and conduct a personal interview of each applicant for admission to the examination process. The personal interview shall consist of direct examination by Board to include such additional exhibits of drawings, specifications, photographs of work, letters of reference, as the Board may direct.

(c) Written Examination.

(1) Landscape Architect-in-Training Examination

Part I -	History and Theory	2 hours
Part II -	Planting Design and Materials	6 hours
Part III -	Landscape Architectural Design	12 hours

(2) Professional Practice Examination

Part IV -	Landscape Architectural Construction	10 hours
Part V -	Professional Administration	2 hours

(3) Handbooks, tables, reference books, bound notes and hand-held non-programmable battery-operated electronic calculators are permitted when authorized by the Board.

(d) Landscape Architect-in-Training. An applicant for certification as a Landscape Architect-in-Training shall present satisfactory evidence to the Board that he or she has either:

(1) Graduated from an accredited Landscape Architectural curriculum appearing on the list of accredited curricula current at the time of his or her graduation as published by the American Society of Landscape Architects (ASLA) Committee on Education, or

(2) Completed ten years of satisfactory diversified experience under the supervision of registered Landscape Architects; each scholastic year of study satisfactorily completed in a curriculum accredited by the ASLA Committee on Education shall be considered in accordance with the National Council of Landscape Architectural Registration Boards (CLARB) Table of Equivalents.

(e) Professional Practice Examination.

An applicant for registration as Landscape Architect by examination shall be admitted to the Professional Practice Examination in Landscape Architecture provided he or she has:

(1) Successfully completed the Landscape Architect-in-Training Examination and

(2) Completed a total of thirteen years of combined education and experience satisfactory to the Board. Each year of education approved by the Board in accordance with the table herein shall be credited as two years of experience.

(f) Qualification for Registration Without Written Examination.

The Board shall, with reference to applications for registration received prior to January 1, 1977, issue a certificate of registration as a landscape architect, without examination, to any applicant submitting evidence to the Board that he has had not less than ten years full-time experience, or equivalent, in the practice of landscape architecture of a character satisfactory to the Board. Each such applicant shall appear before the Board for a personal interview for the purpose of reviewing the applicability of experience for registration.

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter Of:

Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

CERTIFICATE

I hereby certify that the State Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture received from this office on November 7, 1975 at 8:00 A. M. a current and complete list of persons, associations, and other interested groups who have requested pursuant to Minn. Stat. 1971, §15.0412, et seq. , that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on Proposed Rules on the subject captioned above.

Joan Anderson Growe
SECRETARY OF STATE
Joan Growe

By Ceil Dion
Ceil Dion

Ex. 5

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CAMPING ASSN MRS LEACOCK
5 BRIGHTON SQ
BRIGHTON MN
12

ERSON HERBERT
8TH ST. SO.
GINIA MN
92

HONY DICK WDSM RADIO
E SUPR ST
UTH MN
02

USSEN,DENNIS,MPIRG
6 UNIV AVE SE
S MN
14

N RESIDENCES FOR RETARDED
RICE SUITE 301
PAUL MN
03

DALICH JOHN P
25 THOMPSON AVE
ST PAUL MN
075

CKLIN ROBERT C
7 N.W 4TH
RIDGE MN
508

ALBERT,AA CALDER CORP
366 JACKSON ST
ST PAUL MN
55101

AM INST PROF GEOLOGISTS
2201 PRINCETON AVE
ST PAUL MN
55105

ANDERSON HAROLD
BOX 3047
MANKATO MN
56001

ARNOLD ROBERT MESPA
41 SHERBURNE
ST PAUL MN
55103

ASSOCIATED GEN CONTROF MN
48 E 8TH STREET
ST PAUL MN
55101

AUTOMOBILE MFRS ASSN INC
55 SHERBURNE AVE
ST PAUL MN
55103

BARRETT FRED
ST LOUIS CO COURT HOUSE
DULUTH MN

BEECHER EVERETT
10 10 1ST ST SO
HOPKINS MN

ALLENDORF MARSHALL
220 GRAIN EX 400 S 4TH
MPLS MN
55415

ANCHOR BLOCK COMPANY
PO BOX 3360
ST PAUL MN
55165

ANDERSON JAMES
7703 NORMANDALE RD
MPLS MN
55435

ARROWHEAD REGIONAL DEV COMM
900 ALWORTH BLDG
DULUTH MN
55802

ASSOCIATED INDUST OF MPLS
NATIONAL BLDG
MPLS MN
55402

BARTHOLOW HAROLD E FIRE CHF
2600 109 AVE N W
COON RAPIDS MN
55433

BEMIDJI STATE COLLEGE
PLACEMENT BUR.J.C.BRADY
BEMIDJI MN
56601

ALTMAN MILTON H
707 DEGREE OF HONOR BLD
ST PAUL MN
55101

ANDERSON GRAHAM
951 E HENN
MPLS MN
55414

ANDERSON STANFORD P
14600 MINNETONKA BLVD
MINNETONKA MN
55343

ARVER JOHN A
2467 COHANCY
ST PAUL MN
55113

ASSN OF MINN COUNTIES
55 SHERBURNE AVE #203
ST PAUL MN
55103

BABCOCK LOCHER NELSON ET
118 E MAIN ST
ANOKA MN
55303

BECK PAT
953 HYACINTH AVE
ST PAUL MN
55106

BENSONI PETER USW OF AM
609 PROVIDENCE BLDG.
DULUTH MN

ERUD ALF
ROANKE BLDG
MN
2

OUIST BARRY L
H BRANCH MN
6

SHAM E M III
WING MN
66

WN F D
L KINGSBERRY LANE
NETONKA MN
43

GER ALBERT
DEGREE OF HONOR BLD
PAUL MN
01

RLSON VERNE E
Y 755 CITY HALL
LMAR MN
701

HAMBER OF COMMERCE
0 SO 1ST AVE EAST
LY MN
5731

BERGSETH THOMAS
1011 NICOLLET MALL
MPLS MN
55403

BLOOMINGTON CITY CLERK
2215 W OLD SHAKOPEE RD
BLOOMINGTON MN
55431

BROEKER JOHN
2850METRO DR. SUITE 504
BLOOMINGTON MN
55420

BRUBACHER RICHARD COMM ADM
208 ADM BLDG
ST PAUL MN
55101

BUR.ENGR.IND.DIV. MR.KIBIGER
219 N. 2ND ST.
MPLS. MN

CAIN RUTH
730 E 38TH ST
MPLS MN
55407

CARRISON DALE K
MANKATO STATE COLLEGE
MANKATO MN
56001

CHAMBERLAIN JOHN L
PO BOX 241
MPLS MN
55440

BEST FLANAGAN ET AL
4040 IDS CENTER
MPLS MN
55402

BREHL JAMES W
332 HAMM BLDG
ST PAUL MN
55102

BROOKS WILLIAM F JR
854 MIDLAND BK BLDG
MPLS MN
55401

BRUNING C.R.DEPT.CLINIC.EXP.
BURTON HALL
MPLS. MN
55455

BUR NATL AFFAIRS INC
1231 25TH ST NW
WASHINGTON DC
20037

CAIRNS JOHN A
47TH FLR IDS CENTER
MPLS MN
55402

CENTRAL BUSINESS DATA
BENSON RADIO ARCADE BLD
BENSON MN
56215

CHERCHES CHRIS CITY MGR
5005 MTKA BLVD
ST LOUIS PARK MN
55416

BEUTEL ROBERT
2200 SILVER LAKE RD
NEW BRIGHTON MN
55112

BRIGGS & MORGAN - B F FRI
2200 W 1ST NATL BK BLDG
ST PAUL MN
55101

BROWN D M GOODRIDGE PUB S
IND DIST #561
GOODRIDGE MN
56725

BUCHHOLTZ CHARLES
5044 BRENT AVE E
INV GRV HTS MN
55075

BUSCH NOEL
3131 FERNBROOK LANE N
MPLS MN
55441

CARLSON CARL L
7516 80TH ST S
COTTAGE GROVE MN
55016

CENTRAL MN REGIONAL DEV C
1139 FRANKLIN AVE
SAUK RAPIDS MN
56379

CHRISTIAN SCI COMM ON PUB
1821 UNIV AVE SUITE 271
ST PAUL MN
55104

HRISTIANSEN FREDRIK
505 CAPITOL SQ BLDG
PAUL MN
155

ARKSON J.B.
50 I.D.S. CENTER
NNEAPOLIS MN
402

MMUNITY DESIGN CENTER
8 E 6TH ST
LS MN
404

AYTON CHAS SIERRA CLUB
00 MIDLAND BANK BLDG
MPLS MN
55401

DISPATCH PIONEER PRESS
PRESS RM STATE CAPITOL
ST PAUL MN
55101

Dayton Maurice E. MET SEWER BD
350 Metro Sq Bldg
St. Paul MN
55101

CHRYSALIS CENTER FOR WOMEN
2104 STEVENS AVE S
MPLS MN
55404

CLAUSEN PHILLIP
2307 STANDISH ST
ST PAUL MN
55108

CONCORDIA COLLEGE
DEAN
MOORHEAD MN
56560

CRAVEN NORMAN
10637 THOMAS AVE S
BLOOMINGTON MN
55431

DAILEY THOMAS ECONOMICS LAB
370 WABASHA ST
ST PAUL MN
55102

DEVELOP DISABILITIES PROGRAM
STATE PLAN 101 CAP SQ
ST PAUL MN
55155

DORSEY MARQUART
2400 1ST NATL BANK BLDG
MPLS MN
55402

DUDLEY E H
PT 7 BOX 122
EXCELSIOR MN
55331

CITY CLERK
386 CITY HALL
ST PAUL MN
55102

~~COLEMAN NICHOLAS D~~
~~700 LINWOOD AVE~~
~~ST PAUL MN~~
~~55105~~

CONSUMER SERVICES DEPT COMM
5TH FLR METRO SQ BLDG
ST PAUL MN
55101

CROW WING CO PLANNING & ADV
COURT HOUSE
BRAINERD MN
56401

DANKERS, KENNETH
1200 WEST FOURTH STREET
RED WING MN
55066

DICKINSON MRS JOANNE
BOX 1065
MARSHALL MN
56258

DOUGLASS BELL
525 OSBORN BLDG
ST PAUL MN
55102

DUNN OLIVER PLUMBERS LOC 15
708 SO 10TH ST
MPLS MN
55404

CITIZENS LEAGUE
530 SYNDICATE BLDG
MPLS MN
55402

COLLIN LAURENCE
RT 2
ISANTI MN
55040

COUNTY ATTYS COUNCIL
95 SHERBURNE AVE S203
ST PAUL MN
55103

CUSHMAN J S DAYTON HUDSON
700 NICOLLET MALL
MPLS MN
55402

DANIELSON RODNEY L
418 AUDITORIUM
ST PAUL MN
55102

DIEHL JOHN
26 KENWOOD PKWY
ST PAUL MN
55105

DOW CHEMICAL
47 BLDG
MIDLAND MI
48640

DZUGAN KEN ST PAUL PLANNI
421 WABASHA ST
ST PAUL MN
55102

EBELING EDWARD H.
161 W. MAIN
PERHAM MN
56573

ELMER EDWIN W
2901 PLEASANT AVE
MPLS MN
55408

EMERICK RICHARD A
1908 IDS CENTER
MPLS MN
55402

ERDMAN ROGER TENNANT CO
701 LILAC DR
MPLS MN
55441

ERNEST K LEHMANN & ASSOC.
1409 WILLOW ST.
MPLS MN
55403

EVANS CHAS.L. PRENTICE-HALL
ENGELWOOD CLIFFS
NEW JERSEY

EVERETT JERRY NW PETRO ASSN
512 NICOLLET MALL RM917
MPLS MN
55402

FAEGRE & BENSON ATTN LIBR
1300 NW BANK BLDG
MPLS MN
55402

FELHABER R S
W 1ST NATL BANK BLDG
ST PAUL MN
55101

FINLEY JAMES F
920 MINN BLDG
ST PAUL MN
55101

FLEMING FREDERICK A
1860 HIGHLAND PARKWAY
ST PAUL MN
55116

FITZGERALD DR BOB
3007 LYNDALE AVE SO
MPLS MN
55408

FOX W.E. LINDQUIST & VENNUM
4200 IDSCTR 80 S.8TH ST
MINNEAPOLIS MN
55402

FRANKLIN ROBERT B MPLS TRIB
426 PORTLAND
MPLS MN
55415

ELDER DR JAMES B
11140 WASHBURN AVE SO
BLOOMINGTON MN
55431

ELDRED R W ARMOUR & CO
UNION STOCK YARDS
SO ST PAUL MN
55075

ENNIS A F BOISE CASCADE
PO BOX 713
INTL FALLS MN
56649

ENV SERV-GEN RESOURCE CCR
6340 INDUSTRIAL DR
HOPKINS MN
55343

ESSE KENNETH
4801 W 50TH ST
EDINA MN
55424

ETHICS COMM
RM 410 STATE OFF BLDG
ST PAUL MN
55155

EWALD DOUGLAS MINN HOSP ASSN
2333 UNIV AVE SE
MPLS MN
55414

EWING MRS WM
42 ASTAR RD
BABBITT MN
55706

FARMERS ELEVATOR ASSN
852 GRAIN EXCH BLDG
MPLS MN
55415

FARRELL FRANK BUR NOR
RM 1180 176 E 5TH ST
ST PAUL MN
55101

FINNEGAN J.R.
55 E. 4TH
ST.PAUL MN
55101

FLADLAND CLINTON MN L&P B
796 RAYMOND AVE
ST PAUL MN
55114

FORBES GORDON MINN RRS ASSN
203 HANOVER 480 CEDAR
ST PAUL MN
55101

FORSBERG AGR SERV
518 SUMMIT AVE
NEW ULM MN
56073

FREDIN CONRAD M
811 FIRST NATL BK BLDG
DULUTH MN
55802

FREDRIKSON BYRON FT AL
47TH FLR IDS CENTER M
PLS MN
55402

FURLONG DR JOHN
RT 1
OVEY MN
5709

ARONER HOW – R A JOHNSON
15 WASHINGTON AVE N
PLS MN
5401

IEL DAVID
M B-28 STATE CAPITOL
T PAUL MN
5155

RAHAM THOS H
54 MIDLAND BK BLDG
PLS MN
5401

REEN GARY J
41 SHERBURNE AVE
ST PAUL MN
5102

AROLD J WESTIN CONSTRUCTORS
5 E 8TH ST
T PAUL MN
5101

AYES, THOMAS W
00 SELLWOOD BLG
ULUTH MN
5812

F W WOOLWORTH CO
3316 W 66TH ST
EDINA MN
55424

GEBERT K L
220 GRAIN EXCH
MPLS MN
55415

GLEESON MICHAEL
909 SOC SC BLDG U OF M
MPLS MN
55455

GRANATH MARVIN –HONEYWELL
2701 4TH AVE SO
MPLS MN
55408

GREEN JANET
9773 N SHORE DR
DULUTH MN
55804

H B FULLER CO
2400 KASOTA AVE
ST PAUL MN
55108

HARVEY MICHAEL
1390 W M HAHA PKWY
MPLS MN
55409

HEALTH MANPOWER C LARSON
717 DELAWARE ST SE
MPLS MN
55440

GEO A HORMEL & CO LAW DEPT
PO BOX 800
AUSTIN MN
55912

GLEN. HILLS HOSP.R.VAN HAUER
3901 GOLDEN VALLEY RD.
MPLS. MN
55422

GREATER MET AREA HOSPITALITY
5152 CEDAR AVE S
MPLS MN
55417

GUSTAFSON DAN-LABOR TEMPLE
312 CENTRAL
MPLS MN
55414

HANFT PHILIP M
1200 ALWORTH BLDG
DULUTH MN
55802

HALLBERG LEE & MCCABE
4927 34TH AVE S
MPLS MN
55417

HENTHORN GARY WOODSTOCK
7365 LANDAU DR
BLOOMINGTON MN
55438

GALVIN M J JR
W2162 1ST NATL BK BLDG
ST PAUL MN
55101

GEORGE K GRANSE CO
1477 SELBY AVE
ST PAUL MN
55104

GODIN RALPH J
3824 47TH AVE SO
MPLS MN
55406

GREEN DEL CITY MGR
BLOOMINGTON CITY HALL
BLOOMINGTON MN
55431

GUSTAFSON WALLACE
BOX 567
WILLMAR MN
56201

HANSON ETHEL
2813 85TH AVE N
MPLS MN
55444

HAUN DR J W GEN MILLS
PO BOX 1113
MPLS MN
55440

HART PATRICK V
112 E LIBERTY BOX 3271
MANKATO MN
56001

HARTFELDT WILL
434 HAMM BLDG
ST PAUL MN
55102

HEAD & TRUHN
1007 SOO LINE BLDG
MPLS MN
55402

HEIM PAUL
1320 SOO LINE BLDG
MPLS MN
55402

HEINTZ MARY ELLEN
PO BOX 599
CINCINNATI OH
45201

HEISENFELT WM
BOX 516
BEMIDJI MN
56601

HICHINGER-MARK PLANNING
421 WABASHA ST
ST PAUL MN
55102

HILL JIM ASSOC.MILK PROD.
7850 METRO PARKWAY
MINNEAPOLIS MN
55420

HINRICHSEN PATRICK
MANKATO FREE PRESS
MANKATO MN
56001

HOLDAHL SCOTT
380 N BLDG GRAIN EXCH
MPLS MN
55415

HOLEY GEO AERONAUTICS
DOWNTOWN AIRPORT
ST PAUL MN
55107

HOLMES EUSTIS ET AL
4610 IDS CENTER
MPLS MN
55402

HOPKINS WM.B. DIR.MISCCA
3915 GOLDEN VALLEY ROAD
GOLDEN VALLEY MN
55422

HORNER WALDORF - KAZIJKEWICZ
PO BOX 3260
ST PAUL MN
55165

HOULE MELVIN
881 W HWY 96
SHOREVIEW MN
55112

HOUSE APPROPRIATIONS COMM
RM 109 STATE CAPITOL
ST PAUL MN
55101

HOUSE ED STANDING SUB COM
RM 109 STATE CAPITOL
ST PAUL MN
55101

HOUSE RESEARCH
RM 17 STATE CAPITOL
ST PAUL MN
55155

HULSTRAND ANDERSON & LARSON
PO BOX 130
WILLMAR MN
56201

HULTMAN WARREN R
C/O BARBAROSSA R3
OSSEO MN
55369

HUMAN RIGHTS
200 CAPITOL SQ BLDG
ST PAUL MN
55101

HUNT JAMES P JR
11470 GALTIER DR
BURNSVILLE MN
55378

HUTCHISON R.M. ANOKA CO.COMP
COURT HOUSE
ANOKA MN
55303

HYLAND DEAN
1501 W 50TH ST
MPLS MN
55419

ILLINGWORTH ROBT C
6750 FRANCE AVE S
MPLS MN
55435

INGEBRIGTSEN DR K H
23 SE 4TH ST
MPLS MN
55414

INGVALSON VERN MN.FARM BUR.
3110 WOODDALE DR PO 337
OST PAUL MN
55165

INS FED OF MINN
902 SOO LINE BLDG
MPLS MN
55402

INTERSTATE POWER RW STEELE
1000 MAIN ST
DUBUQUE IA
52001

IUOE LOC 49 CHAS SWENSON
2580 UNIV AVE
ST PAUL MN
55101

IVERSON DR JOS DEPT ED
ST OLAF COLLEGE
NORTHFIELD MN
55057

IZAAK WALTON LEAGUE MN DI
106 TIMES BLDG 57 S 4TH
MPLS MN
55401

ENSEN CARL A
27 E MAIN ST
LEEPY EYE MN
6085

OHNSON M.D. FRUNDT & FRUNDT
LUE ARTH MN
6013

AVANEY RICHARD
220 NORTHERN FED BLDG
T PAUL MN
5102

IMBALL ROBERT
647 CAPITOL SQ BLDG
ST PAUL MN
55101

NU ON DR KEITH, BIOLOGY DPT
ST CLOUD STATE
ST CLOUD MN
6301

OPP MRS VERNON
2050 65TH ST E
NVER GR HGHT MN
55075

AKE SUPERIOR INDUSTRIAL BUR
328 FIRST AM. BK. BLDG.
ULUTH MN
5802

JACKMAN DONALD G
4023 E LAKE ST
MPLS MN
55406

JOHNSON & SANDERSON
ST MARYS HOSPITAL
ROCHESTER MN
55901

JOHNSON LANCE J
265 S LAFAYETTE RD
ST PAUL MN
55107

KEABLE MIKE
909 6TH AVE N
ST CLOUD MN
56301

KLOSTER MARION PEAVEY CO
730 2ND AVE S
MPLS MN
55402

KNUTSON R N GRANNIS ETAL
F J SCHULT BLDG
ST ST PAUL MN
55075

KRAMER ERNEST W
717 DELAWARE ST SE
MPLS MN
55440

LANAHAN E F - SIBLEY CO
184 E 6TH ST
ST PAUL MN
55101

JAIN NIRMAL ENIV PROCESS
1220 GLENWOOD AVE
MPLS MN
55405

JOHNSON CLARENCE IBEW LU 292
3615 37TH AVE S
MPLS MN
55406

KEENAN RICHARD J
4444 IDS BLDG
MPLS MN
55402

KLUZ STEVEN J
1910 1ST NATL BK BLDG
MPLS MN
55402

KNVDSON ROBT
4375 BROWNDALE AVE
MPLS MN
55424

KRONLOKKEN J E
10048 NORD RD
BLOOMINGTON MN
55437

LANGVIN DAVID
7500 80TH ST S
COTTAGE GROVE MN
55016

JENOS INC
525 LAKE AVE SO
DULUTH MN
55801

JOHNSON LEROY
9939 BLUEBIRD ST NW
COON RAPIDS MN
55433

KABLE RICHARD W
PETHEL MN
55006

KEILY DANILE
3549 V2 PLEASANT AVE
MPLS MN
55408

KNOPP TIMOTHY
COLLEGE FORESTRY U OF M
ST PAUL MN
55108

KOLLER MR & MRS ERWIN A
1568 DULUTH ST
ST PAUL MN
55108

LANSING & OAKES
400 SIBLEY ST
ST PAUL MN
55101

APP LAZAR LAURIE ET AL
1200 BUILDERS EXCHANGE
MINNEAPOLIS MN
55402

LARSON C L
3800 MINNEHAHA AVE SO
MPLS MN
55406

LARSON HANS P DIV HOSP SERV
717 DELAWARE ST SE
MPLS MN
55440

LEAGUE MN MUNIC
300 HANOVER 480 CEDAR
ST PAUL MN
55101

EAGUE WOMEN VOTERS OF MINN
555 WABASHA
ST PAUL MN
55102

LIBBEY LEONARD
BOX 17011 NOKOMIS STA
MPLS MN
55417

LINDALL & JONATHAN DEVELOP.
VILLAGE ONE CENTER
CHASKA MN
55318

LOCKNER GARY
R R 1 BOX 23
BAUDETTE MN
56623

OOS CALVIN J
809 LYNDALE AVE SO
PLS MN
554

LOWE DOUG
2701 N LEXINGTON AVE
ROSEVILLE MN
55113

LYNCH DONALD SIBLEY CO
184 E 6TH ST
ST PAUL MN
55102

MCDONALD PHILIP M
2077 SELBY AVE
ST PAUL MN
55104

MCFADDEN G H DISPATCH-PRESS
55 E 4TH ST
ST PAUL MN
55101

MCKIBBON MRS SHIRLEY
11 EVERGREEN LN
BABBITT MN
55706

MCLELLAN LARKIN
215 ADM BLDG ST CAPITOL
ST PAUL MN
55101

MALONE E I COMM LABOR & INDU
444 LAFAYETTE RD 5TH FL
ST PAUL MN
55101

MANKATO STAT STUDENT SENATE
CENTENNIAL STUDENT UN
MANKATO MN
56001

MANKATO STATE STUDENT AS
BOX 58 MANKATO COLLEGE
MANKATO MN
56001

MATHEY T J PICKANDS MATHER
11 SUPERIOR AVE
CLEVELAND OH
44114

MASTOR & MATTSON LTD
315 PEAVEY BLDG
MPLS MN
55402

MAUL WARREN E
320 S 4TH ST
MPLS MN
55415

MAYO FOUNDATION G ORWOLL
200 FIRST AVE NW
ROCHESTER MN
55901

MECCA
867 GRAND AVE
ST PAUL MN
55105

MEIEROTTO, JOAN
1794 SO LEXINGTON
ST PAUL MN
55118

MERRITT GRANT POLLUTION CONT
1935 W CO RD 32
ROSEVILLE MN
55113

MET TFR MEN ASSN A ROSENT
1821 UNIV AVE
ST PAUL MN
55104

METROPOLITAN COUNCIL LIBRARY
300 METRO SQUARE
ST PAUL MN
55155

MIDLAND GLASS- HD SPURLING
PO BOX 69
SHAKOPEE MN
55379

MILLER RICHARD A
1020 PLYMOUTH BLDG
MPLS MN
55402

MILLER TOM
2311 PILLSBURY AVE S
MPLS MN
55404

MPLS CHAMBER COMM TRANSP DPT
15 S 5TH ST
MPLS MN
55402

MIDLAND GLASS-HD SPURLING
PO BOX 69
SHAKOPEE MN
55379

MINN AFL-CIO, L O LA SHOMB
414 AUDITORIUM ST
ST [redacted]UL MN
55102

MINN. ASSN. PET RETAILERS
1115 2ND AVE. SO.
MINNEAPOLIS MN
55403

MINN COMMUNITY DEVELOP SERV
512 ROSSMOR BLDG
ST PAUL MN
55101

MI[redacted] ELECTRICAL ASSN INC
52[redacted]SC 7TH
MPLS MN
55415

MINN HEREFORD-LJ SCHAFER

BUFFALO LAKE MN
55314

MINN LAND USE COMMITTEE
244 IDS CENTER
PLS MN
5402

MPLS CITY ATTORNEY
325M CITY HALL
MPLS MN
55415

MILLER PAUL J PHARMACY SERV
ST MARYS HOSP
ROCHESTER MN
55901

MINN ASPHALT PAVEMENT ASSN
555 WABASHA RM 209
ST PAUL MN
55102

MINN ASSN WATERSHED DIST'S

ADA MN
56510

MINN COUNCIL STATE EMP NO 6
475 RICE ST
ST PAUL MN
55103

MINN ENV LAW INST INC
PO BOX 15076 COMM STA
MPLS MN
55415

MINN. HOTEL & MTR. ASSN
2001 UNIVERSITY AVE
ST PAUL MN

MINN LP GAS ASSN
7515 WAYZATA BLVD 106
MPLS MN
55426

MPLS STAR PRESS ROOM
STATE CAPITOL
ST PAUL MN
55101

MINN APT ASSN
GRIGGS-MIDWAY BLDG
ST PAUL MN
55104

MINN ASSN COOPERATIVES
55 SHERBURNE AVE
ST PAUL MN
55103

MINN AUTOMOBILE DEALERS ASSN
GRIGGS MIDWAY BLDG
ST PAUL MN
55104

MINN DEPT HEALTH J C MCKASY
717 DELAWARE S E
MPLS MN
55440

MINN FARMERS UNION PRES OFF
1275 UNIV AVE
ST PAUL MN
55104

MINN HOUSING INST N T CARTER
7801 METRO PKWY
MPLS MN
55420

MINNE MINE CREDIT UNION
3000 HUDSON PK S 100
ST PAUL MN
55119

MPLS TRIBUNE CITY DESK
425 PORTLAND AVE
MPLS MN
55415

MN. ASN.C&IND H.D.PETERSO
480 CEDAR ST.
ST.PAUL MN
55101

MINN ASSN ELEC COOPERATIV
4901 W 77TH ST
MPLS MN
55435

MINN COMM FOR HANDICAPPED
METRO SQ 492 7TH & ROBT
ST PAUL MN
55101

MINN DENTAL HYGIENISTS
5041 YVONNE TERRACE
MPLS MN
55436

MINN FOOD RETAILERS ASSN
555 WABASHA
ST PAUL MN
55101

MINN HWYS MANAGEMENT SERV
407 HWY BLDG
ST PAUL MN
55101

MINN.MTR.TRANSP. .J.N.D
1821 UNIV.
ST.PAUL MN
55104

MINN PETROLEUM COUNCIL
1020 NORTHERN FED BLDG
ST PAUL MN
55102

MINN POULTRY & HATCHERY ASSN
BOX 158
MADELIA MN
56062

MN REP STATE CENTRAL COMM
555 WABASHA AVE
ST PAUL MN
55102

MINN RESTAURANT ASSN
2001 UNIVERSITY AVE.
ST PAUL MN 55
104

MINN RETAIL FEDERATION
7600 PARKLAWN STE 457
MPLS MN
55435

MINN RETAIL HARDWARE ASSN
3033 EXCELSIOR BLVD 313
MPLS MN
55416

MINN SOCIETY ARCHITECTS AIA
NW NATL BK BLDG
ST PAUL MN
55101

MINN SOC CERTIFIED PUB AC
1102 WESLEY TEMPLE BLDG
MPLS MN
55403

MINN STATE BAR ASSN
100 MINN FED BLDG
MPLS MN
55[redacted]2

MINN STATE BD PHARMACY
717 DELAWARE ST SE #351
MPLS MN
55414

MINN STATE CAPITOL EMP UNION
PO BOX 3215
ST PAUL MN
55165

MINN STATE MED ASSN
375 JACKSON ST
ST PAUL MN
55101

MINN STATE RETIREMENT SYSTEM
529 JACKSON ST
ST PAUL MN
55101

MINN TEAMSTERS CREDIT UNION
2021 HENN AVE E
MPLS MN
55413

MINN TBR PRODUCERS ASSN
200 CHRISTIE BLDG
DULUTH MN
55802

MINN. TURKEY GROWERS ASSN
2303 UNIV AVE
ST PAUL MN
55114

MINN VETERANS MED ASSN
2175 W HWY 36
ROSEVILLE MN
55113

MINN WATER RESOURCES BD
RM 206 555 WABASHA ST
ST PAUL MN
55102

MINN-WISC BOUNDARY AREA COMM
600 2ND ST
HUDSON WI
54016

MN PUB INT RESEARCH GROUP
3036 UNIV AVE SE
MPLS MN
55414

MOFFITT R C
R[redacted]01 M MPLS CITYHALL
MPLS MN
55415

MOOD R BLOOMINGTON HLTH DEPT
10200 PENN SO
BLOOMINGTON MN
55431

MOONEY, MICHAEL A.
BOX 903, ST.JOHN'S UNIV
COLLEGEVILLE MN
56321

MORTON BUILDINGS INC
R #1
FOLEY MN
56329

MPIRG
BOX 45 ST MARYS COLLEGE
WINONA MN
55987

MUCK THOS R
160 STATE OFF BLDG
ST PAUL MN
55155

MUELLER SHIRLEY A
787 W COTTAGE AVE
ST PAUL MN
55117

NASS GEO V HENN CO GEN HOSP
5TH AND PORTLAND AVE
MPLS MN
55415

NATL CAR RENTAL ATT D MITZEL
5501 GREEN VALLEY DR
MPLS MN
55437

NATL COUNCIL JEWISH WOMEN
4330 CEDAR LK RD
MPLS MN
55416

NATL FAMILY INS CO
2147 UNIV AVE
ST PAUL MN
55114

NAT'L SOLID WASTES-R. GRASSO
1730 RHODE ISLAND AV.NW
WASHINGTON DC
20036

NCEC INC C/O DR DAHLBERG
CONCORDIA COLLEGE
MOORHEAD MN
56560

NEDELL HAROLD - MEINEKE
6300 W LOOP S SUITE 200
BELLAIRE TX
77401

NEREN MADONNA
376 NEAL AVE S
AFTON MN
55001

NESBITT JOHN
7851 METRO PKWY S 118
MPLS MN
55420

NEUMAN RALPH W
RT 2 BOX 125
EMBARRASS MN
55732

NIELSEN STOCK & BLACKBURN
415 730 BLDG
MPLS MN

NO SUB MONTESSORI-S SADDL
2487 HELEN COURT
NO ST PAUL MN
55109

NORTH CENTRAL ELEC ASSN
PO BOX 202
BAGLE LAKE MN
56515

NW COUNTRY ELEVATOR ASSN
802 GRAIN EXCH BLDG
MPLS MN
55415

NURSING HOME ADMRS BD EXAMRS
RM 340 717 DELAWARE SE
MPLS MN
55414

NUTTER JULIA
743 W MONTANA
ST PAUL MN
55117

NW BELL TEL CO LEGAL DEPT
224 S 5TH ST RM 2000
MPLS MN
55402

NYQUIST DEAN A
3707 53RD PL N
BROOKLYN CTR MN
55429

O'BRIEN J.DENNIS
1100 1ST NATL.BANK BLDG
MINNEAPOLIS MN
55402

OFFICE OF THE GOVERNOR
130 STATE CAPITOL
ST PAUL MN
55101

OLD COLONY GAS & OIL COMPANY
12TH AVE N AT 2ND ST
MPLS MN
55411

OLOFSON ARTHUR MBO & MAINC
927 SOO LINE BLDG
MPLS MN
55402

OSTRUM DONALD E
PO BOX 33163
COON RAPIDS MN
55433

OTTER TAIL POWER CO.
215 S. CASCADE ST.
FERGUS FALLS MN
56537

PATTISON ORVIS
BOX 645
WILLMAR MN
56201

PAYNE COL ALVIN

DEGRAFF MN
56233

PAYNE WM B
2400 FIRST NATL BK BLDG
MPLS MN
55402

PETERSON JOHN W
510 NW BK BLDG
ST PAUL MN
55101

PETERSON GARY
854 MIDLAND BK BLDG
MPLS MN
55401

PFEIFER AND SHULTZ, INC
1433 UTICA AVE S
MPLS MN
55416

PHAR MFGRS ASSN WM D PATT
1155 15TH ST NW
WASHINGTON DC DC
20005

PHILLIPS LEGISLATIVE SERVICE
459 RICE ST
ST PAUL MN
55103

PINNETTI NICK M HALEY & ASS.
40 CENTRAL PARK S
NEW YORK NY
10019

POPOVICH PETER S
314 MINN BLDG
ST PAUL MN
55101

PORTER LYLE D

TRACY MN
56175

PORT AUTH CITY OF ST PAUL
330 MINNESOTA BLDG
ST PAUL MN
55101

PORTER DAVID
3212 LONGFELLOW AVE S
MPLS MN
55407

POSS DONALD G
6301 SHINGLE CREEK PKWY
BROOKLYN CTR MN
55430

POYZER ROBT
BOX 675
FERGUS FALLS MN
56357

PRAUSE JOS.C.
2220 105TH AVE.N.W.
COON RAPIDS MN
55433

PROCTOR&GAMBLE L THEOHAROUS
IVORYDALE TECH CENTER
CINCINNATI OH
45217

PULSCHER RBT SPRINGSTED INC
813 OSBORN BLDG
ST PAUL MN
55102

RADMAN RICHARD-LABOR TEMPLE
418 AUDITORIUM
ST PAUL MN
55102

RANALLO CLARENCE
800 CENTRAL AVE N E
MPLS MN
55413

RAMSEY CO MEDICAL SOCIETY
1500 LOWRY MEDICAL BLDG
ST PAUL MN
55102

RAUENHORST CORP-C ANDERSON
7900 XERXES S. S-2200
MPLS MN
55431

REAGAN MICHAEL
% MINN LEARNING CTR
BRAINERD MN
56401

RED OWL STORES INC
215 E EXCELSIOR AVE
HOPKINS MN
55343

REID DAVID H
5633 WASHBURN AVE S
MPLS MN
55410

REINO O LAINE 3M COMPANY
3M CENTER
ST PAUL MN
55101

RENNER R.H. ST PAUL AREA CC
300 OSBORN BLDG.
ST PAUL MN
55102

RENQUIST ARTHUR NSP CO
414 NICOLLET MALL
MPLS MN
55401

RICHARDSON THOS
7851 METRO PKWY S 103
MPLS MN
55420

[redacted]HARDS MONTGOMERY ET AL
1[redacted]0 RAND TOWER
MPLS MN
55402

ROE DAVID
175 AURORA
ST PAUL MN
55103

ROBBIE JOSEPH
904 CARGILL BLDG NO CTR
MPLS MN
55402

ROBERTS DAVID F
1260 NW NATL BK BLDG
ST PAUL MN
55101

ROSS ALFRED
6356 WARE RD
LINO LAKES MN
55014

RUDY FLOYD
118 AVE C
CLOQUET MN
55720

SAN SIMEON DEVELOP CORP
OLD 1ST STATE BK BLDG
PAYNESVILLE MN

SANFORD S M
7000 PORTLAND AVE
RICHFIELD MN
55423

SATHRE, HARVEY
375 MARION STREET
ST PAUL MN
55103

SAX DOVE & STENSON
310 ENDICOTT BLDG
ST PAUL MN
55101

ST PAUL ASSN PLBG HTG MEC
614 AM NATL BK
ST PAUL MN

ST PAUL BUR HLTH DR P COX
555 CEDAR ST
ST PAUL MN
55101

ST PAUL FOOD RETAILERS ASSN
1220 ARCADE
ST PAUL MN
55106

SCARBOROUGH WILLIAM
DIV.ED. U.M.
MORRIS MN
56267

SCHLICHT REV HENRY
611 W MAIN ST
BELLE PLAINE MN
56011

SCHMIDT D R MN ASSN REALTORS
6101 WAYZATA BLVD
MPLS MN
55416

SCHMIDT H W TCHRS RETIREMENT
302 CAPITOL SQ BLDG
ST PAUL MN
55101

SCHMIDT LARRY WCCO-TV NEWS
50 S 9TH ST
MPLS MN
55402

SCHNEIDER MAHLON
GREEN GIANT
LESUEUR MN
56058

SCHUTZ LINDA
RM 328 CAPITOL BLDG
ST PAUL MN
55155

SCHWARTAU NEAL METH HOSP
201 W CENTER ST
ROCHESTER MN
55901

SCHWERMAN EARL JR
1535 8TH AVE SE
ROCHESTER MN
55901

SCHWINN ROBT.P.
1400 SCO LINE BLDG.
MPLS. MN
55402

SCHNEIDER & NEESER
706 1ST ST SO PO BX 876
WILLMAR MN
56201

SCHROEDER ALFRED H
2172 CARROLL AVE
ST PAUL MN
55104

SENATE COUN OFF ROOM 24
STATE CAPITOL
ST PAUL MN
55101

SENATE FINANCE COMMITTEE
113 STATE CAPITOL
ST PAUL MN
55101

SENATE GOV OP COMM
RM 303 STATE CAPITOL
ST PAUL MN
55155

SHABATURA EUGENE H
2833 LAKE AVE SO
DULUTH MN
55811

SHARP BOB
4125 HIGHWOOD RD
ST LOUIS PK MN
55416

SHAW ROBERT M
616 MOBIL OIL BLDG
MPLS MN
55402

SHELL OIL CO. W.A. ROQUET
ONE SHELL PLAZA BX 2463
HOUSTON TX
77001

SITE ENGINEERS INC
900 REDWELL LANE
APPLE VALLEY MN
55124

SLOCUM CHARLES A
1203 IDS TOWER
MPLS MN
55402

SMERIKA WM.
BOISE CASCADE PAPERS
INTL FALLS MN
56649

SMITH MICHAEL
1423 NEWTON AVE N
MPLS MN
55411

SNELL LYN
BOX 314
EDEN VALLEY MN
55329

SNYDER ROBERT W
248 CO B U OF M
ST PAUL MN
55101

SODERBERG HAROLD J
1500 MIDWEST PLAZA BLDG
MPLS MN
55402

SODERMAN ANTHONY
152 S PLAZA BLDG
MPLS MN
55416

STANSFIELD ARLENE LAND OLKS
PO BOX 116
MPLS MN
55440

STATE BD.BARBER EXAMINERS
555 WABASHA
ST PAUL MN
55102

STATE BD VETERINARY EXAMI
C/O DR A C SPANNAUS DVM
WACONIA MN

STD AM LIFE & ANNUITY CO
3801 W 50TH ST
MPLS MN
55410

STEELWORKERS CREDIT UNION
BOX 250
BABBITT MN
55706

STENSLAND M.E. PRES. MVMA
203 NW 22ND ST.
AUSTIN MN
55912

STOLPESTAD BROWN & SMITH
1550 NW BK BLDG
ST PAUL MN
55101

STUPKA & MOREM
MIDTOWN BLDG
AUSTIN MN
55912

SULLIVAN J KIRK
PO BOX 200
BOISE ID
83701

SUMMIT NATL BANK D L MORRILL
205 AURORA AVE
ST PAUL MN
55103

SUSSEL CO.ATTN:TED SCHWEN
1850 COMO AVE.
ST PAUL MN
55108

SWANSON BURT E
W-2162 1ST NATL BK BLDG
ST PAUL MN
55101

SWANSON DALE
P O BOX 339
FOREST LAKE MN
55025

SWANSON GERALD H
212 CITY HALL
ROCHESTER MN
55901

SWEITZER R L HONEYWELL IN
2701 4TH AVE S
MPLS MN
55408

TATE VERN 3M CO
3M CENTER 220/6W
ST PAUL MN
55101

THOMPSON CONRAD
1107 23RD ST NW
ROCHESTER MN
55901

THOMPSON HESSIAN ET AL
1500 MIDWEST PLAZA BLDG
MPLS MN
55402

TIMESAVERS INC ATT R S VOLD
5270 HANSON COURT
MPLS MN
55422

TOUCHE ROSS & CO K H STOCKE
780 NORTHSTAR CNTR
MPLS MN
55402

TWIN CITY RETAIL DRUGGIST AS
2388 UNIV AVE
ST PAUL MN
55104

UNION STOCK YARDS
ATTN PPES
SO ST PAUL MN
55075

VAN CLEVE JOHN H
2101 HENN AVE
MPLS MN
55405

VAN DRAKE STEPHEN R
BOX 353
PELICAN RAPID MN
56572

VAN EVERA MUNDT ET AL
700 TORREY BLDG
DULUTH MN
55802

VERRILL JOHN E
DEPT SECONDARY ED UOF M
DULUTH MN
55812

VILLAGE OF WOODBURY-F.STRONG
561 TOWER DRIVE
NEWPORT MN
55055

VOLDNESS PERRY
IDS 8TH & MARQUETTE
MPLS MN
55402

~~VOSS REV GORDON O~~
~~11120 NE 7TH ST~~
~~BLAINE MN~~
~~55434~~

VOS LEROY
2137 BURNS AVE
ST PAUL MN
55119

WALD JEAN
5746 SANDER DR
MPLS MN
55417

WALTERS THOS H
4510 W 77TH ST STE 235
MPLS MN
55435

WANQUIST ALLEN
RM 252 FEDERAL BLDG
ST PAUL MN
55101

WELK G V NORTHERN STATES
414 NICOLLET MALL
MPLS MN
55401

WELLINGTON R R SKELLY OIL
PO BOX 1650
TULSA OK
75102

WESTIN CHAS W
220 MEDICAL ARTS BLDG
DULUTH MN
55802

WHITING RALPH
555 WABASHA SUITE 204
ST PAUL MN
55102

WHITLOCK A G
ECON LAB OSBORN BLDG
ST PAUL MN
55102

WILCOX J PATRICK
1220 NORTHERN FED BLDG
ST PAUL MN
55102

WM.MITCHEL COLLEGE LAW LIB.
2100 SUMMIT AVE.
ST.PAUL MN
55105

WILEY ENTERPRISES
101 5TH AVE SE
OSSEO MN
55369

WILSON R GARY PPG INDUST
1 GATEWAY CENTER
PITTSBURGH PA
15222

WIS FEEDER PIG MARKET CO-OP

FRANCIS CREEK WI

WOLKERSTORTER THEODORE
676 17TH AVE NW
NEW BRIGHTON MN
55112

WOZNIAK D D
401 FIRST FED BLDG
ST PAUL MN
55101

WYANT CLINTON W ATTY

ATKIN MN
56431

Norman Carpenter, Atty.
1300 NW Bank Bldg.
Minneapolis, Minnesota 55402

Minn. Government Engineers Council
700 Florida Ave. So.
Golden Valley, Mn. 55426

Minnesota Highway Signal & L
Operations Unit
Twin City Airport, Mn. 55111

The individuals listed below received the Notice of Hearing with attachments for hearing scheduled for December 12, 1975.

Civil Service Bureau
Court House
Duluth, Minnesota 55802

Arthur V. Dienhart, VP-Engineering
Northern States Power Company
414 Nicollet Mall
Minneapolis, Minn. 55401

Civil Service Commission
312 - 3rd Avenue So.
Minneapolis, Mn. 55415

Jimmie Jones
Director of Public Works
City Hall-5005 Minnetonka Blvd.
St. Louis Park, Mn. 55416

Civil Service Bureau
265 Court House
St. Paul, Mn. 55101

Paul F. Cummings, Director
Architectural & Engineering Division
G-10 Administration Building
St. Paul, Mn. 55455

Minnesota State Personnel Department
215 Administration Building
St. Paul, Minn. 55155

National Electrical Contractors Assn.
St. Paul Chapter
Wesley Ohman, Chapter Manager
Minnesota State Bank Building
200 South Robert Street
St. Paul, Minn. 55107

Frank Marzitelli, Commissioner
Minnesota State Highway Department
411 Highway Building
St. Paul, Mn. 55155

Twin City Sheet Metal, Air Conditioning and Roofing Contractors Assn.
Executive Director
2929 University Avenue SE
Minneapolis, Mn. 55414

National Electrical Contractors Assn.
Minneapolis Chapter
Oscar Norgren, Chapter Manager
2101 Hennepin Avenue
Minneapolis, Minn. 55405

Chris Enger
City of Eden Prairie
8950 Eden Prairie Rd.
Eden Prairie, Minn. 55343

Minnesota Association of Inst. Planners
Ronald H. West
Dir. of Community Development
City of Brooklyn Park
5800 - 85th Avenue No.
Brooklyn Park, Minn. 55443

Bruce A. Abrahamson
2675 University Avenue
St. Paul, Minn. 55114

Robert Knudson, Chmn.
Legis. & Gov't l. Affairs Committee
MSPE
4375 Browndale Avenue
Minneapolis, Minn. 55424

Rudolph W. Monson
414 West lst Street
Duluth, Minnesota 55802

G. Leigh Morrow
P. O. Box 26388
Minneapolis, Minn. 55426

George A. Anderson
Gaylord, Minnesota 55334

Preston C. Haglin
3925 W. 44th Street
Minneapolis, Minnesota 55424

William A. Kleinhenz
University of Minnesota
125 Mechanical Engineering Building
Minneapolis, Minn. 55455

Richard F. Whiteman
1100 Alworth Building
Duluth, Minnesota 55802

L. W. Freeman, Jr.
Gas Utility
Northern States Power Company
6th Floor, 360 Wabasha
St. Paul, Minn. 55102

Lorenzo D. Williams
17 Washington Avenue No., Rm. 300
Minneapolis, Minnesota 55401

Guy Robert Johns
5528 Cumberland Road
Minneapolis, Minn. 55410

Norman Beck
Route 1
St. James, Minn. 56081

Mary Ann Murphy
136 Ruth Street
St. Paul, Minn. 55119

Elaine M. Fink
8701 Westmoreland
St. Louis Park, Minn. 55426

Edythe V. Naddy
9033 James Avenue
Bloomington, Minn. 55431

Diana R. Gramith
316 West Lake
Waconia, Minn. 55387

E. Jack Umland
8265 Scott Avenue
Minneapolis, Minn. 55443

American Institute of Aeronautics
and Astronautics
Twin Cities Section
c/o John C. Taylor, Honeywell, Inc.
2600 Ridgway Pkwy.,
Minneapolis, Minn. 55413

American Institute of Mining
Metallurgical and Petroleum Engineers
Minnesota Section
c/o J. B. Hustad
Hallett Minerals Co.
P. O. Box 6387
Duluth, Minn. 55806

American Institute of Chemical
Engineers
c/o John B. Brill
Economics Lab.
940 Lone Oak Rd.,
St. Paul, Mn. 55121

American Institute of Mining
Metallurgical and Petroleum Engineers
Twin Cities Sub-Section
c/o A. M. Anderson, State of Minn.
Centennial Bldg.
St. Paul, Minn. 55155

American Institute of Industrial
Engineers, Inc.
Twin City Chapter
c/o Mahendra Nath
Univac
2276 Highcrest Dr.
St. Paul, Mn. 55112

American Institute of Plant Engineers
Twin Cities Chapter
c/o Don Slathar
Pearson Candy Co.
2140 W. 7th St.
St. Paul, Mn. 55116

American Public Works Association
c/o Sherman Goldberg
Director of Public Works
Village of Plymouth
13800 Highway 55
Plymouth, Mn. 55441

American Society of Civil Engineers
Northwestern Section
c/o Herbert O. Klossner
Hennepin County Highway Division
320 Washington Ave. So.
Hopkins, Minn. 55343

American Society of Agricultural
Engineers
Minnesota Section
Eugene C. Meyer
Honeywell Inc.
2701 rth Ave. So.
Minneapolis, Min. 55408

American Society of Heating,
Refrigerating & Air-Conditioning
Engineers
Minnesota Chapter
c/o Larry E. Heinen
The Heinen Co.
5920 Wayzata Blvd.
Minneapolis, Mn. 55416

American Society of Agricultural
Engineers
North Central Region
c/o Arnold M. Flikke
Dept. of Agricultural Engineering
University of Minnesota
St. Paul, Mn. 55108

American Society of Landscape
Architects
Minnesota Chapter
c/o Herman D. Juffer
Office of Environmental Services
Minnesota Highway Dept.
St. Paul, Minn. 55155

Earl G. Oxley, Executive Director
Consulting Engineers Council of Minnesot
126 Wood-Excel Building
5009 Excelsior Blvd.
Minneapolis, Minn. 55416

American Society of Mechanical
Engineers
Minnesota Section
c/o Eigil J. Stordal
Control Data
7801 Computer Ave.
Minneapolis, Mn. 55421

County Highway Engineers Association
c/o Ralph Sleeper, Jr.
Blue Earth County
Highway Dept.
Box 3083
Mankato, Minn. 56001

City, Village Engineers Association
c/o John Strojan
City of Hopkins
1010 First St. So.
Hopkins, Minn. 55343

Engineers Club of Minneapolis
c/o John W. Danielson
Northwestern Bell Telephone Co.
15 S. Fifth St., Room 700
Minneapolis, Minn. 55402

Engineers Society of St. Paul
c/o John F. Garritsen
Minneapolis Sheet Metal
9 Eighth Ave SW
New Brighton, Mn. 55112

Minnesota Federation of Engineering
Societies
c/o Keigh J. Allard
1974 Carl Street
St. Paul, Mn. 55113

Illuminating Engineering Society
Twin City Section
c/o Richard E. White
Fellan White & Assoc.
6524 Walker St.
Minneapolis, Mn. 55426

Mr. Elmer J. Peterson, Executive Secty.
Minnesota Land Surveyors Association
5724 - 11th Avenue So.
Minneapolis, Minn. 55417

Institute of Electrical & Electonics
Engineers Inc.
c/o Harry P. Bruncke
1710 N. Albert St.
Falcon Heights, Mn. 55113

Daniel J. Sheridan, Executive Director
Minnesota Society of Architects
100 Northwestern National Bank Building
St. Paul, Minnesota 55101

Minnesota Society of Industrial Engineers
c/o Donn Willroth
PAKCO
6300 Olson Memorial Hwy.
Minneapolis, Minn. 55440

Edward W. Johnson, Executive Director
Minnesota Society of Professional Engineers
1821 University Avenue
St. Paul, Minnesota 55104

Society of American Military Engineers
Minneapolis-St. Paul Post
c/o J. L. Shiely, III
J. L. Shiely Co.
1101 Snelling Ave. No.
St. Paul, Mn. 55108

Society of Manufacturing Engineers
Minneapolis Chapter
c/o Robert Winter
Honeywell
4200 Philbrook Lane
Minneapolis, Minn. 55424

Society of Manufacturing Engineers
St. Paul Chapter
c/o Laddy M. Miller
Miltec Devel. Co. Inc.,
1704 Norfolk Ave.
St. Paul, Minn. 55116

Standards Engineers Society
c/o John Rehbein
MTS Systems
Box 6112
Minneapolis, Minn. 55425

Society of American Value Engineers
Twin Cities Chapter
c/o Ellis Thompson
Donaldson Co.
1400 W. 94th St.
Minneapolis, Minn. 55431

Society of Automotive Engineers
Twin City Section
c/o Richard Clemmer
Timken Co.
1104 Glenwood Ave.
Minneapolis, Mn. 55405

Society of Fire Protection Engineers
c/o A. G. Martino
Cargill
North Star Bldg.
Minneapolis, Mn. 55402

Society of Packaging and Handling Engineers
Minnesota Chapter
c/o Paul A. Desens
Suburban Hennepin Co. Area Voc. Tech. Center
9200 Flying Cloud Dr.,
Eden Prairie, Minn. 55343

Society of Plastics Engineers
Upper Midwest Section
c/o Robert Kuhn
201 W. Burnsville Crosstown
Burnsville, Mn. 55373

House

The Honorable Irvin N. Anderson
State Representative
909 13th Street
International Falls, Minnesota 56649

The Honorable Glen H. Anderson
State Representative
Bellingham, Minnesota 56212

The Honorable Raymond J. Albrecht
State Representative
Brownton, Minnesota 55312

The Honorable Salisbury Adams
State Representative
250 North Central
Wayzata, Minnesota 55391

The Honorable Leo Adams
State Representative
3657 Maryland Ave. No.
New Hope, Minnesota 55427

The Honorable Lyle Abeln
State Representative
10930 Thomas Avenue South
Bloomington, Minnesota 55431

Start →

The Honorable James R. Casserly
State Representative
6441 University Avenue N.E.
Minneapolis, Minnesota 55432

The Honorable Orv Birnstihl
State Representative
Route 5, Western Avenue
Faribault, Minnesota 55021

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State Representative
350 8th Street
Pine City, Minnesota 55063

The Honorable John S. Biersdorf
State Representative
129 E. Broadway
Owatonna, Minnesota 55060

The Honorable Lyndon R. Carlson
State Representative
5819 Halifax Avenue North
Brooklyn Center, Minnesota 55429

The Honorable Linda Berglin
State Representative
2309 Clinton Avenue South
Minneapolis, Minnesota 55404

The Honorable Arne Carlson
State Representative
4301 Fremont Avenue South
Minneapolis, Minnesota 55409

The Honorable Tom Berg
State Representative
2112 Newton Avenue South
Minneapolis, Minnesota 55405

The Honorable Peggy Byrne
State Representative
524 Van Buren
St. Paul, Minnesota 55103

The Honorable Joseph R. Begich
State Representative
1001 W. 2nd Street
Eveleth, Minnesota 55734

The Honorable Bernard J. Brinkman
State Representative
Richmond, Minnesota 56368

The Honorable David Beauchamp
State Representative
1211 25th Avenue South
Moorhead, Minnesota 56560

The Honorable Arthur M. Braun
State Representative
P. O. Box 10
Greenbush, Minnesota 56726

The Honorable John Arlandson
State Representative
1304 Tyrol Trail
Golden Valley, Minnesota 55416

The Honorable Ron Evans
State Representative
1104 Woodland Avenue
Mankato, Minnesota 56001

The Honorable Neil B. Dieterich
State Representative
113 Grain Exchange Building
Minneapolis, Minnesota 55415

The Honorable Gilbert Esau
State Representative
Mountain Lake, Minnesota 56159

The Honorable Frank H. DeGroat
State Representative
Lake Park, Minnesota 56554

The Honorable Wendell O. Erickson
State Representative
Hills, Minnesota 56138

The Honorable Bill Dean
State Representative
5225 York Avenue South
Minneapolis, Minnesota 55410

The Honorable Stanley A. Enebo
State Representative
3304 E. 25th Street
Minneapolis, Minnesota 55406

The Honorable Harold J. Dahl
State Representative
Box 337
Howard Lake, Minnesota 55349

The Honorable Willis R. Eken
State Representative
Twin Valley, Minnesota 56584

The Honorable John Corbid
State Representative
Oklee, Minnesota 56742

The Honorable A. J. Eckstein
State Representative
411 S. State
New Ulm, Minnesota 56073

The Honorable John Clawson
State Representative
Box 336
Center City, Minnesota 55012

The Honorable Gary Doty
State Representative
116 Parkland Avenue
Duluth, Minnesota 55801

The Honorable Janet Clark
State Representative
3025 Cedar Avenue South
Minneapolis, Minnesota 55407

The Honorable Robert Jensen
State Representative
17837 Flagstaff Avenue West
Farmington, Minnesota 55024

The Honorable Joseph P. Graba
State Representative
Route 1, Box 94
Wadena, Minnesota 56482

The Honorable Mike Jaros
State Representative
162 W. Palm Street
Duluth, Minnesota 55811

The Honorable Peter X Fugina
State Representative
5 Merritt Drive
Virginia, Minnesota 55792

The Honorable Joel Jacobs
State Representative
11932 Zion Street
Coon Rapids, Minnesota 55433

The Honorable Stanley J. Fudro
State Representative
2322 2nd St. N.E.
Minneapolis, Minnesota 55418

The Honorable Shirley Hokanson
State Representative
7345 Russell Avenue South
Richfield, Minnesota 55423

The Honorable Donald Friedrich
State Representative
R. R. #3
Rochester, Minnesota 55901

The Honorable O. J. Heinitz
State Representative
2555 Queensland Lane
Wayzata, Minnesota 55391

The Honorable Mary M. Forsythe
State Representative
4605 Edina Blvd.
Minneapolis, Minnesota 55424

The Honorable Neil S. Haugerud
State Representative
Route #3
Preston, Minnesota 55965

The Honorable David O. Fjoslien
State Representative
Route #2
Brandon, Minnesota 56315

The Honorable Walter R. Hanson
State Representative
1136 Hague Avenue
St. Paul, Minnesota 55105

The Honorable Ray W. Faricy
State Representative
2240 Goodrich Avenue
St. Paul, Minnesota 55105

The Honorable Michael George
State Representative
1140 Park Avenue
Mahtomedi, Minnesota 55115

The Honorable Doug Ewald
State Representative
15[illegible]5 Highland Trail
Minnetonka, Minnesota 55343

The Honorable Richard Kostohryz
State Representative
2478 East Indian Way
North St. Paul, Minnesota 55109

The Honorable Randy Kelly
State Representative
1879 E. 7th Street
St. Paul, Minnesota 55119

The Honorable Franklin J. Knoll
State Representative
5316 1st Avenue South
Minneapolis, Minnesota 55419

The Honorable Henry Kalis
State Representative
Walters, Minnesota 56092

The Honorable Gerald Knickerbocker
State Representative
10100 Minnetonka Blvd.
Hopkins, Minnesota 55343

The Honorable John R. Kaley
State Representative
P. O. Box 996
Rochester, Minnesota 55901

The Honorable Marvin Ketola
State Representative
616 14th Street
Cloquet, Minnesota 55720

The Honorable Phyllis Kahn
State Representative
100 Malcolm Avenue S.E.
Minneapolis, Minnesota 55414

The Honorable Ray Kempe
State Representative
1 Signal Hills
West St. Paul, Minnesota 55118

The Honorable Thaddeus Jude
State Representative
5230 Sulgrove Road
Mound, Minnesota 55364

The Honorable Arnold Kempe
State Representative
28 Amelia Court
West St. Paul, Minnesota 55118

The Honorable Ralph P. Jopp
State Representative
Mayer, Minnesota 55360

The Honorable William N. Kelly
State Representative
East Grand Forks, Minnesota 56721

The Honorable Douglas J. Johnson
State Representative
P. O. Box 14
Cook, Minnesota 55723

The Honorable Carl M. Johnson
State Representative
Route 3, Box 124
St. Peter, Minnesota 56082

The Honorable Claudia [illegible]ier
State Representative
Route #2
Rice, Minnesota 56367

The Honorable George L. Mann
State Representative
Route #1
Windom, Minnesota 56101

The Honorable Tom Mangan
State Representative
533 Dean Street
Anoka, Minnesota 55303

The Honorable Bob McEachern
State Representative
601 North Walnut
St. Michael, Minnesota 55376

The Honorable Maurice McCollar
State Representative
3563 White Bear Avenue
White Bear Lake, Minnesota 55110

The Honorable M. J. McCauley
State Representative
404 East Howard Street
Winona, Minnesota 55987

The Honorable Paul McCarron
State Representative
732 - 82nd Avenue N.E.
Spring Lake Park, Minnesota 55432

The Honorable Bill Luther
State Representative
6925 Dallas Road
Brooklyn Center, Minnesota 55430

The Honorable John C. Linistrom
State Representative
P. O. Box 913
Willmar, Minnesota 56201

The Honorable Richard Lemke
State Representative
Route #1
Lake City, Minnesota 55041

The Honorable Keith Langseth
State Representative
Glyndon, Minnesota 56547

The Honorable Gary Laidig
State Representative
114 North 4th Street
Bayport, Minnesota 55003

The Honorable Adolph L. Kvam
State Representative
25 W. Lockerbie
Litchfield, Minnesota 55355

The Honorable Carl Kroening
State Representative
3539 Vincent Avenue North
Minneapolis, Minnesota 55412

The Honorable James Pehler
State Representative
734 - 14th Avenue South
St. Cloud, Minnesota 56301

The Honorable Ken G. Nelson
State Representative
Room 299, State Office Building
St. Paul, Minnesota 55155

The Honorable Al Patton
State Representative
Box 163
Sartell, Minnesota 56377

The Honorable Bruce G. Nelsen
State Representative
Route 1
Staples, Minnesota 56479

The Honorable Richard J. Parish
State Representative
3826 W. Broadway
Golden Valley, Minnesota 55422

The Honorable Howard Neisen
State Representative
5150 Irondale Road
Moundsview, Minnesota 55112

The Honorable Tom Osthoff
State Representative
766 W. Maryland
St. Paul, Minnesota 55117

The Honorable Willard M. Munger
State Representative
1121 - 70th Avenue West
Duluth, Minnesota 55807

The Honorable Steve Novak
State Representative
2110 14th Street N. W.
New Brighton, Minnesota 55112

The Honorable Donald M. Moe
State Representative
232 State Office Bldg.
State Capitol, St. Paul, Minn. 55155

The Honorable Fred C. Norton
State Representative
1230 Commerce Building
St. Paul, Minnesota 55101

The Honorable Jim Metzen
State Representative
401 Orchard Lane
South St. Paul, Minnesota 55075

The Honorable Joseph T. Niehaus
State Representative
Route #3
Sauk Centre, Minnesota 56378

The Honorable Marion (Mike) Menning
State Representative
Box 464
Edgerton, Minnesota 56128

The Honorable Wayne Schumacher
State Representative
Rural Route
Glenwood, Minnesota 56334

The Honorable James I. Rice
State Representative
2220 Vincent Avenue North
Minneapolis, Minnesota 55411

The Honorable Victor Schulz
State Representative
Route #1
Goodhue, Minnesota 55027

The Honorable Leo Reding
State Representative
709 12th Avenue, N.W.
Austin, Minnesota 55912

The Honorable William H. Schreiber
State Representative
10001 Zane Avenue North
Brooklyn Park, Minnesota 55443

The Honorable Norman Prahl
State Representative
P. O. Box 537
Grand Rapids, Minnesota 55744

The Honorable Henry J. Savelkoul
State Representative
1100 Cedar
Albert Lea, Minnesota 56007

The Honorable Ray O. Pleasant
State Representative
9841 Xerxes Curve
Bloomington, Minnesota 55431

The Honorable John J. Sarna
State Representative
2837 Ulysses Street N.E.
Minneapolis, Minnesota 55418

The Honorable B. J. Philbrook
State Representative
2755 Rice Street
St. Paul, Minnesota 55113

The Honorable Donald B. Samuelson
State Representative
1018 Portland Avenue
Brainerd, Minnesota 56401

The Honorable Paul Petrafeso
State Representative
3200 Virginia
St. Louis Park, Minnesota 55426

The Honorable Martin O. Sabo
State Representative
3129 E. 22nd Street
Minneapolis, Minnesota 55406

The Honorable Darrell Peterson
State Representative
R. R. #3
Fairmont, Minnesota 56031

The Honorable Ted Suss
State Representative
Box 319
Prior Lake, Minnesota 55372

The Honorable Wayne Simoneau
State Representative
465 57th Place N.E.
Minneapolis, Minnesota 55432

The Honorable Russell P. Stanton
State Representative
Arco, Minnesota 56113

The Honorable Ron Sieloff
State Representative
1934 Rome
St. Paul, Minnesota 55116

The Honorable Douglas St. Onge
State Representative
Route 4, Box 387
Bemidji, Minnesota 56601

The Honorable Michael R. Sieben
State Representative
1652 Cedar Lane
Newport, Minnesota 55055

The Honorable John J. Spanish
State Representative
P. O. Box 575
Hibbing, Minnesota 55746

The Honorable Harry Sieben, Jr.
State Representative
4940 Viking Drive
Minneapolis, Minnesota 55435

The Honorable Elsworth Smogaard
State Representative
Route #2, Box 52
Madison, Minnesota 56256

The Honorable Glen Sherwood
State Representative
Star Route 60
Pine River, Minnesota 56474

The Honorable Howard E. Smith
State Representative
116 West Main
Crosby, Minnesota 56441

The Honorable A. O. H. Setzepfandt
State Representative
Bird Island, Minnesota 55310

The Honorable Wesley J. Skoglund
State Representation
5701 - 19th Avenue South
Minneapolis, Minnesota 55417

The Honorable Rodney N. Searle
State Representative
Route #1
Waseca, Minnesota 56093

The Honorable Ken Zubay
State Representative
1326 N.W. 2nd Street
Rochester, Minnesota 55901

The Honorable Gene Wenstrom
State Representative
Elbow Lake, Minnesota 56531

The Honorable Bruce Williamson
State Representative
121 West 90th Street
Bloomington, Minnesota 55431

The Honorable Gordon O. Voss
State Representative
11120 - 7th Street, N.E.
Blaine, Minnesota 55434

The Honorable Richard E. Wigley
State Representative
Route 2
Lake Crystal, Minnesota 56055

The Honorable Bruce F. Vento
State Representative
1534 Atlantic
St. Paul, Minnesota 55106

The Honorable Al Wieser
State Representative
704 South 4th Street
LaCrescent, Minnesota 55947

The Honorable Robert E. Vanasek
State Representative
807 N.E. Third Street
New Prague, Minnesota 56071

The Honorable Jim White
State Representative
512 Oak Street
Farmington, Minnesota 55024

The Honorable James E. Ulland
State Representative
Route 6, Box 181
Duluth, Minnesota 55804

The Honorable Stephen G. Wenzel
State Representative
Little Falls, Minnesota 56345

The Honorable John D. Tomlinson
State Representative
2176 Glenridge Avenue
St. Paul, Minnesota 55119

The Honorable James C. Swanson
State Representative
6827 5th Avenue South
Richfield, Minnesota 55423

Senate

Hon. Winston W. Borden
State Senator, District 13
6th & Laurel
Brainerd, Minnesota 56401

Hon. J. C. Anderson
State Senator, District 19
P. O. Box 460
North Branch, Minnesota 55056

Hon. Jerome V. Blatz
State Senator, District 38
7701 Harriet Avenue S.
Bloomington, Minnesota 55423

Hon. John J. Bernhagen
State Senator, District 22
Route 1
Hutchinson, Minnesota 55350

Hon. Charles Berg
State Senator, District 15
Cnokio, Minnesota 56221

Hon. Otto T. Bang, Jr.
State Senator, District 39
5200 Dugan Plaza
Edina, Minnesota 55435

Hon. Robert O. Ashbach
State Senator, District 48
1585 Lake Johanna Blvd.
St. Paul, Minnesota 55112

Hon. Norbert Arnold
State Senator, District 3
Route 1, Box 93
Pengilly, Minnesota 55775

Hon. Roger Hanson
State Senator, District 10
Box 428
Vergas, Minnesota 56587

Hon. John T. Davies
State Senator, District 60
2100 Summit Ave.
St. Paul, Minnesota 55105

Hon. Mel Hansen
State Senator, District 61
4505 28th Avenue S.
Minneapolis, Minnesota 55406

Hon. George R. Conzemius
State Senator, District 25
800 W. Hoffman
Cannon Falls, Minnesota 55009

Hon. Sally Hansen
State Senator, District 31
State Bank of Rose Creek
Rose Creek, Minnesota 55970

The Honorable Nicholas D. Coleman
Room 208
State Capitol
St. Paul, Minnesota 55155

Hon. Edward J. Gearty
State Senator, District 54
1102 W. Broadway
Minneapolis, Minnesota 55411

Hon. Florian Chmielewski
State Senator, District 14
Sturgeon Lake, Minnesota 55783

Hon. Mel Frederick
State Senator, District 32
414 Clyde St.
West Concord, Minnesota 55985

Hon. John C. Chenoweth
State Senator, District 66
1126 Ivy Avenue East
St. Paul, Minnesota 55106

Hon. Richard W. Fitzsimons
State Senator, District 1
303 E. Prairie Ave.
Warren, Minnesota 56762

Hon. Robert J. Brown
State Senator, District 51
c/o College of St. Thomas
2115 Summit
St. Paul, Minnesota 55105

Hon. Robert G. Dunn
State Senator, District 18
503 8th Ave. S.
Princeton, Minnesota 55371

Hon. Nancy Brataas
State Senator
839 South West 10½ Street
Rochester, Minnesota 55901

Hon. Ralph R. Doty
State Senator, District 8
4107 Dodge St.
Duluth, Minnesota 55804

Hon. Gene Merriam
State Senator
2924 116th Avenue N. W.
Coon Rapids, Minnesota 55433

Hon. Jack [illegible] Kleinbaum
State Senator, District 17
27 - 7th Ave. S.
St. Cloud, Minnesota 56301

Hon. William McCutcheon
State Senator, District 67
2238 Edgebrook Ave.
St. Paul, Minnesota 55119

Hon. W. G. Kirchner
State Senator, District 37
6625 Lyndale Ave. S.
Richfield, Minnesota 55423

Hon. Robert B. Lewis
State Senator, District 41
1601 Hillsboro Ave. S.
St. Louis Park, Minnesota 55426

Hon. Stephen Keefe
State Senator, District 59
4217 Garfield Ave. S.
Minneapolis, Minn. 55409

Hon. Roger Laufenburger
State Senator, District 34
Box 6
Lewiston, Minnesota 55952

Hon. John B. Keefe
State Senator, District 40
32 - 10th Ave. S.
Hopkins, Minnesota 55343

Hon. L. W. Larson
State Senator, District 35
Mabel, Minnesota 55954

Hon. J. A. Josefson
State Senator, District 20
310 Grant N.
Minneota, Minnesota 56264

Hon. Al Kowalczyk
State Senator, District 45
6016 70th Ave. N.
Brooklyn Park, Minnesota 55429

Hon. C. A. Jensen
State Senator, District 28
127 E. Main St.
Sleepy Eye, Minnesota 56085

Hon. Howard A. Knutson
State Senator, District 53
1907 Woods Lane
Burnsville, Minnesota 55337

Hon. Hubert H. Humphrey, III
State Senator, District 44
8116 40th Ave. N.
New Hope, Minnesota 55428

Hon. J. M. Hughes
State Senator, District 50
1978 Payne Avenue
Maplewood, Minnesota 55117

State Senator, District 42
[illegible] Main Tower
Minneapolis, Minnesota 55402

Hon. George Perpich
State Senator, District 5
104½ W. Lake St.
Chisholm, Minnesota 55719

Hon. A. J. Perpich
State Senator, District 6
4 Lakeside Drive S.
Ely Lake
P.O. Eveleth, Minnesota 55734

Hon. John Patton
State Senator, District 30
1007 S. Moore
Blue Earth, Minnesota 56013

Hon. Joseph T. O'Neill
State Senator, District 63
1381 Summit Ave.
St. Paul, Minnesota 55105

Hon. J. L. Olson
State Senator, District 26
612 Lake St.
Worthington, Minnesota 56187

Hon. H. D. Olson
State Senator, District 27
Route 3
St. James, Minnesota 56081

Hon. A. G. Olson
State Senator, District 21
RR #1
Spicer, Minnesota 56288

Hon. Wayne Olhoft
State Senator, District 11
Herman, Minnesota 56248

Hon. Harmon T. Ogdahl
State Senator, District 58
5026 Morgan Ave. S.
Minneapolis, Minnesota 55419

Hon. Robert D. North
State Senator, District 62
1642 Blair
St. Paul, Minnesota 55104

Hon. Rolf Nelson
State Senator, District 43
3735 N. Highway 52
Robbinsdale, Minnesota 55422

Hon. Roger D. Moe
State Senator, District 2
304 S. 2nd St. W.
Ada, Minnesota 56510

Hon. John Milton
4101 E. Co. Line Road
White Bear Lake, Minnesota 55110

State Senator, District 4
207 Hill Road
Park Rapids, Minnesota 56470

Hon. Sam G. Solon
State Senator, District 7
616 W. 3rd St.
Duluth, Minnesota 55806

Hon. Myrton O. Wegener
State Senator, District 12
Bertha, Minnesota 56437

Hon. Douglas H. Silers
State Senator, District 9
Route 2
Moorhead, Minnesota 56560

Hon. Arnulf Ueland, Jr.
State Senator, District 29
2013 Roe Crest Dr.
North Mankato, Minnesota 56001

Hon. Ed Schrom
State Senator, District 16
Route 2
Albany, Minnesota 56307

Hon. Robert J. Tennessen
State Senator, District 56
700 Title Insurance Bldg.
Minneapolis, Minnesota 55405

Hon. Robert Schmitz
State Senator
R. R. #1
Jordan, Minnesota 55352

Hon. Peter Stumpf
State Senator
1283 Danforth
St. Paul, Minnesota 55117

Hon. Eugene Stokowski
State Senator, District 55
2231 Stinson Blvd.
Minneapolis, Minnesota 55418

Hon. David D. Schaaf
State Senator, District 46
6550 E. River Road
Fridley, Minnesota 55432

Hon. Robert J. Stassen
State Senator, District 52
2320 Kraft St.
South St. Paul, Minnesota 55075

Hon. Carl W. Renneke
State Senator, District 23
RR # 2
LeSueur, Minnesota 56058

Hon. Allan H. Spear
State Senator, District 57
2204 Seabury Ave. S.
Minneapolis, Minnesota 55406

Hon. Clarence M. Purfeerst
State Senator, District 24
Route 2
Faribault, Minnesota 55021

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE STATE BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, LAND SURVEYORS AND LANDSCAPE ARCHITECTS

In the Matter of:

Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Registration for Architects, Engineers, Land Surveyors and Landscape Architects.

STATEMENT OF NEED

By Laws 1975 chapter 329, the Minnesota Legislature provided for the registration of professional landscape architects by the Board of Registration for Architects, Engineers and Land Surveyors, effective August 1, 1975. By the same Act, the legislature changed the name of the Board to the State Board of Registration for Architects, Engineers, Land Surveyors and Landscape Architects (Section 6), authorized the Board to determine by rule the qualification for registration of landscape architects (Section 12), to register landscape architects by comity (Section 12), and under certain conditions, to grant certificates to landscape architects-in-training. There are presently no rules of the Board as authorized and directed by the foregoing statute. Such rules are necessary for the effective enforcement of the statute.

The proposed rules are necessary to enable the Board to administer its new duties in connection with registration of landscape architects. Procedures for registration, both with and without examination, are necessary to comply with the governing statute. These rules are designed to protect the public from unqualified persons and to measure the qualifications and experience of

Ex. 6

candidates for registration as landscape architects.

The proposed rules would define the education background and professional experience necessary for a candidate to possess before he or she could make application to take a written and oral examination for registration. It would also provide for the written and oral examinations, review by the Board of an applicant's professional work, and an architect-in-training examination.

The prerequisites for the professional examination would be successful completion of the landscape architect-in-training examination and completion of the combined education and experience requirement. The written portion of the professional practice examination would be that provided by the National Council of Landscape Architecture Registration Board. The rule would also provide a registration procedure for those landscape architects currently practicing their profession.

The proposed rule is based upon a similar rule adopted by the Council of Landscape Architects Registration Board (CLARB) and modified to the particular situation in Minnesota. CLARB is the instrumentality through which the Landscape Architecture Registration Boards of the several states are able to grant comity registration to out-of-state registrants (Minn. Stat. §326.10 subd. 1 (2)). If the principle of comity registration is to operate effectively to protect the citizens of Minnesota and to assure reciprocal acceptance of Minnesota registrants in other states, a uniform system of examination is required. The proposed rule would accomplish that end.

Dated December 11, 1975

Exhibit 7

RECOMMENDED CHANGES TO PROPOSED RULE AE&LS 9.1

The following changes have been recommended by the Ad Hoc Committee for the Registration of Landscape Architects to be made to the Proposed Rule for the registration of Landscape Architects being heard today.

1. In the first classification appearing in the chart on page 1 of the Proposed Rule the figures appearing under the columns "Professional Experience" and "Total Education and Experience" for a 4-year course should read 4 and 8 respectively.

2. In the second classification appearing in the chart on page 1 of the Proposed Rule the figures appearing under the columns "Professional Experience" and "Total Education and Experience" for a 4-year course should read 6 and 9 respectively.

3. A classification "No Professional Education" should be added at the bottom of page 1 of the Proposed Rule with the figure "0" added in the column under the heading "Professional Education"; the figure "13" added in the column under the heading "Professional Experience" and the figure "13" added in the column under the heading "Total Education and Experience".

4. Line 2, page 2 of the Proposed Rule should read "...experience gained in increments of ninety days or more, before..."

5. Lines 2 and 3, clause (a)(5), page 2 of the Proposed Rule should read "...directly related to landscape architectural construction..."

6. Line 5, clause (a)(8), page 2 of the Proposed Rule should read "...of two years when such work is related to Landscape Architecture."

7. Clause (a)(11), page 3 of the Proposed Rule should read "Other training, education, teaching or practical experience of a landscape architectural nature will be subject to review and determination by the Board."

8. Clause (c), page 3 of the Proposed Rule should be deleted and replaced with the following language "Written Examination - shall be as provided by the National Council of Landscape Architectural Registration Boards (CLARB). Handbooks, tables, reference books, bound notes and hand-held non-programmable battery-operated electronic calculators are permitted when authorized by the Board.

Ex. 7

9. Clause (d)(2), page 3 of the Proposed Rule should be deleted and replaced with the following language

"Completed ten years of satisfactory diversified experience, when such experience is directly related to Landscape Architectural work and is approved by the Board. Each scholastic year of study satisfactorily completed in a curriculum accredited by the ASLA Committee on Education or its educational equivalent shall be considered equal to two years of Landscape Architectural experience."

10. Clause (e)(2), page 4 of the Proposed Rule should read "Completed total combined education and experience as noted in the chart contained herein."

11. Clause (f), page 4 of the Proposed Rule should be deleted and replaced with the following language

"Qualification for Registration Without Written Examination.

(1) The Board shall, with reference to applications received from persons not residing in Minnesota, issue a certificate of registration as a landscape architect when a CLARB certificate is furnished to the Board. Such applicants shall submit a treatise to the Board relative to Minnesota construction conditions and planting materials applicable to Minnesota.

(2) The Board shall, with reference to applications for registration received from Minnesota residents prior to January 1, 1977, issue a certificate of registration as a landscape architect, without examination, to any applicant submitting evidence to the Board that he:

(a) holds CLARB certification.

(b) meets one of the classifications listed in the table contained herein.

Each applicant not holding a CLARB certificate shall appear before the Board for a personal interview for the purpose of reviewing the applicability of experience for registration."

Exhibit 8

PROPOSED RULE (Draft #2, 9/19/75)

AE&LS 9.1 Examination of Landscape Architect Applicants.

(a) Education and Experience. An applicant for registration as a Landscape Architect shall be required to pass a written and oral examination as provided herein. To qualify for such examination, he shall present satisfactory evidence that he has:

(1) Graduate from a landscape architecture curriculum of a university or college accredited by the American Society of Landscape Architects Committee on Education.

(2) Complete at least three years of satisfactory diversified experience, after graduation, under the supervision of registered Landscape Architects.

(3) An applicant may also qualify provided that he submits to the Board satisfactory evidence that his education and subsequent experience are substantially equivalent to the above requirements as set forth in the following table:

Classification	Professional Education (years)	Professional Experience * (years)	Total Education and Experience
Graduate of ASLA Accredited Landscape Architectural Curriculum			
5-year course	5	3	8
4-year course	4	4	8
Graduate of Non-Accredited Landscape Architectural Curriculum			
5-year course	4	5	9
4-year course	3	6	9
Graduate of NAAB Accredited Architectural Curriculum	3	7	10
Graduate of ECPD Accredited Civil or Mechanical Engineering Curriculum	3	7	10
Graduate of Non-Accredited Architectural Curriculum	2	9	11
Graduate of Non-Accredited Civil or Mechanical Engineering Curriculum	2	9	11
No Professional Education	0	13	13

Ex. 8

*Professional experience must be acquired after graduation except that continuous experience gained in increments of ninety days or more, before graduation will be evaluated by the Board. An applicant with qualified experience will be granted credit in accordance with CLARB Table of Equivalents. Professional Experience is defined as equivalent to satisfactory diversified general practice under the supervision of registered Landscape Architects.

(4) For non-graduates, each year of approved Landscape Architectural Education successfully completed at the college level shall be credited in accordance with the CLARB Table of Equivalents.

(5) Employment by Government agencies, Engineering firms, general contractors, in areas directly related to landscape architectural construction, may be substituted for professional experience, as defined above; one full year of such experience will be considered the equivalent of one-half year of full-time professional experience, but not over two years of credit toward professional experience will be given for such experience.

(6) Employment by Government agencies, including the military, when diversified and comparable to employment in the office of a registered Landscape Architect with a verified record of substantial practice shall receive full credit with no time limitation. Such work shall be directly related to Landscape Architecture and shall be under the direct supervision of a registered Landscape Architect. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(7) Employment by organizations that have employees performing Landscape Architectural services in connection with projects used or owned by that organization when said employment is directly related to Landscape Architectural work and is under the direct supervision of a registered Landscape Architect shall receive full credit with no time limitation. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(8) Employment or practice in such fields as interior design, architecture, engineering, city planning and periods of employment with such organizations as VISTA, HUD, Peace Corps and advocacy planning shall receive full credit up to a maximum of two years when such work is related to Landscape Architecture.

(9) Practical training gained prior to the acquisition of a Landscape Architecture degree shall be credited in accordance with the CLARB Table of Equivalents.

(10) An advanced degree from an ASLA Committee on Education accredited Landscape Architecture curriculum or teaching and research in such accredited curricula shall receive full credit up to a maximum of two years.

(11) Other training, education, teaching or practical experience of a landscape architectural nature will be subject to review and determination by the Board.

(b) Application and Oral Examination.

The Board shall review the applicant's experience record and conduct a personal interview of each applicant for admission to the examination process. The personal interview shall consist of direct examination by Board to include such additional exhibits of drawings, specifications, photographs of work, letters of reference, as the Board may direct.

(c) Written Examination - shall be as provided by the National Council of Landscape Architectural Registration Boards (CLARB). Handbooks, tables, reference books, bound notes and hand-held non-programmable battery-operated electronic calculators are permitted when authorized by the Board.

(d) Landscape Architect-in-Training. An applicant for certification as a Landscape Architect-in-Training shall present satisfactory evidence to the Board that he or she has either:

(1) Graduated from an accredited Landscape Architectural curriculum appearing on the list of accredited curricula current at the time of his or her graduation as published by the American Society of Landscape Architects (ASLA) Committee on Education, or

(2) Completed ten years of satisfactory diversified experience, when such experience is directly related to Landscape Architectural work and is approved by the Board. Each scholastic year of study satisfactorily completed in a curriculum accredited by the ASLA Committee on Education or its educational equivalent shall be considered equal to two years of Landscape Architectural experience.

(e) Professional Practice Examination.

An applicant for registration as Landscape Architect by examination shall be admitted to the Professional Practice Examination in Landscape Architecture provided he or she has:

(1) Successfully completed the Landscape Architect-in-Training Examination and

(2) Completed total combined education and experience as noted in chart contained herein.

(f) Qualification for Registration Without Written Examination.

(1) The Board shall, with reference to applications received from persons not residing in Minnesota, issue a certificate of registration as a landscape architect when a CLARB certificate is furnished to the Board. Such applicants shall submit a treatise to the Board relative to Minnesota construction conditions and planting materials applicable to Minnesota.

(2) The Board shall, with reference to applications for registration received from Minnesota residents prior to January 1, 1977, issue a certificate of registration as a landscape architect, without examination, to any applicant submitting evidence to the Board that he:

(a) holds CLARB certification.

(b) meets one of the classifications listed in the table contained herein.

Each applicant not holding a CLARB certificate shall appear before the Board for a personal interview for the purpose of reviewing the applicability of experience for registration.

Exhibit 9

Suggested Changes to Proposed Rule AE&LS 9.1

The following changes are suggested to made to the Proposed Rule for the registration of Landscape Architects being heard today.

1. Delete the sentence beginning on line 3 and ending on line 5 of page 2 that reads "An applicant with qualified experience will be granted credit in accordance with CLARB Table of Equivalent."

2. Clause (a) (4), page 2 should read "For non-graduates, each year of approved Landscape Architectural Education successfully completed at the college level shall receive full credit."

3. Delete Clause (a) (9), page 2.

4. Renumber. Clause (a) (10), page 3 as Clause (a) (9).

5. Renumber Clause (a) (11), page 3 as Clause (a) (10).

9

Ex 9

12 Dec '75

Suggest Change to Proposed
Rule AE&LS 9.1

Exhibit (8) Page 4

Exhibit 10

(5) (2) [redacted]
TO Be Added
(5) (2) (C) * IS A LICENSED LANDSCAPE ARCHITECT IN ANOTHER STATE OR COUNTRY WHERE THE QUALIFICATIONS PRESCRIBED AT THE TIME OF LICENSING WERE, IN THE OPINION OF THE BOARD, EQUAL TO THOSE PRESCRIBED IN THE STATE OF MINNESOTA AT THE DATE OF APPLICATION. *

10

Ex. 10

UNIVERSITY OF MINNESOTA
TWIN CITIES

School of Architecture and Landscape Architecture
110 Architecture Building
Minneapolis, Minnesota 55455

RECEIVED
DEC 2 2 1975

December 19, 1975

Mr. Lowell Torseth, Executive Secretary
Board of Registration of Architecture, Engineering,
Land Surveying and Landscape Architecture
5th Floor
Metro Square Building
St. Paul, Minnesota 55101

Dear Mr. Torseth:

As you have requested the faculty in Landscape Architecture reviewed the registration requirements for landscape architects in Minnesota.

In general we found the requirements reasonable and well prepared. Our concerns focused in two areas; proper credit for graduate school trained professionals, and credit for paraprofessional education. The accompanying chart indicates those adjustments we would recommend under AE&LS 9.1 (3) to allow proper credit for professionals receiving their training via these two methods.

We reviewed the issue of whether or not one should allow a person to take the exam who has no professional education and 13 years of experience, and recommend that this be allowed. Although we believe in the value of education, we also believe that someone could learn the functions of a professional via the apprenticeship training situation.

We also recommend that the paragraph (10) be altered as shown on the attached sheet to give a minimum of credit for years spent in education and research in lieu of practice.

If you have any questions on these recommendations please give me a call.

Sincerely,

Roger B. Martin

Roger B. Martin, Chairman
Landscape Architecture

RBM:be

cc Bob Johns

UNIVERSITY OF MINNESOTA
Landscape Architecture Program

Approved by Faculty 12/19/75

Landscape Architect Registration Rules

The following proposed additions to rules of the Minnesota Board of Registration were approved:

1. Revise the chart under AE&LS 9.1 (3) to include the following:

Classification	Professional Education (years)	Professional Experience * (years)	Total Education and Experience
Other Related Degree Plus Graduate of ASLA Accredited Graduate L.A. Curriculum	5	3	8
Other Related Field Degree Plus Graduate of Non-Accredited L.A. Curriculum	4	5	9
Graduate of Two Year Technical School in Landscape Architecture	2	9	11

NOTE: Other related degrees may include degrees such as Forestry, Horticulture, Art, Architecture, Engineering, etc.

2. Revise the paragraph AE&LS 9.1 (10) to the following:

An advanced degree from an ASLA Committee on Education accredited Landscape Architecture curriculum shall receive full credit up to a maximum of two years. Teaching and research in an ASLA Committee on Education Accredited curriculum shall also receive full credit for up to a maximum of two years.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter Of:

Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

FINDINGS, CONCLUSIONS AND ORDER ON PROPOSED AMENDMENTS

The above entitled matter came on for hearing before the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture (the "Board") at 9:30 o'clock a.m. on the 12th day of December, 1975, at the offices of the Board, Metro Square Building, Seventh and Robert Streets, St. Paul, Minnesota, after proper notice, as required by Minn. Stat. §15.0412, was duly served on November 10, 1975, upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present oral and written data, statements and arguments, and upon the basis of the evidence introduced at the hearing and the record thereof, and upon all the records, files and proceedings therein, the Board makes the following Findings, Conclusions and Order recommending adoption of the annexed amendments to its Rules and Regulations.

FINDINGS AND CONCLUSIONS

The following Findings and Conclusions are based upon evidence presented at the hearing and the record thereof:

1. On September 25, 1975, the Board adopted a resolution directing that a hearing be called for the purpose of promulgating amendments to the Rules of the Board to establish qualifications for registration of landscape architects.

2. The need to promulgate Rules relating to the practice of landscape architecture arose as a result of the adoption by the Legislature of Laws 1975, c. 329, §§1 and 2, subd. 4a, defining the practice of landscape architecture and prohibiting the practice thereof by any person without registration in the manner required by law.

3. Laws 1975, c.329, §2, subd. 4a (Minn. Stat. §326.02, subd. 4a) defines the practice of landscape architecture to mean:

> ... any professional service in connection with the development of land areas where the dominant purpose of the service is the preservation, enhancement or determination of proper land use, natural land features, ground cover and the planting, naturalistic and aesthetic values, the settings, approaches or environment for structures or other improvements and the consideration and determination of inherent problems of the land relating to erosion, wear and tear, blight and hazards. This practice shall include the location and arrangement of tangible objects and features incidental and necessary to the purposes outlined but shall not include the design of structures or facilities with separate and self-contained purposes as ordinarily included in the practice of engineering or architecture or the preparation of boundary surveys or final land plats, as ordinarily included in the practice of land surveying.

Subd. 4a excludes from the coverage of the law regulating the practice of landscape architecture any duly registered professional engineer, architect, or land surveyor, or any "nurserymen or other small businessmen" engaged in the "preparation of landscape plans appropriate to the normal operation of their business."

4. Laws 1975, c. 329 also authorized the Board to determine by Rule the qualification for registration of landscape architects (§12), to register landscape

architects by comity (§12), and under certain conditions, to grant Certificates to "landscape architects-in-training".

5. On November 10, 1975 the Board issued and distributed a Notice of Hearing, together with a copy of Proposed Amendments relating to the examination and registration of landscape architect applicants, advising all interested persons that a Hearing would be held to receive evidence in support or modification of the Proposed amendments as published.

6. Following publication of the Notice of Hearing, the Executive Secretary of the Board met with representatives of the landscape architect profession to review the proposed amendments and to consider whether, as published, they would carry out and implement the purposes of Laws 1975, c. 329, §§1 and 2.

7. The Ad Hoc Committee for the Registration of Landscape Architects, consisting of three members of the Board of Registration and six representatives of the landscape architects profession, recommended certain modifications of the Proposed Amendments as published which were presented and considered at the December 12, 1975 Hearing (Exhibits 7 and 8, Tr. pp. 8-14).

8. During the course of the Hearing, additional proposed modifications to the proposed Rules, as published, were presented for consideration by the Board. (Exhibits 9, 10; Tr. pp. 29-39).

9. Following the close of the Hearing, additional comments were received proposing further modifications of the proposed Rules as published and as proposed to be modified at the Hearing. The additional comments were received from Roger B. Martin, Chairman, Department of Landscape Architecture, School of Architecture and Landscape Architecture, University of Minnesota whose proposed modification was supported and approved by the Faculty of his Department.

10. Following the close of the Record, the Rules Revision Committee of the Board met to review the entire Record, the Proposed Rules, as originally published, and all proposed modifications thereof. On February 27, 1976, the Rules Revision Committee presented its findings and recommendations to the Board together with a proposed draft of Rule AE&LS 9.1 which incorporated such changes in the Rule , as originally published or modified, as the Committee found to be supported by the Record. Proposed Rule AE&LS 9.1, as recommended by the Rules Revision Committee, was adopted by the Board on that same date.

11. Proposed Rule AE&LS 9.1 defines the educational background and professional experience that a candidate must possess before he or she may make application to take a written and oral examination for registration as a landscape architect. It also provides for written and oral examinations, review by the Board of an applicant's professional work, and establishes the requirements and qualifications for examination and certification as a landscape architect-in-training.

12. Proposed Rule AE&LS 9.1 is based upon a similar rule adopted by the Council of Landscape Architects Registration Boards (CLARB) but modified to conform with the requirements of Minnesota Law and other factors as disclosed in the Record. CLARB is the instrumentality through which the Landscape Architect Registration Boards of the several states are able to grant comity registration to out-of-state registrants in accordance with the provisions of Minn. Stat. §326.10, subd. 1(2). If the principle of comity registration is to operate effectively to protect the citizens of Minnesota and to assure reciprocal acceptance of Minnesota registrants in other states, a uniform statement of examination is required. The proposed Rule will accomplish that end while, at the same time, carrying out the purposes of Laws 1975, c.329, §§1 and 2.

BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

G. Leigh Morrow S/B

G. Leigh Morrow, Chairman

ORDER RECOMMENDING ADOPTION OF RULES

Upon the basis of the foregoing Findings and Conclusions, and the Resolution of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, approving adoption of the annexed Rules, it is hereby recommended that the Rules and Regulations of the Board of Registration of Archecture, Engineering, Land Surveying and Landscape Architecture be amended by the adoption of Rule AE&LS 9.1 as set forth in Appendix "A" hereto.

BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

G. Leigh Morrow S/B

G. Leigh Morrow, Chairman

Dated February 27, 1976.

APPENDIX "A"

AMENDMENTS TO RULE AE&LS 9 AS RECOMMENDED FOR ADOPTION BY THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE ON FEBRUARY 27, 1976

AE&LS 9.1 Examination of Landscape Architect Applicants.

(a) Education and Experience. An applicant for registration as a Landscape Architect shall be required to pass a written and oral examination as provided herein. To qualify for such examination, the applicant shall present satisfactory evidence that the following requirements have been met.

(1) Graduated from a landscape architecture curriculum of a university or college accredited by the American Society of Landscape Architects Committee on Education.

(2) Completed at least three years of satisfactory diversified experience, after graduation, under the supervision of registered Landscape Architects.

(3) An applicant may also qualify provided that satisfactory evidence is submitted to the Board that the education and subsequent experience of such applicant are substantially equivalent to the above requirements as set forth in the following table:

Classification	Professional Education (years)	Professional Experience (years)	Total Education and Experience
Graduate of ASLA Accredited Landscape Architectural Curriculum			
5-year course	5	3	8
4-year course	4	4	8
Other Related Degree Plus Graduate of ASLA Accredited Graduate L.A. Curriculum	5	3	8
Graduate of Non-Accredited Landscape Architectural Curriculum			
5-year course	4	5	9
4-year course	3	6	9
Other Related Field Degree Plus Graduate of Non-Accredited L. A. Curriculum	4	5	9
Graduate of NAAB Accredited Architectural Curriculum	3	7	10
Graduate of ECPD Accredited Engineering Curriculum	3	7	10

Classification	Professional Education (years)	Professional Experience* (years)	Total Education and Experience
Graduate of Non-Accredited Architectural Curriculum	2	9	11
Graduate of Non-Accredited Engineering Curriculum	2	9	11
Graduate of Two Years Technical School in Landscape Architecture	2	9	11
No Professional Education	0	13	13

*Professional experience must be acquired after graduation except that continuous experience gained in increments of ninety days or more, before graduation will be evaluated by the Board. Professional experience is defined as equivalent to satisfactory diversified general practice under the supervision of registered Landscape Architects.

(4) For non-graduates, each year of approved Landscape Architectural Education successfully completed at college level shall receive full credit.

(5) Employment by Government agencies, Engineering firms, general contractors, in areas directly related to landscape architectural construction, may be substituted for professional experience, as defined above; one full year of such experience will be considered the equivalent of one-half year of full-time professional experience, but not over two years of credit toward professional experience will be given for such experience.

(6) Employment by Government agencies, including the military, when diversified and comparable to employment in the office of a registered Landscape Architect with a verified record of substantial practice shall receive full credit with no time limitation. Such work shall be directly related to Landscape Architecture and shall be under the direct supervision of a registered Landscape Architect. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(7) Employment by organizations that have employees performing Landscape Architectural services in connection with projects used or owned by that organization when said employment is directly related to Landscape Architectural work and is under the direct supervision of a registered Landscape Architect shall receive full credit with no time limitation. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(8) Employment or practice in such fields as interior design, architecture, engineering, city planning and periods of employment with such organizations as VISTA, HUD, Peace Corps and advocacy planning shall receive full credit up to a maximum of two years when such work is related to Landscape Architecture.

(9) An advanced degree from an ASLA Committee on Education accredited Landscape Architecture curriculum shall receive full credit up to a maximum of two years. Teaching and research in an ASLA Committee on Education Accredited curriculum shall also receive full credit as determined by the Board.

(10) Other training, education, teaching or practical experience of a landscape architectural nature will be subject to review and determination by the Board.

(b) Application and Oral Examination.

The Board shall review the applicant's experience record and conduct a personal interview of each applicant for admission to the examination process. The personal interview shall consist of direct examination by the Board to include such additional exhibits of drawings, specifications, photographs of work, letters of reference, as the Board may direct.

(c) Written Examinations - Shall be provided by the National Council of Landscape Architectural Registration Boards (CLARB). Handbooks, tables, reference books, bound notes and hand-held non-programmable battery-operated electronic calculators are permitted when authorized by the Board.

(d) Landscape Architect-in-Training. An applicant for certification as a Landscape Architect-in-Training shall present satisfactory evidence to the Board that they have either:

(1) Graduated from an accredited Landscape Architectural curriculum appearing on the list of accredited curricula current at the time of applicant's graduation as published by the American Society of Landscape Architects (ASLA) Committee on Education, or

(2) Completed ten years of satisfactory diversified experience, when such experience is directly related to Landscape Architectural work and is approved by the Board. Each scholastic year of study satisfactorily completed in a curriculum accredited by the ASLA Committee on Education or its educational equivalent shall be considered equal to two years of Landscape Architectural experience.

(e) Professional Practice Examination.

An applicant for registration as Landscape Architect by examination shall be admitted to the Professional Practice Examination in Landscape Architecture provided the applicant has:

(1) Successfully completed the Landscape Architect-in-Training Examination and

(2) Completed total combined education and experience as noted in table contained in Rule 9.1(a).

(f) Qualification for Registration Without Written Examination. The Board shall, with reference to applications received from persons not residing in Minnesota, issue a certificate of registration as a landscape architect when a CLARB certificate is furnished to the Board. Applicants shall submit a treatise to the Board.

(g) Qualification for Registration Without Written Examination prior to January 1, 1977 (Expires January 1, 1977)

(1) The Board shall, with reference to applications for registration received prior to January 1, 1977, issue a certificate of registration as a landscape architect, without examination, to any applicant submitting evidence to the Board that one or more of the classifications listed in the table contained in Rule 9.1(a) has been met.

(2) Each applicant not holding a CLARB certificate shall appear before the Board for a personal interview for the purpose of reviewing the applicability of experience for registration.

(3) Applicants who are not residents of Minnesota and are registered by another jurisdiction but do not hold CLARB certification shall submit a treatise to the Board relative to Minnesota construction conditions and plant materials applicable to Minnesota.

CERTIFICATE OF RESOLUTION BY BOARD ADOPTING
AMENDMENTS TO RULES AND REGULATIONS

I, Rudolph W. Monson, do hereby certify that I am Secretary of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, a Board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board duly and properly called and held on the 27th day of February, 1976; that a quorum was present at said meeting; that said resolution is set forth in the Minutes of said meeting and has not been rescinded or modified.

RESOLUTION

"RESOLVED: That the Rules and Regulations of the Board relating to Landscape Architecture and Landscape Architect-in-Training classifications and the examination of applicants for registration and certification thereof, as set forth in Appendix "A" hereto be and they hereby are approved and adopted, pursuant to authority vested in this Board by Minn. Stat. §§326.10 and 15.0412, and that G. Leigh Morrow, Chairman of this Board, be and hereby is authorized to sign an Order adopting these Rules."

IN WITNESS WHEREOF, I have hereunto subscribed my name this

27 day of February, 1976.

Rudolph W. Monson SB
Secretary

APPENDIX "A"

AMENDMENTS TO RULE AE&LS 9 AS RECOMMENDED FOR ADOPTION BY THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE ON FEBRUARY 27, 1976

AE&LS 9.1 Examination of Landscape Architect Applicants.

(a) Education and Experience. An applicant for registration as a Landscape Architect shall be required to pass a written and oral examination as provided herein. To qualify for such examination, the applicant shall present satisfactory evidence that the following requirements have been met.

(1) Graduated from a landscape architecture curriculum of a university or college accredited by the American Society of Landscape Architects Committee on Education.

(2) Completed at least three years of satisfactory diversified experience, after graduation, under the supervision of registered Landscape Architects.

(3) An applicant may also qualify provided that satisfactory evidence is submitted to the Board that the education and subsequent experience of such applicant are substantially equivalent to the above requirements as set forth in the following table:

Classification	Professional Education (years)	Professional Experience (years)	Total Education and Experience
Graduate of ASLA Accredited Landscape Architectural Curriculum			
5-year course	5	3	8
4-year course	4	4	8
Other Related Degree Plus Graduate of ASLA Accredited Graduate L.A. Curriculum	5	3	8
Graduate of Non-Accredited Landscape Architectural Curriculum			
5-year course	4	5	9
4-year course	3	6	9
Other Related Field Degree Plus Graduate of Non-Accredited L. A. Curriculum	4	5	9
Graduate of NAAB Accredited Architectural Curriculum	3	7	10
Graduate of ECPD Accredited Engineering Curriculum	3	7	10

Classification	Professional Education (years)	Professional Experience* (years)	Total Education and Experience
Graduate of Non-Accredited Architectural Curriculum	2	9	11
Graduate of Non-Accredited Engineering Curriculum	2	9	11
Graduate of Two Years Technical School in Landscape Architecture	2	9	11
No Professional Education	0	13	13

*Professional experience must be acquired after graduation except that continuous experience gained in increments of ninety days or more, before graduation will be evaluated by the Board. Professional experience is defined as equivalent to satisfactory diversified general practice under the supervision of registered Landscape Architects.

(4) For non-graduates, each year of approved Landscape Architectural Education successfully completed at college level shall receive full credit.

(5) Employment by Government agencies, Engineering firms, general contractors, in areas directly related to landscape architectural construction, may be substituted for professional experience, as defined above; one full year of such experience will be considered the equivalent of one-half year of full-time professional experience, but not over two years of credit toward professional experience will be given for such experience.

(6) Employment by Government agencies, including the military, when diversified and comparable to employment in the office of a registered Landscape Architect with a verified record of substantial practice shall receive full credit with no time limitation. Such work shall be directly related to Landscape Architecture and shall be under the direct supervision of a registered Landscape Architect. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(7) Employment by organizations that have employees performing Landscape Architectural services in connection with projects used or owned by that organization when said employment is directly related to Landscape Architectural work and is under the direct supervision of a registered Landscape Architect shall receive full credit with no time limitation. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(8) Employment or practice in such fields as interior design, architecture, engineering, city planning and periods of employment with such organizations as VISTA, HUD, Peace Corps and advocacy planning shall receive full credit up to a maximum of two years when such work is related to Landscape Architecture.

(9) An advanced degree from an ASLA Committee on Education accredited Landscape Architecture curriculum shall receive full credit up to a maximum of two years. Teaching and research in an ASLA Committee on Education Accredited curriculum shall also receive full credit as determined by the Board.

(10) Other training, education, teaching or practical experience of a landscape architectural nature will be subject to review and determination by the Board.

(b) Application and Oral Examination.

The Board shall review the applicant's experience record and conduct a personal interview of each applicant for admission to the examination process. The personal interview shall consist of direct examination by the Board to include such additional exhibits of drawings, specifications, photographs of work, letters of reference, as the Board may direct.

(c) Written Examinations - Shall be provided by the National Council of Landscape Architectural Registration Boards (CLARB). Handbooks, tables, reference books, bound notes and hand-held non-programmable battery-operated electronic calculators are permitted when authorized by the Board.

(d) Landscape Architect-in-Training. An applicant for certification as a Landscape Architect-in-Training shall present satisfactory evidence to the Board that they have either:

(1) Graduated from an accredited Landscape Architectural curriculum appearing on the list of accredited curricula current at the time of applicant's graduation as published by the American Society of Landscape Architects (ASLA) Committee on Education, or

(2) Completed ten years of satisfactory diversified experience, when such experience is directly related to Landscape Architectural work and is approved by the Board. Each scholastic year of study satisfactorily completed in a curriculum accredited by the ASLA Committee on Education or its educational equivalent shall be considered equal to two years of Landscape Architectural experience.

(e) Professional Practice Examination.

An applicant for registration as Landscape Architect by examination shall be admitted to the Professional Practice Examination in Landscape Architecture provided the applicant has:

(1) Successfully completed the Landscape Architect-in-Training Examination and

(2) Completed total combined education and experience as noted in table contained in Rule 9.1(a).

(f) Qualification for Registration Without Written Examination. The Board shall, with reference to applications received from persons not residing in Minnesota, issue a certificate of registration as a landscape architect when a CLARB certificate is furnished to the Board. Applicants shall submit a treatise to the Board.

(g) Qualification for Registration Without Written Examination prior to January 1, 1977 (Expires January 1, 1977)

(1) The Board shall, with reference to applications for registration received prior to January 1, 1977, issue a certificate of registration as a landscape architect, without examination, to any applicant submitting evidence to the Board that one or more of the classifications listed in the table contained in Rule 9.1(a) has been met.

(2) Each applicant not holding a CLARB certificate shall appear before the Board for a personal interview for the purpose of reviewing the applicability of experience for registration.

(3) Applicants who are not residents of Minnesota and are registered by another jurisdiction but do not hold CLARB certification shall submit a treatise to the Board relative to Minnesota construction conditions and plant materials applicable to Minnesota.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter Of:

Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

ORDER ADOPTING RULES

The above entitled matter came on for hearing before the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, on the 12th day of December 1975, at 9:30 o'clock a.m. at the offices of the Board, Metro Square Building, Seventh and Robert Streets, Saint Paul, Minnesota, after proper notice, as required by Minn. Stat. §15.0412, was duly served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced upon the records, files and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above captioned Rules;

NOW, THEREFORE, IT IS ORDERED that these Rules, in the form annexed hereto as Appendix "A" are adopted this 27th day of February, 1976, pursuant to authority vested in me by the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

G. Leigh Morrow 5/B

G. Leigh Morrow, Chairman

February 27, 1976.

APPENDIX "A"

AMENDMENTS TO RULE AE&LS 9 AS RECOMMENDED FOR ADOPTION BY THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE ON FEBRUARY 27, 1976

AE&LS 9.1 Examination of Landscape Architect Applicants.

(a) Education and Experience. An applicant for registration as a Landscape Architect shall be required to pass a written and oral examination as provided herein. To qualify for such examination, the applicant shall present satisfactory evidence that the following requirements have been met.

(1) Graduated from a landscape architecture curriculum of a university or college accredited by the American Society of Landscape Architects Committee on Education.

(2) Completed at least three years of satisfactory diversified experience, after graduation, under the supervision of registered Landscape Architects.

(3) An applicant may also qualify provided that satisfactory evidence is submitted to the Board that the education and subsequent experience of such applicant are substantially equivalent to the above requirements as set forth in the following table:

Classification	Professional Education (years)	Professional Experience (years)	Total Education and Experience
Graduate of ASLA Accredited Landscape Architectural Curriculum			
5-year course	5	3	8
4-year course	4	4	8
Other Related Degree Plus Graduate of ASLA Accredited Graduate L.A. Curriculum	5	3	8
Graduate of Non-Accredited Landscape Architectural Curriculum			
5-year course	4	5	9
4-year course	3	6	9
Other Related Field Degree Plus Graduate of Non-Accredited L. A. Curriculum	4	5	9
Graduate of NAAB Accredited Architectural Curriculum	3	7	10
Graduate of ECPD Accredited Engineering Curriculum	3	7	10

Classification	Professional Education (years)	Professional Experience* (years)	Total Education and Experience
Graduate of Non-Accredited Architectural Curriculum	2	9	11
Graduate of Non-Accredited Engineering Curriculum	2	9	11
Graduate of Two Years Technical School in Landscape Architecture	2	9	11
No Professional Education	0	13	13

*Professional experience must be acquired after graduation except that continuous experience gained in increments of ninety days or more, before graduation will be evaluated by the Board. Professional experience is defined as equivalent to satisfactory diversified general practice under the supervision of registered Landscape Architects.

(4) For non-graduates, each year of approved Landscape Architectural Education successfully completed at college level shall receive full credit.

(5) Employment by Government agencies, Engineering firms, general contractors, in areas directly related to landscape architectural construction, may be substituted for professional experience, as defined above; one full year of such experience will be considered the equivalent of one-half year of full-time professional experience, but not over two years of credit toward professional experience will be given for such experience.

(6) Employment by Government agencies, including the military, when diversified and comparable to employment in the office of a registered Landscape Architect with a verified record of substantial practice shall receive full credit with no time limitation. Such work shall be directly related to Landscape Architecture and shall be under the direct supervision of a registered Landscape Architect. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(7) Employment by organizations that have employees performing Landscape Architectural services in connection with projects used or owned by that organization when said employment is directly related to Landscape Architectural work and is under the direct supervision of a registered Landscape Architect shall receive full credit with no time limitation. This provision shall also apply to those registered Landscape Architects employed in a capacity of manager.

(8) Employment or practice in such fields as interior design, architecture, engineering, city planning and periods of employment with such organizations as VISTA, HUD, Peace Corps and advocacy planning shall receive full credit up to a maximum of two years when such work is related to Landscape Architecture.

(9) An advanced degree from an ASLA Committee on Education accredited Landscape Architecture curriculum shall receive full credit up to a maximum of two years. Teaching and research in an ASLA Committee on Education Accredited curriculum shall also receive full credit as determined by the Board.

(10) Other training, education, teaching or practical experience of a landscape architectural nature will be subject to review and determination by the Board.

(b) Application and Oral Examination.

The Board shall review the applicant's experience record and conduct a personal interview of each applicant for admission to the examination process. The personal interview shall consist of direct examination by the Board to include such additional exhibits of drawings, specifications, photographs of work, letters of reference, as the Board may direct.

(c) Written Examinations - Shall be provided by the National Council of Landscape Architectural Registration Boards (CLARB). Handbooks, tables, reference books, bound notes and hand-held non-programmable battery-operated electronic calculators are permitted when authorized by the Board.

(d) Landscape Architect-in-Training. An applicant for certification as a Landscape Architect-in-Training shall present satisfactory evidence to the Board that they have either:

(1) Graduated from an accredited Landscape Architectural curriculum appearing on the list of accredited curricula current at the time of applicant's graduation as published by the American Society of Landscape Architects (ASLA) Committee on Education, or

(2) Completed ten years of satisfactory diversified experience, when such experience is directly related to Landscape Architectural work and is approved by the Board. Each scholastic year of study satisfactorily completed in a curriculum accredited by the ASLA Committee on Education or its educational equivalent shall be considered equal to two years of Landscape Architectural experience.

(e) Professional Practice Examination.

An applicant for registration as Landscape Architect by examination shall be admitted to the Professional Practice Examination in Landscape Architecture provided the applicant has:

(1) Successfully completed the Landscape Architect-in-Training Examination and

(2) Completed total combined education and experience as noted in table contained in Rule 9.1(a).

(f) Qualification for Registration Without Written Examination. The Board shall, with reference to applications received from persons not residing in Minnesota, issue a certificate of registration as a landscape architect when a CLARB certificate is furnished to the Board. Applicants shall submit a treatise to the Board.

(g) Qualification for Registration Without Written Examination prior to January 1, 1977 (Expires January 1, 1977)

(1) The Board shall, with reference to applications for registration received prior to January 1, 1977, issue a certificate of registration as a landscape architect, without examination, to any applicant submitting evidence to the Board that one or more of the classifications listed in the table contained in Rule 9.1(a) has been met.

(2) Each applicant not holding a CLARB certificate shall appear before the Board for a personal interview for the purpose of reviewing the applicability of experience for registration.

(3) Applicants who are not residents of Minnesota and are registered by another jurisdiction but do not hold CLARB certification shall submit a treatise to the Board relative to Minnesota construction conditions and plant materials applicable to Minnesota.

STATEMENT OF COMPLIANCE WITH MANUAL
OF RULE-MAKING PROCEDURES

I, Sydney Berde, Special Attorney for the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, do hereby declare that I have examined the proposed Rules and other documents relating to the Hearing on said proposed Rules and that, based on said documents and my personal familiarity with the applicable procedures, the Manual of Rule-Making Procedures has been followed.

Sydney Berde

SYDNEY BERDE

Dated: April 15, 1976.

STATEMENT OF COMPLIANCE WITH RULES
RELATING TO RULE MAKING PROCEDURES

I, Sydney Berde, Special Attorney for the Board of Architecture, Engineering, Land Surveying and Landscape Architecture, do hereby declare that I have examined the proposed Rules and other documents relating to the hearing on said proposed Rules and that, based on said documents in my personal familiarity with the applicable procedures, the Rules of the Attorney General relating to Rule making procedures have been followed.

Sydney Berde
Special Attorney for the Board of Architecture, Engineering, Land Surveying and Landscape Architecture

Dated: September 10, 1976

3(b)

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

EX. 5B
JL

In the Matter Of:

Proposed Amendments to Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11 and 12 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

ORDER FOR HEARING

To effectively implement Minn. Stat. 1975 §§326.02 to 326.16, inclusive, the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture deems it necessary to consider adoption of amendments to the above captioned Rules pursuant to the authority vested in the Board by Minn. Stat. 1975 §§326.06 and 15.0412.

NOW, THEREFORE, IT IS ORDERED, this 27th. day of February, 1976, that a public hearing on the above captioned proposed Amendments be held at the offices of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, Metro Square Building, St. Paul, Minnesota, on the 21st day of June, 1976, commencing at 9:00 a.m. and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard.

IT IS FURTHER ORDERED, that notice of said hearing be published in the State Register and shall be given to all representatives of associations or other

interested groups or persons who have filed their names with the Secretary of State for that purpose and to all persons who are presently members of the Minnesota Legislature.

BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

Rudolph W. Monson, Secretary

G. Leigh Morrow, Chairman

STATEMENT OF COMPLIANCE WITH RULES
RELATING TO RULE MAKING PROCEDURES

I, Sydney Berde, Special Attorney for the Board of Architecture, Engineering, Land Surveying and Landscape Architecture, do hereby declare that I have examined the proposed Rules and other documents relating to the hearing on said proposed Rules and that, based on said documents in my personal familiarity with the applicable procedures, the Rules of the Attorney General relating to Rule making procedures have been followed.

Sydney Berde
Special Attorney for the Board of Architecture, Engineering, Land Surveying and Landscape Architecture

Dated: September 10, 1976

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter Of:

Proposed Amendments to Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11 and 12 of the Rules and Regulations of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture

AFFIDAVIT OF MAILING

Lowell E. Torseth, being first duly sworn, deposes and says:

That on the 7th day of May, 1976, at the City of Saint Paul, County of Ramsey, State of Minnesota, he served the Notice of Hearing in the above matter by depositing in the United States mail at said City of Saint Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached sheets, as well as all members of the Minnesota Legislature.

Lowell E. Torseth

Executive Secretary
Board of Architecture, Engineering,
Land Surveying and Landscape Architecture

Subscribed and sworn to before me this 10th day of May, 1976.

Carol A. Andersen

CAROL A. ANDERSEN
NOTARY PUBLIC - MINNESOTA
DAKOTA COUNTY
My Commission Expires Feb. 5, 1983

5(d)

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

Ex. 5D
JL

In the Matter Of:

Proposed Amendments to Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11 and 12 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to Minn. Stat. 1975 §§326.06 and 15.0412, as amended, in the above entitled matter at the offices of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, Metro Square Building, Seventh and Robert Streets, St. Paul, Minnesota, on Monday, June 21, 1976, commencing at 9:00 a.m., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning the proposed Amendments captioned above by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted without appearing at the hearing.

A copy of the proposed Amendments is attached hereto as Appendix A. The proposed Amendments would make substantial changes in the requirements for registration as an architect or land surveyor, would substantially change the Rules of Professional Conduct, and would make other changes to conform to recent statutory changes in the law relating to the practice of architecture, engineering, land surveying and landscape architecture.

Attention of all interested persons is directed to Minn. Stat. 1975 §10A.01, subd. 11, which relates to the registration by lobbyists with the State Ethics Commission. Each person who appears at the hearing as the representative of another, for compensation, to present evidence or to participate therein is required by law to register with the Commission within five days of the commencement of such representation.

Interested persons will be afforded the opportunity to file written comments for inclusion in the record within 20 days following the close of the hearing.

By Order of the Chairman

BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

By C. Luis Moore

APPENDIX "A"

PROPOSED AMENDMENTS TO RULES AE&LS 2, 3, 4, 5, 7, 8, 9, 11 AND 12 OF THE RULES AND REGULATIONS OF THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

1. Rule AE&LS 2 shall be amended to read as follows:

AE&LS 2. In Training Classifications. There shall be a classification of Engineer-in-Training, a classification of Land Surveyor-in-Training, and a classification of Landscape Architect-in-Training. (For examination of Engineer-in-Training see Rule AE&LS 10, for Land Surveyor-in-Training see Rule AE&LS 11, and for examination of Landscape Architect-in-Training see Rule AE&LS 12.)

2. Rule AE&LS 3(a) shall be amended to read as follows:

(a) Before making formal application for examination, the applicant is requested to submit to the Board, on a preliminary letter-form, information relative to place and date of birth, time and place of schools attended and studies completed, ~~whether he graduated or not,~~ status relative to graduation from such schools or completion of studies, degree or degrees received, whether ~~he has taken~~ the Engineer- in-Training, ~~or~~ Land Surveyor-in-Training, or Landscape Architect-in-Training examination, ~~and whether he has passed or failed such examination, together with~~ has been successfully completed and a chronological record of ~~his~~ personal employment, with all dates and with complete information relative to duties and type of work performed, and particularly outlining the applicant's responsibilities in charge of the whole or any part thereof. The preliminary letter-form will be furnished an applicant upon request to the Board office. This information will be evaluated by the appropriate member or members of the Board and if the applicant is found ~~definitely~~ ineligible for admission to the examination at that time, he or she will be so notified and given the reasons therefor and no expense ~~to him~~ will have been incurred by the applicant. If ~~he~~ the applicant is apparently eligible at that time for admission to the examination, ~~he~~ such applicant will be so notified and a form will be sent ~~him~~ on which to make ~~his~~ formal application for registration subject to the Rules and Regulations of the Board.

3. Rule AE&LS 3(b) shall be amended to read as follows:

(b) Applications for registration shall be under oath and made on forms prescribed and furnished by the Board and shall be filed with the ~~Secretary-Treasurer~~ Executive Secretary of the Board at least sixty days before the date set for the Professional examinations accompanied by the payment of the examination fee as specified in AE&LS Rule 4(e) and (f).

4. Rule AE&LS 3(c) shall be amended to read as follows:

(c) Applications for examination as Engineer-in-Training ~~or~~, Land Surveyor-in-Training, or Landscape Architect-in-Training shall be made under oath and made on forms prescribed and furnished by the Board and shall be filed with the ~~Secretary-Treasurer~~ Executive Secretary of the Board accompanied by the examination fee as specified in AE&LS Rule 4(f).

5. Rule AE&LS 4(a) shall be amended to read as follows:

(a) Applications for examination for certification as Engineer-in-Training, ~~Land Surveyor-in-Training~~ Landscape Architect-in-Training, or registration (or renewal of registration) as an Architect, Professional Engineer, ~~or~~ Land Surveyor, or Landscape Architect, shall be accompanied by a fee in the amount provided for herein. The fee for examination for certification as Land Surveyor-in-Training shall be paid in the amount provided for herein upon approval of the application by the Board.

6. Rule AE&LS 4(c) shall be amended to read as follows:

(c) The fee for registration, or renewal of registration, as an architect, professional engineer, ~~or~~ land surveyor, or landscape architect shall be ~~fifteen ($15) Dollars~~ per year. The initial registration fee shall be prorated at six month intervals during each biennium. The fee for months 24 to 18 shall be $30, for months 18 to 12 shall be $22.50, for months 12 to 6 shall be $15 and for months 6 to 0 shall be $7.50. The renewal fee for Fiscal Year 1978 shall be paid on or before ~~December 31 of each year,~~ June 30, 1977 and biennially on or before June 30 or each even numbered year thereafter, as required by Minn. Stat. Sec. 326.10, Subd. 4. The Board may delete from the Roster the name of any registrant who fails to timely pay the required ~~his~~ renewal fee or if such ~~whose~~ renewal, when ~~if~~ paid by mail, is not postmarked on or before ~~December 31~~ June 30 of the year specified herein.

7. Rule AE&LS 4(d) shall be amended to read as follows:

(d) A renewal fee shall be deemed to be a "delayed renewal fee", within the meaning of Minn. Stat. Sec. 326.10, Subd. 5 if it is not postmarked on or before ~~December 31~~. June 30 of the year specified herein. The delayed renewal fee shall be Three ($3) Dollars for each profession in addition to the renewal fee provided for herein.

8. Rule AE&LS 4(e) shall be amended to read as follows:

(e) The fee for examination for registration of an architect, professional engineer, ~~or~~ land surveyor, or landscape architect shall be One Hundred ($100) Dollars. An applicant for examination in more than one branch of engineering shall submit a separate examination fee for each additional branch of engineering for which ~~he~~ such applicant has applied for examination.

9. Rule AE&LS 4(f) shall be amended to read as follows:

(f) The examination fee for certification as an Engineer-in-Training, ~~or~~ Land Surveyor-in-Training, or Landscape Architect-in-Training shall be Thirty ($30) Dollars. Such fee shall be applied in payment of the One Hundred ($100) Dollars examination fee for registration as provided in paragraph (e) hereof, provided that the applicant for certification shall have completed all examinations required by the Board for registration within ten (10) years from the date of certification as an Engineer-in-Training ~~or~~, Land Surveyor-in-Training, or Landscape Architect-in-Training. In the event that the applicant for certification has not completed all examinations for registration within the ten-year period provided for herein, the examination fee for registration shall be One Hundred ($100) Dollars.

10. Rule AE&LS 4(b)(3) shall be amended to read as follows:

(3) for reissuance of a revoked, lost, destroyed or mutilated certificate of registration or certificate as an Engineer-in-Training ~~or~~, Land Surveyor-in-Training, or Landscape Architect-in-Training, One ($1) Dollar;

11. Rule AE&LS 4(h)(4) shall be amended to read as follows:

(4) for evaluation of transcripts to determine an applicant's educational qualifications for examination for registration or certification as an Engineer-in-Training, Land Surveyor-in-Training, or Landscape Architect-in-Training, the fee may be not more than Ten ($10) Dollars: provided, however, that in the case of transcripts of foreign universities which shall require translation, the fee ~~shall~~ may be not more than Thirty ($30) Dollars;

12. Rule AE&LS 5 shall be amended to read as follows:

AE&LS 5. Certificate of Registration. Certification of an applicant's technical qualifications by the National Council of Architectural Registration Boards (NCARB), ~~or~~ the Committee on National Engineering Certification conducted by the National Council of Engineering Examiners (NCEE), or the Council of Landscape Architectural Registration Boards (CLARB) may be accepted by the ~~Minnesota~~ Board as establishing such qualifications, and the applicant, in such instances, will not be required to pass further examination.

13. Rule AE&LS 7(b) shall be amended to read as follows:

(b) By ~~passing~~ successfully completing an oral examination.

14. Rule AE&LS 7(d) shall be amended to read as follows:

(d) By submitting a Council Certificate prepared by the National Council of Architectural Registration Boards. (For architect applicants only.)

15. Rule AE&LS 7(e) shall be amended to read as follows:

(e) By submitting a ~~Certificate of Qualification~~ an NEC Council Record prepared by the ~~Committee on National Engineering Certification of the~~ National Council of Engineering Examiners. (For Engineer applicants only).

16. Rule AE&LS 7(f) shall be redesignated as Rule AE&LS 7(g).

17. Rule AE&LS 7(g) shall be redesignated as Rule AE&LS 7(h).

18. Rule AE&LS 7 shall be amended by the inclusion of a new subparagraph (f) to read as follows:

(f) By submitting a Council Certificate prepared by the Council of Landscape Architectural Registration Boards. (For Landscape Architect applicants only).

19. Rule AE&LS 8(b) shall be amended to read as follows:

(b) An Architect, Engineer, Land Surveyor or Landscape Architect, registered by exemption and desiring a change of status may apply therefor and ~~his~~ the applicant's qualifications for such change will be determined by ~~(1)~~ written examination, ~~or (2) oral examination and submitting satisfactory exhibits of his technical qualifications. (The oral examination shall apply only to those having ten (10) or more years of independent lawful practice as a principal in the profession of architecture.)~~

20. Rule AE&LS 8(c) shall be amended by striking the language thereof in its entirety and substituting in lieu thereof the following:

(c) An applicant must take all parts of the "in-training" examination at one time. The applicant must pass the "in-training" examination prior to taking the professional examination, if applicable (see AE&LS Rule 10(d)). The applicant must take all parts of the professional examination at one time.

21. Rule AE&LS 8(d) shall be amended to read as follows:

(d) An applicant who does not receive a passing grade in ~~the~~ an examination may make application to retake ~~the~~ that examination. Such application shall be accompanied by a re-examination fee as required under Rule AE&LS 4. The Board may require ~~A~~ an applicant failing an examination ~~twice~~ two or more times ~~must~~ to submit evidence of improved qualifications before an additional retake examination is permitted. Only an acceptable ~~excuse~~ reason for non-appearance for a scheduled examination will permit the applicant to ~~retake his~~ be rescheduled for ~~his~~ such examination.

22. Rule AE&LS 8(e) shall be amended to read as follows:

(e) Oral examinations ~~will~~ may be given each year at such times as may be designated by the Board. Written examinations will be given twice ~~a~~ each year for engineer and land survey applicants and once each year for architectural and landscape architectural applicants. Persons who file applications for registration by examination and are determined to be eligible for admission to the examination will be informed by letter of the date and place of the examinations.

23. Rules AE&LS 9(a), 9(b), and 9(c) shall be amended by striking said rules in their entirety and substituting in lieu thereof the following:

(a) Education and Experience. An applicant for registration as an architect shall be required to pass a written examination as provided herein and may be required to appear before the Board for an oral examination for the purpose of verifying personal experience qualifications. To qualify for admission to such written examination, applicants shall present satisfactory evidence that they have:

(1) Graduated from an architectural curriculum accredited by the National Architectural Accrediting Board (NAAB) at the time of their graduation or within two years subsequent to that graduation.

*(2) Completed at least three (3) years of satisfactory professional experience after graduation under the supervision of registered architects.

(3) Applicants may also qualify for admission to the examination provided that they submit to the Board satisfactory evidence of education and subsequent experience substantially equivalent to the above requirements and as set forth in Table I. The basis for determination of educational qualifications and equivalents are set forth in Table II. The basis for determination of experience qualifications and equivalents are set forth in Table III.

TABLE I - EDUCATION AND EXPERIENCE

Description	Professional Education Max. (yrs.)	Professional Experience Min. (yrs.)	Total Education and Experience
1. **Graduate of Accredited Architectural School ...	5	*3	8
Graduate of Accredited Architectural Engineering School			
5-year Course ...	5	*4	9
4-year Course ...	4	*5	9

	Description	Professional Education Max. (yrs.)	Professional Experience Min. (yrs.)	Total Education and Experience
2.	Graduate of Non-Accredited Architectural or Architectural Engineering School			
	5-year Course ...	5	*5	10
	4-year Course ...	4	*6	10
3.	Non-School Trained Applicant ...	0	13	13

*Professional experience must be acquired after graduation except that continuous experience gained before graduation will be evaluated by the Board. An applicant with qualified experience will be granted one-half year credit for each full year of experience, not to exceed a total of one (1) year. The remaining experience shall be after graduation. No credit will be given to architectural students for experience gained during summer vacations.

**Accredited by the National Architectural Accrediting Board.

TABLE II - EDUCATIONAL CRITERIA

	Education Category	1st 2 yrs.	Succeeding Years	Maximum Credit Allowed
1.	First professional degree in architecture, or credits, where the degree program has been accredited by NAAB not later than two years after termination of enrollment.	75%	100%	5 yrs.
2.	First professional degree in architecture, or credits, where the degree program has not been accredited by NAAB.	75%	100%	4-1/2 yrs.
3.	Bachelor of architectural engineering degree, or credits, accredited by Engineers Council for Professional Development (ECPD).	50%	100%	4 yrs.
4.	Bachelor of architectural engineering degree, or credits, not accredited by ECPD.	50%	75%	3-1.4 yrs.

	Education Category	1st 2 yrs.	Succeeding Years	Maximum Credit Allowed
5.	Degree, or credits, in civil, mechanical, or electrical engineering accredited by ECPD.	50%	100%	3 yrs.
6.	Degree, or credits, in civil, mechanical, or electrical engineering not accredited by ECPD.	50%	75%	2-1/2 yrs.
7.	Degree, or credits, in courses (university, college, Jr. college, technical school, etc.) other than architecture.	50%	50%	2 yrs.

Substitution of education listed in Table II for requirements for admission to NCARB Equivalency Examination shall be subject to the following conditions:

a. 32 semester credit hours or 48 quarter hours is considered to be one year. Fractions equal to, or greater than, one-half year will be counted one-half year and smaller fractions will not be counted.

b. An applicant working full time and simultaneously earning formal education credits from a college and university through evening or part-time courses will be allowed credit, prorated between education and training.

c. When credits are submitted from more than one college or university, they will be evaluated on the same basis as by the school last attended.

d. Credits from a foreign college or university may be evaluated by a faculty representative, School of Architecture, University of Minnesota on the same basis as candidates for B. Arch degree from the University of Minnesota. Any cost of translation or evaluation must be borne by the applicant. Credits for foreign architectural degrees may be granted in categories 1 or 2 in Table II, as determined by the Board.

e. For non-graduates, each year of approved, architectural education successfully completed at the college level, is deemed equivalent to two (2) years of experience. (Minimum total - 13 years.)

TABLE III - EXPERIENCE CRITERIA

		Credit Allowed	Maximum Credit Allowed
1.	Experience as an employee under the direct supervision of a registered architect.	100%	no limit
2.	Practical training of more than three continuous months, prior to acquisition of an architectural degree, in offices of registered architects.	100%	1 year
3.	Master or PhD degree in architecture, or credits, except where the degree is the first professional degree.	100%	1 year
4.	Teaching or research in NAAB accredited architectural curriculum.	100%	1 year
5.	Employment by government agencies, consulting engineers, general contractors, interior designers, landscape architects, or city planners, in areas directly related to construction, and those self-employed in one of the above. Such experience not under the direct supervision of a registered architect.	50%	2 years
6.	Employment by government agencies, including the military, when diversified and comparable to employment in the office of a registered architect practicing as a principal, such work is directly related to architectural work, in a recognized training program and under the direct supervision of a registered architect employed in the capacity of manager of the agency's architectural activities.	100%	no limit
7.	Same as "6" above except experience is not structured.	50%	2 years
8.	Employment by organizations that have employees performing architectural services in connection with projects used or owned by that organization, said employment is directly related to architectural work, is diversified and under the direct supervision of a registered architect employed in the capacity of manager of the organization's architectural activities.	100%	no limit

	Education Category	Credit Allowed	Maximum Credit Allowed
9.	Same as "8" above except where services are limited to prototype projects.	50%	2 years

Substitution of experience listed in Table III shall be subject to the following conditions:

a. No training prior to graduation from high school will be accepted.

b. A minimum of one year of training earned in offices of registered architects practicing as principals may be required at the discretion of the Board.

c. One year of teaching is considered to be total teaching load of 20 semester credit hours or 30 quarter credit hours.

d. When training is earned by work with such agencies as VISTA, Peace Corps and advocacy planning, the applicant shall submit a statement with the application outlining briefly, but concisely, duties for which responsible and the names and professional status of supervisory personnel. For credits to be granted under this category, training must be in areas directly related to the practice of architecture.

(b) Application. An applicant may request to be admitted to an examination if such applicant has completed, or is within six months of completing, educational and experience requirements contained herein. Any applicant lacking up to six months of qualifying architectural experience at the time of successful completion of the registration examination may not be registered until such experience requirements have been met.

(c) Written Examination.

(1) NCARB Mark Series Professional Examination. Administered once annually during the month of December in the format provided by the National Council of Architectural Registration Boards to those applicants approved by the Board for admission to the examination at a time and place as determined by the Board. Qualification requirements for admission to the Professional Examination includes a degree from an architectural curriculum accredited by the National Architectural Accrediting Board, at least three years of diversified, qualifying architectural experience and/or successful completion of the NCARB Equivalency Examination. Any person failing one or more parts of the Professional Examination must retake the entire examination.

(2) NCARB Equivalency Examination. Administered once annually during the month of June in the format provided by the National Council of Architectural Registration Boards to those applicants approved by the Board for admission to the examination at a time and place as determined by the Board. Qualification requirements for admission to the Equivalency Examination include 12 years of combined architectural education and experience as provided in Tables I, II and III, herein. Any person failing one or more parts of the Equivalency Examination must retake the failed parts.

(3) Handbooks, tables, reference books and hand-held electronic calculators may be used when authorized by the Board.

24. Rules AE&LS 11(a), 11(b), 11(c) and 11(d) shall be amended by striking said Rules in their entirety and substituting in lieu thereof the following:

(a) Education and Experience. Each applicant for registration as a land surveyor shall be required to appear before the Board for the purpose of an oral examination and to pass written examinations as provided hereinafter. Oral examinations may not be required of those comity applicants registered under Rule 7 (g) which rule applies to those registered in one or more states other than Minnesota. In the case of comity applicants, the same minimum requirements will be demanded as existed in Minnesota at the time of the time of the original registration as land surveyor in such other state. To qualify for oral and written examination, applicants shall present satisfactory evidence that they have:

(1) Graduated from a 4-year land surveying curriculum, approved by the Board.

(2) Completed at least two (2) years of qualifying land surveying experience, after graduation, satisfactory to the Board.

(3) Prospective applicants may qualify for registration by examination provided they submit to the Board satisfactory evidence that their education and subsequent experience are substantially equivalent to the requirements set forth in the following table:

Classification --	Education in years	Experience in years	Total Education & Experience*
**Graduate of 4-year land surveying curriculum approved by the Board	4	2	6
Graduate of other Bachelor of Science Curriculum approved by the Board	3	5	8

Classification	Education In years	Experience In years	Total Education & Experience*
Non-Graduate	0-3	7-10	10

*Requirements effective January 1, 1977.

**All applicants for registration as land surveyor will be required to hold a degree from a Bachelor of Science curriculum approved by the Board or its educational equivalent effective January 1, 1985.

(4) Recognized Equivalent Education. The education requirement of an applicant whose education was not obtained in a Bachelor of Science curriculum approved by the Board will be accepted only if such education is determined by the Board to be equivalent to such curriculum. The applicant will be required to submit a transcript of grades for evaluation by the Board to determine the credit to be allowed for such education. The applicant will be informed, in writing, of any course requirements lacking for equivalent education.

(5) All applicants for registration, by examination, as land surveyor in Minnesota must have successfully completed the following technical courses offered through the University of Minnesota prior to being admitted to the Fundamentals of Land Surveying (LSIT) Examination. This requirement is effective January 1, 1979.

a. Introduction to Surveying and Mapping (4 credits).
b. Field Surveying (3 credits).
c. Land Surveying (4 credits).
d. Geodesy (4 credits).
e. Site and Route Engineering (4 credits).
f. Land Planning and Subdivision Design (4 credits).
g. Photogrammetry (4 credits).

(b) Requirements For Admission To Examination. The Board may subject an applicant to such examinations as may be deemed necessary to establish the qualifications of such applicant. Oral and written examinations shall be held at such times and places as the Board may direct.

(1) Land Surveyor-in-Training. Any applicant who is a graduate of or is within three (3) months of graduating from, a 4-year land surveying curriculum approved by the Board or has equivalent education, may be admitted to the Fundamentals of Land Surveying Examination (LSIT). Non-graduates must have a minimum of two years of approved education and three years of qualifying experience.

(2) Professional Practice. The applicant must have successfully completed the Fundamentals of Land Surveying Examination (LSIT) and have had a total of six or more years of combined land surveying education and qualifying land surveying experience as shown in the table herein. After the applicant has submitted a formal application for admission to the Professional Practice Examination, such applicant may be required to appear before the Board for an oral examination. The applicant may be called to appear for an oral examination where evidence of personal qualifications will be reviewed and the educational and experience record evaluated to determine eligibility for admission to the Professional Practice Examination.

(c) Examinations

(1) Fundamentals of Land Surveying (LSIT). Consists of an eight-hour examination. Failure of either the morning or afternoon portion of the examination will require the applicant to retake the entire eight-hour examination. Successful completion of this examination qualifies the applicant for a Land Surveyor-in-Training Certificate.

(2) Professional Practice. Consists of two (2) four-hour examinations. Failure of one or both of the four-hour sections of this examination will necessitate retaking the failed section. Successful completion of the Professional Practice Examination qualifies the applicant for registration as a Land Surveyor in Minnesota upon payment of the registration fee.

(3) Reference materials may be used when permitted by the Board.

(d) A Syllabus for written examination in Land Surveying has been approved by the Board. It may be revised or updated periodically, as required. A copy of the current Syllabus may be obtained from the Board office by the prospective applicant prior to making application for examination.

25. Rule AE&LS 12 shall be amended by striking said Rule in its entirety and substituting in lieu thereof the following:

AE&LS 12. Rules of Professional Conduct. The Rules of Professional Conduct hereinafter set forth are adopted for the purpose of implementing the laws and regulations governing the practice of architecture, engineering, land surveying and landscape architecture including, but not limited to, Minn. Stat. §326.11. These Rules shall be applicable to and binding upon each person, corporation or partnership subject to the regulatory jurisdiction of the Board (hereinafter referred to as registrant) and each person subject to the control of the registrant.

Each registrant who holds a certificate of registration issued by the Board is charged with knowledge of the Rules of Professional Conduct hereinafter set forth or as such Rules may be amended from time to time. In the exercise of the privileges and rights granted by such certificate of registration, the registrant shall conform his professional conduct to the public and to the Board in accordance with the provisions of these Rules, and shall, as a condition of his registration, subscribe to and agree that he will conduct his practice in accordance with the provisions thereof.

A. Personal Conduct.

1. A registrant shall avoid any act which may diminish public confidence in the profession and shall, at all times, conduct himself, in all of his relations with his clients and public, so as to maintain its reputation for professional integrity.

2. A registrant shall not submit a materially false statement or fail to disclose a material fact requested in connection with his application for certification or registration in this state or any other state.

3. A registrant shall not further the application for certification or registration of another person known by him to be unqualified in respect to character, education, or other relevant factor.

4. A registrant shall not:

(a) circumvent a Rule of Professional Conduct through actions of another;

(b) engage in illegal conduct involving moral turpitude;

(c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation;

(d) engage in conduct that adversely reflects on his fitness to practice his profession.

B. Conflict of Interest.

1. A registrant shall avoid accepting a commission where duty to the client, or the public, would conflict with the personal interest of the registrant or the interest of another client. Prior to accepting such employment, the registrant shall disclose to a prospective client such facts as may, in the opinion of the registrant, give rise to a possible conflict of interest.

2. A registrant shall not accept compensation for services relating or pertaining to the same project from more than one party unless there is a unity of interest between or among the parties to the project and unless the registrant makes full disclosure and obtains the express consent of all parties from whom compensation will be received.

3. A registrant shall not, directly or indirectly, solicit or accept any compensation, gratuity, or item of value from contractors, their agents or other persons dealing with the client or employer in connection with the work for which the registrant has been retained without the knowledge and approval of the client or the employer.

C. Improper Solicitation of Employment.

1. A registrant shall seek only such professional work or employment as such professional is competent and qualified to perform by reason of education, training or experience.

2. A registrant shall not accept employment to replace another professional except with his express knowledge, or unless the employment of such other professional by the client has been terminated.

3. A registrant shall not falsify or misrepresent the extent of his education, training, or experience to any person or to the public; nor shall he misrepresent the extent of his responsibility in connection with any prior employment.

4. A registrant may prepare a brochure for the purpose of informing the public or any prospective employer of his qualifications, training, or experience; provided, that such brochure shall not contain any false or misleading information concerning the professional or his employer, employees, associates, or joint venturers.

5. A registrant shall not tender any gift, pay, or offer to pay, directly or indirectly, anything of substantial value, whether in the form of a commission or otherwise, as an inducement to secure employment; provided, that this Rule shall not prohibit the professional from paying a commission to a licensed employment agency for securing a salaried position.

6. A registrant who is a regular full-time employee and who accepts other part-time employment shall not, without the express consent of his regular employer, use his employer's: (a) equipment, (b) time, or (c) office, to seek or accept part-time work.

D. False or Malicious Statements.

A registrant shall make no false or malicious statements which may have the effect, directly or indirectly, or by implication, of injuring the personal or professional reputation or business of another member of his profession.

E. Knowledge of Improper Conduct By Others.

1. A registrant who has knowledge or reasonable grounds for believing that another member of his profession has violated any statute or rule regulating the practice of his profession shall have the duty of presenting such information to the Board.

2. A registrant, when questioned concerning any alleged violation on the part of another person by any member or authorized representative of the Board commissioned or delegated to conduct an official inquiry, shall neither fail nor refuse to divulge such information as he may have relative thereto.

F. Action By Other Jurisdiction.

Convictions of a felony without restoration of civil rights, or the revocation or suspension of the certificate of registration of a registrant by another jurisdiction, if for cause which in the State of Minnesota would constitute a violation of law or of these Rules, shall be deemed to be a violation of these Rules of Professional Conduct. Any registrant adjudged mentally incompetent by a court of competent jurisdiction shall, until he is restored to mental competency, be deemed to be incompetent to practice his profession within the meaning of Minn. Stat. §326.11, subd. 2.

G. Associations With Non-Registered Persons.

A registrant shall refrain from associating his name or seal with plans, specifications, or other documents which were not prepared by him or under his direct supervision.

H. Employment on the Basis of Merit.

A registrant as an employer, shall refrain from engaging in any discriminatory practice prohibited by law and shall, in the conduct of his business, employ professional personnel solely upon the basis of merit.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

Ex. 5 C
JL

In the Matter Of:

Proposed Amendments to Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11 and 12 of the Rules and Regulations of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture

CERTIFICATE

I hereby certify that the attached 484 labels and one sheet(s) constitute the complete list of persons, associations and other interested groups who as of 8:30 o'clock A M., this 7th day of May, 1976, have requested pursuant to Minn. Stat. 1971, Sec. 15.0412, et seq., that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on Proposed Rules on the subject captioned above.

Joan Anderson Growe
SECRETARY OF STATE
Joan Growe

By Ceil Dion

Ex● 5E JL

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

- -

In the Matter Of:

Proposed Amendments to Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11 and 12 of the Rules and Regulations of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture

STATEMENT OF NEED

- -

The Rules of the Board of Architecture, Engineering, Land Surveying and Landscape Architecure above captioned are in need of amendment for the following reasons:

1. Rule 2 must be amended by striking the category of "Architect-in-Training" because such category no longer exists and by adding Landscape Architect-in-Training, a category of registered persons added to the Board's jurisdiction by the legislature.

2. Rule 3(a) should be amended to clarify the documentation that must be supplied to the Board by an applicant prior to his or her being supplied with a formal application for registration. The present rule is ambiguous.

3. Rule 3(b) is to be amended to require applications for registration to be filed with the Executive Secretary, a full time staff person, rather than with the Secretary-Treasurer. Also to specify, by reference, the appropriate fees for application.

4. Rule 3(c) should be amended to reflect elimination of Architect-in-Training and the addition of Landscape Architect-in-Training; and to substitute

the Executive Secretary for the Secretary-Treasurer as the recipient of applications for in-training examinations.

5. Rule 4(a) must be amended to add a provision for fees to be paid by an applicant for Landscape Architect-in-Training certification and to clarify the point in time at which such fees are due from Land Surveyor-in-Training applicants.

6. Rule 4(c) is to be amended to prorate the annual registration fee for registered persons.

7. Rule 4(d) is to be amended to conform to the fiscal year of the state.

8. Rules 4(b), 4(e), 4(f), 4(g), 4(h) and 5 must be amended to include landscape architect.

9. Rule 7 should be amended to accurately describe the agency providing qualification certificates for architects, engineers and landscape architecture, respectively.

10. Rule 8(c) should be amended to clarify the requirements for change in registration status of a registered person who was originally registered by exemption and to eliminate reregistration by oral examination.

11. Rule 8(c) is to be amended to avoid piece meal examination and to make clear that any applicable "in-training" examination must be passed prior to the applicant's taking the professional examination.

12. Rule 8(e) is amended to describe and fix the frequency of oral and written examinations.

13. Rule 9 governing the education and experience background that is required of applicants for registration as architects must be amended to conform to the minimum standards of the National Council of Architects Registration Boards (NCARB). Conformity with those standards is required to insure that architects registered in Minnesota will be able to secure registration by comity in our sister states.

14. Rule 11 should be amended to increase the level of competence, background, education and experience required of candidates for registration as land surveyors. The rule does not presently provide a satisfactory table of equivalents, nor does it describe the educational background deemed essential.

15. Rule 12, pertaining to professional conduct, should be amended to advise registered persons in as specific language as possible of their ethical obligations to the public and profession. The present rule is not sufficiently specific and fails to cover certain essential areas of ethical conduct. In addition, certain portions of the present rule are not based exclusively on ethical considerations and should be amended to do so.

16. In addition to the foregoing, several of the Rules named in the caption hereof need to be amended to correct grammar, punctuation and accurate numbering.

Dated: June 4, 1976

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter Of:

Proposed Amendments to Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11 and 12 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

STATEMENT OF NUMBER OF PERSONS EXPECTED TO ATTEND AND ESTIMATED TIME FOR CONDUCT OF HEARING

In accordance with the provisions of Rule HE 102(d), the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, by its Executive Secretary, Lowell E. Torseth, estimates that approximately 20 persons are expected to attend the hearing on the above captioned Amendments and that approximately two days will be required to complete the conduct of the hearing.

By Order of the Chairman

BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

By Lowell E Torseth
Lowell E. Torseth, Executive Secretary

April 15, 1976

CERTIFICATE OF RESOLUTION BY BOARD
ADOPTING AMENDMENTS TO RULES AND REGULATIONS

I, Rudolph W. Monson, do hereby certify that I am Secretary of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture, a Board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a Resolution adopted at a meeting of the Board duly and properly called and held on the 10th day of September, 1976; that a quorum was present at said meeting; that said Resolution as set forth in the minutes of said meeting and has not been rescinded or modified.

RESOLUTION

"RESOLVED: That the Rules and Regulations of the Board relating to the practice of architecture, engineering, land surveying and landscape architecture, as set forth in Appendix "A" hereto and they are hereby approved and adopted, pursuant to authority vested in this Board by Minn. Stat. §326.10 and 15.0412, and that G. Leigh Morrow, Chairman of the Board, be and hereby is authorized to sign an Order adopting these Rules."

IN WITNESS WHEREOF: I have hereunto subscribed my name this 10th day of September, 1976.

Rudolph W. Monson

Rudolph W. Monson

X-5(a)

CERTIFICATE OF ADOPTION OF
RESOLUTION AUTHORIZING HEARING EX. 5A - JL 6-14-76

I, Rudolph W. Monson, do hereby certify that I am Secretary of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, a Board duly authorized under the laws of the State of Minnesota, that the following is a true, complete and correct copy of a Resolution adopted at a meeting of the Board duly and properly called and held on the 27th day of February, 1976; that a quorum was present at said meeting; that a majority of those present voted for the Resolution; and that said Resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

RESOLUTION

"RESOLVED: That Rudolph W. Monson and G. Leigh Morrow, two of the members of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, be and they are granted the authority and directed to call a hearing for the purpose of promulgating amendments to the Rules of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture as set forth in Appendix A attached hereto, as well as to perform any and all acts incidental thereto, including without limitation, signing an order for hearing and notice of hearing on said proposed Amendments."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 21 day of April, 1976.

Rudolph W. Monson

Rudolph W. Monson

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF REGISTRATION OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter of:

Proposed Amendments to Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11 and 12 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

ORDER FOR HEARING

The aforementioned came on for public hearing before Peter Erickson, Office of Hearing Examiners, held at the Offices of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, Fifth Floor, Metro Square Building, St. Paul, Minnesota, on the 14th day of June, 1976, commencing at 9:00 o'clock a.m.

IN ATTENDANCE: Members of the Board; Lowell E. Torseth; and Sydney Berde, Esquire.

EARL G. ANDERSON AND ASSOCIATES
COURT REPORTING AGENCY
HEARING ROOMS AVAILABLE
MINNEAPOLIS OFFICE 336-8661
SAINT PAUL OFFICE 227-1223

WHEREUPON, the following proceedings were had:

THE HEARING EXAMINER: This hearing is called to order at 9:00 o'clock a.m. on Monday, June 14th, 1976, in the Metro Square Building, St. Paul, Minnesota. This is a hearing in the matter of the Proposed Amendments to Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11 and 12 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture. It is coded ARCH-76-003-BE.

My name is Peter Erickson and I'm an independent hearing examiner appointed by the Chief Hearing Examiner to hear this matter. My job is to preside over the hearing and submit proposed findings of fact, conclusions, and recommendations to the Agency prior to the agency's decision whether to adopt, modify or reject the proposed rules.

Would those representing the Board of Registration please note their appearance for the record?

MR. BERDE: My name is Sydney Berde, I'm a Special Attorney appointed by the Attorney General to represent the Board of Registration for Architecture, Engineering, Land Surveying and Landscape Architecture.

MR. TORSETH: My name is Lowell E. Torseth; I am Executive Secretary for the Board of Architecture, Engineering, Land Surveying and Landscape

Architecture.

THE HEARING EXAMINER: We'll wait until after the morning recess to have the appearances from all the Board members, just to allow everybody to show up that's going to be here this morning.

This hearing is being held pursuant to a Notice of Hearing, signed by G. Leigh Morrow, Chairman of the Board. The Notice is accompanied by a duly-executed affidavit of mailing, saying such notice was mailed on the 7th, 1976. A registration form may be found on the council table where Mr. Torseth is sitting. Everyone attending the hearing and intending to present evidence or ask questions is required to register prior to their presentation of evidence or questions by completing the information requested on the registration form. An agenda and guidelines for the hearing is also found on the table beside Mr. Torseth.

I will dispense with reading the agenda and guidelines allowed.

For the record, please note the following points on the guidelines. No 9. states: "It should be noted that anyone who desires to submit a written brief or other written comments during hearing upon the proposed rules may do so within 20 days of the close of this hearing. Such materials should be submitted to Peter Erickson,

Office of Hearing Examiner, Room 300, 1745 University Avenue, St. Paul, Minnesota, 55104. These materials must be received within the 20-day period to be considered."

No. 10 states: "You are advised that, under Minnesota Statutes, Section 10A.01, Subdivision 11, 1974, any individual representing persons or associations attempting to influence administrative actions, such as a promulgation of these rules, must register with the State Ethics Committee as a lobbyist within five days of the commencement of such activities by the individual."

I will receive jurisdictional documents for the record at this time. First I'll receive as Exhibit No. 1 a copy of the Rules, Hearing Agenda and Guidelines; Exhibit No. 2 will be the Notice of Hearing; Exhibit No. 3 is the Certificate of the Receipt of the Secretary of State's list; Exhibit No. 4 is the Affidavit of Mailing.

These exhibits are received for the record.

This hearing will be conducted pursuant to the Rules of the Hearing Examiners, Chapter 1HE 101 through 109.

If there are no more preliminary matters, the Board may proceed with its presentation.

Mr. Berde?

MR. BERDE: In addition to the exhibits that you have noted, I would like to have marked

for identification and offered into the record as additional documents relating to jurisdiction, the following as Exhibit 5A: A document entitled "A Certificate of Adoption of Resolution Authorizing Hearing."

(Exhibit 5A marked by the court reporter.)

MR. BERDE: Then as Exhibit 5B, a document entitled "Order for Hearing," signed by Rudolph Monson and G. Leigh Morrow.

(Exhibit 5B marked.)

MR. BERDE: As Exhibit 5C, a certificate dated May 7, 1976, signed by Joan Anderson Growe, Secretary of State, indicating that the list attached to the certificate was mailed as required by law to those persons who have placed their name on file with the Secretary of State for the purpose of receiving Notice of Public Hearing.

(Exhibit 5C marked.)

MR. BERDE: And next as Exhibit 5D, the Notice of Hearing, attached to which, as Appendix A, is the complete text of proposed amendments to be considered at this hearing.

(Exhibit 5D marked.)

MR. BERDE: And finally, as Exhibit 5E, a Statement of Need, dated June 4, 1976.

EARL G. ANDERSON AND ASSOCIATES
COURT REPORTING AGENCY
HEARING ROOMS AVAILABLE
MINNEAPOLIS OFFICE 336-8661
SAINT PAUL OFFICE 227-1223

(Exhibit 5E marked.)

MR. BERDE: Very well, those are all the exhibits that we have to put in at this time to establish that all of the documents required to be distributed have been distributed.

THE HEARING EXAMINER: Does anyone have any objection in regard to any of these offered exhibits? If not, they're received for the record.

MR. BERDE: Mr. Hearing Examiner, I think we'll proceed first with Mr. Torseth, who will read each of the proposed amendments and indicate the purpose for which these amendments are proposed and what they're intended to accomplish.

Mr. Torseth?

THE HEARING OFFICER: Just be seated. I don't have to put you under oath.

LOWELL E. TORSETH,

called as a witness, was examined and gave testimony as follows:

EXAMINATION

BY MR. BERDE:

Q Mr. Torseth, would you state your full name and occupation for the record?

A. My name is Lowell E. Torseth, Executive Secretary, Board of Architecture, Engineering, Land Surveying and Landscape Architecture.

Q. You're the Executive Secretary of the Board, are you not?

A. That is correct.

Q. What are your duties in connection with the Board's activities?

A. My duties are to administer the laws and policies as set forth by the Board and the Legislature.

Q. Do you have before you a copy of the proposed rules?

A. Yes, I do.

Q. Have you read the statement of need?

A. Yes, sir, I have.

Q. With respect to Proposed Rule Change No. 1, which relates to Rule AE&LS 2, that is simply a housekeeping change, is it not, to eliminate any reference to architects in training and to include a classification of Landscape Architect in Training.

Is that correct?

A. Yes, sir, and there should also be one other modification to that rule, where, at the end, it says, "Rule AE&LS 12," 12 should be changed to read 9.1.

Q. That is the only change to be made; is that correct?

A. Yes, sir.

Q. All right, then Rule AE&LS 3(a). Would you indicate

the purpose for which changes are proposed in that rule?

A. This particular rule is changed to add one landscape architect in training examination and it also is revised to clarify the language contained in the current rule.

Q. And that's the only purpose for the change in the language.

A. Yes, sir, that is correct.

Q. All right, Rule 3(b), the proposed changes to be made there?

A. The reason for this change is that the law, as revised by the Legislature in 1976, changed the filing of applications from secretary-treasurer to the executive secretary, and it also specifies the location of the fee quotations for the various applications.

I might also add in this particular rule that the third word in the rule, which reads "registration" should be deleted and the word "licensure" is replaced thereof.

Q. That change is proposed because of the change in the language made by the last Legislature. Is that correct?

A. Yes, sir. That language is found in Chapter 222 of Minnesota Laws, 1976.

Q. Again, where are you proposing that that change be made?

A. The third word in the rule, where it now reads, "Applications for Registration" should read "Applications for Licensure."

EARL G. ANDERSON AND ASSOCIATES
COURT REPORTING AGENCY
HEARING ROOMS AVAILABLE
MINNEAPOLIS OFFICE 336-8661
SAINT PAUL OFFICE 227-1223

Q. May we say at this point, so that it won't have to be repeated each time we run across the word "registration", that, wherever in those proposed rules the word "registration" is used, that word will be deleted and there will be substituted instead the word "licensure".

Is that correct?

A. Yes, sir, that is right.

There are other variations of the word, "register" that should be changed also, such as "registered" should be changed to read "licensed"; "registrant" should be changed to read "licensee".

THE HEARING EXAMINER: Would you please point those out as we go through?

THE WITNESS: Yes.

THE HEARING EXAMINER: Thank you.

BY MR. BERDE:

Q. Very well. Next proposed change No. 4, which relates to Rule AE&LS 3(c).

Would you indicate the purpose of that change?

A. The purpose for this change is to add the category of landscape architect in training. There is a grammatical change with one word moved in the sentence, and again, the "Board Office Secretary-Treasurer" deleted, with the "Staff Office Executive Secretary" added, since the applications are submitted to the Executive Secretary.

Q. Very well. Would you go next to No. 5, which proposes a change in Rule 4(a)?

A. Here again we are modifying the instructions for land surveyor in training to indicate that the fee for the examination for certification as land surveyor in training is to be made upon approval of the candidate for admission to the examination, and we also add the category landscape architect in training.

Also, there are two words, "registration" there, that must be changed to "licensure" in lines 2 and 3 of the proposed laws.

Q. Very well, would you next go to No. 6.

A. Rule 4(c) is amended to specify renewal periods, and it would also authorize the Board to prorate initial registration fees over a biennium so that, for example, a $30 biannual renewal fee would not have to be paid when there was only two to three months remaining in the biennium. It is proposed in this rule that the fee be prorated over each six months. It also indicates that the renewal fee for fiscal year 1978 shall be paid on or before June 30th of 1977. This is also brought about by legislation passed by the 1975 Legislature, which placed the Board on the state fiscal year.

There are four places in this particular proposed rule where the word "registration" or "registrant" must

be changed to "licensure" or "licensee".

Q. In the third line, which refers to the "initial registration fee," et cetera, is it proposed to change the word "registration" to "license" so that it reads "The initial license fee . . ."?

A. That I believe would read more properly.

Q. Very well, No. 7, which relates to Rule AE&LS 4(d).

A. This proposed change is made to comply with the legislative directive that all boards adopt the state fiscal year for accounting purposes.

Q. And that's the only change that is brought about in that provision.

A. Yes, sir, that is correct.

Q. Next, paragraph 8.

A. This particular one merely adds "landscape architect", and it has a couple of words that, rather than saying "he", it adds the term "such applicant" for clarification.

Also, in the third line of this proposed change, the word "registration" should be changed to "licensure".

Q. Very well, next No. 9.

A. The sole reason for this change is the incorporation of landscape architect in training.

Here again there are four instances where the word "registration" should be deleted and the word

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"licensure" placed in lieu thereof.

Q. Very well, and next No. 10, which relates to Rule AE&LS 4(b)(3).

A. Here again the only purpose of this particular proposed change is the addition of landscape architect in training.

The last word, the first line of this proposed proposal, the word "registration" should be stricken and the word "licensure" inserted in lieu thereof.

Q. Next No. 11, which relates to rule AE&LS 4(h)(4).

A. The purpose for changing this particular rule is two-fold; first to add the category "landscape architect in training", and secondly, to enable the Board to charge a fee for evaluation of transcripts. The current rule requires that a fee be charged, and this work is currently being done gratis by representatives at the University of Minnesota.

THE HEARING EXAMINER: Can we go off the record for a minute?

MR. BERDE: All right.

(Discussion held off the record.)

THE HEARING EXAMINER: Back on the record.

BY MR. BERDE:

Q. Mr. Torseth, with respect to paragraph 12 of the

proposed amendments which relates to Rule AE&LS 5, you have been informed, have you not, of a change in the title to be applied to the National Council of Engineering Examiners, Committee on National Engineering Certification. That language should now read "The National Certification Committee of the NCEE."

Is that correct?

A. That is correct.

Q. So that the paragraph under 12 relating to AE&LS 5 will read: "Certification of an Applicant. Technical qualifications by the National Council of Architectural Registration Boards (NCARB), the National Certification of NCEE."

A. Should that not read "National Certification Committee of the National Council of Engineering Examiners (NCEE)", because that spelling out has not appeared prior to this time?

Q. We will change it to read "National Certification Committee of the National Council of Engineering Examiners (NCEE)", and the remainder of the paragraph will be as it appears.

THE HEARING EXAMINER: Mr. Berde?

MR. BERDE: Yes?

THE HEARING EXAMINER: Do you suppose that Mr. Torseth could write that out and submit

that to me so I make sure I know which change you're talking about?

MR. BERDE: Yes. Can you do that, Mr. Torseth?

THE WITNESS: I've got it here already.

MR. BERDE: And send it to Mr. Erickson.

THE WITNESS: Also, the additional purpose for this particular rule was to include the Council of Landscape Architecture Registration Board to represent the availability of certification by the Landscape Architectural National Organization.

BY MR. BERDE:

Q Then that's the only purpose for those changes. Is that correct?

A Yes.

Q Would you next go to paragraph 13.

A The only purpose for that particular change is grammatical.

Q And paragraph 14, which relates to AE&LS 7(d).

A This material adds the word "Council" in front of the word "Certificate" for better identification purposes.

Q Now, in 15, you have been handed a change, have you not, to be substituted in place of the language which appears,

and that relates to a change in the reference to the certificate of qualifications from the NEC Council.

Would you indicate what that change should be in paragraph 15?

A. The language should read: "By submitting a certificate of qualifications or NEC Council record prepared by the National Certification Committee of the National Certification Committee of the National Council of Engineering Examiners."

Q. Would you similarly prepare a substituted draft for Mr. Erickson on that one?

A. Yes, sir, I will.

Q. Can you tell me whether the words "Certificate of Qualification" should be capitalized, or at least initial capped, because it refers to a particular document?

A. Yes, sir, it should be capitalized, "Certificate" and "Qualifications" should be capitalized.

Q. Can you describe for the record at this point what a certificate of qualifications is?

A. A certificate of qualifications is a compendium of material collected by each of the national councils that consists of materials such as university and college transcripts, prior and personal references, client references, record of original registration, and currency of registration of the individual concerned.

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Q. Is there a difference between a certificate of qualifications, as you have just described it, and an NEC Council record?

A. No, sir.

Q. That is the same document?

A. That is the same document.

Q. Very well, would you go next to paragraph 16 and paragraph 17, which are simply redesignations of existing paragraphs in order to accomodate a new paragraph?

Isn't that right?

A. That is correct.

Q. So next then will be paragraph 18, which proposes the amendment of Rule AE&LS 7 to include a new subparagraph.

Is that correct?

A. That is correct. That merely would authorize the Board to accept a council's certificate, if prepared by the Council of Architect Registration Boards or Landscape Engineering Boards. It is similar to those provided by the NCARB and the NCEE.

Q. Would you go next to paragraph 19, which relates to AE&LS 8(b)?

A. This particular change is brought about due to -- it's merely an update of a requirement. There no longer exists the possibility of an applicant who was registered

back in the 1920s under a grandfather clause to update his or her registration by taking an oral exam. If the update is to be effected, it must be a written examination.

So it's merely bringing this particular clause up to today rather than bringing it back out of the 1920s and 30s. A modernizing item.

MR. BERDE: I might observe at this point, Mr. Hearing Examiner, that, in the Statement of Need, paragraph 10 of the Statement of Need, which refers to 8(c), that should be changed to 8(b). That's an error, and the Statement of Need states, in effect, What Mr. Torseth has just indicated as to the need for change in 8(b).

BY MR. BERDE:

Q Next No. 20, Rule AE&LS 8(c).

Would you indicate the reason for that proposed change?

A The reason for this change that, since an individual taking an in-training examination passes or fails based on the total score of that examintion, it is no longer applicable to indicate in the rule that the individual must retake the part that he has failed. He must retake the entire examination.

Q Is that a change from the existing practice?

A. This is the practice now.
Q. It is the practice now.
A. That is correct.
Q. So this merely conforms to what is the existing practice.
A. Yes, sir.
Q. Next Rule AE&LS (d), which appears under paragraph 21 of the proposed amendments; would you indicate the purpose of the language changes there?
A. This change is primarily to clarify, and we'll describe and fix times of administration of oral and written examinations.
Q. And that's the only purpose for it.
A. Yes, sir.
Q. Next paragraph 22, which relates to changes, proposed changes in Rule AE&LS 8(e).
A. Same comment applies to this particular change.
Q. Very well. Now, is it fair to say that the rules that you have just reviewed and the changes proposed in the rules are nonsubstantive in nature and are made either to conform those rules to changes in the law of a nonsubstantive nature, or to clean up language or to remove ambiguities?
A. That is correct. There is nothing in the rules that we have covered so far that adds any additional requirements in any way.

MR. BERDE: Very well. I think, Mr. Hearing Examiner, this would be an appropriate time to receive any comments or testimony, if any there be, with respect to changes in Rules 2 through 8.

THE HEARING EXAMINER: To begin with, I've got a few questions for Mr. Torseth.

EXAMINATION

BY THE HEARING EXAMINER:

Q The word "registrant" becomes what?

A "Licensee."

Q "Licensee."

In paragraph 12, the proposed amendments to AE&LS 5, it states, "Certificate of registration."

Should that word "registration" also be changed to "licensure"?

A This I believe can stay as is because the Board, in its bill to be presented to the 1977 session of the State Legislature, will request that the initial certificate, the recognition that the individual has met Minnesota standards, be called "Certificate of Registration." The annual, or biennial renewal is the license to practice.

MR. BERDE: What rule are you now talking about?

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THE HEARING EXAMINER: Paragraph 12. The underlined --

MR. BERDE: "Certificate of Registration" remains the same.

THE HEARING EXAMINER: That's what Mr. Torseth said. Is that your understanding, Mr. Berde?

THE WITNESS: This will be one of the items, Mr. Berde, that the Board will be asked to address in its '77 legislative package.

MR. BERDE: One moment.

THE HEARING EXAMINER: Let's go off the record.

(Discussion held off the record.)

THE HEARING EXAMINER: Let's go back on the record.

Then, Mr. Berde, as I understand it, in paragraph 12, the proposed amendments to AE&LS 5, that should remain "Certificate of Registration." That's the title to the paragraph.

MR. BERDE: Right.

THE HEARING EXAMINER: Mr. Torseth, do you have any additional comment on paragraph 9?

THE WITNESS: Yes, sir. On the third line from the bottom of paragraph 9, for AE&LS Rule 4(f),

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the word "certification" should be changed to "licensure."

BY THE HEARING EXAMINER:

Q. Doesn't that also occur on the fifth line in that paragraph?

A. No. The in-training candidates are certificated because the completion of the in-training examination is merely a recognition, it is not a license to do anything. This fact remains in the law; this was not changed in the law because it was not a license to do anything.

Q. So I understand, then, where it says, "applicant for certification" in the fifth line of that paragraph, that stays "applicant for certification."

A. What is the context of that, Mr. Berde?

MR. BERDE: Well, that relates to the applicant for certification as an architect in training. The entire sentence refers to the in-training candidate and states that, "Such fee shall be applied in payment of the "100 examination fee for licensure as provided in paragraph (e) hereof, provided that the applicant for licensure. . .", because it relates to the process of becoming licensed.

So that word "certification" in the fifth line of "Proposed Amendment to Rules AE&LS 4(f) should be changed to "licensure".

BY THE HEARING EXAMINER:

Q. As well as the word "certification" in the line, the third line up from the bottom.

A. Right.

MR. BERDE: Yes, as well as the word "certification" in the fifth line up from the bottom.

THE WITNESS: I don't believe that should be changed, because there you're talking about date of certification as an engineer in training.

MR. BERDE: Yes, you're right, that remains.

THE HEARING EXAMINER: Let's go off the record.

MR. BERDE: As corrected, 4(f) will read: "The examination fee for certification as an engineer in training, land surveyor in training, or landscape architect in training, shall be $30. Such fee shall be applied in payment of the $100 examination fee for licensure as provided in paragraph (e) hereof, provided that the applicant for licensure shall have completed all examinations required by the Board for licensure within ten years from the date of certification as an engineer in training, land surveyor in training, or landscape architect in training. In the event that the applicant for licensure has not completed all

examinations for licensure within the 10-year period provided for herein, the examination fee for licensure shall be $100."

BY THE HEARING EXAMINER:

Q. Mr. Torseth, in paragraph 19, why do you say that you are eliminating the oral examination? Because you don't think it's sufficient?

A. The Board has not used the oral examination -- well, this goes back to the day when applicants were registered under the grandfather clause. They didn't stand any kind of an oral. Today, any individual who was so registered could only change their method of registration by written examination rather than an oral examination, or an examination of qualifications, which essentially was what happened under the grandfather clause. Many states require that an individual must have passed a written examination before they will register that individual, even though he or she be registered in other states under a grandfather clause.

THE HEARING EXAMINER: Mr. Berde?

MR. BERDE: Yes. We no longer have any occasion for grandfathering in anybody.

Isn't that correct?

THE WITNESS: Except for landscape architects until 1 January.

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MR. BERDE: So this provision that you are proposing to change as it presently exists is obsolete, is it not?

THE WITNESS: That is correct.

THE HEARING EXAMINER: Does anyone have any questions for Mr. Torseth, or would anyone like to make a comment to the Proposed Amendments to Rules 2, 3, 4, 5, 7 or 8?

Mr. Berde, you may proceed with paragraph 23.

EXAMINATION (Continued)

BY MR. BERDE:

Q. Very well, Mr. Torseth.

With reference to paragraph 23, which proposes amendments to Rules AE&LS 9a, 9b and 9c, the proposal is to strike the existing rule and to substitute totally new language.

Isn't that correct?

A. That is correct.

Q. Would you indicate the reason for and the need for the proposed amendments?

A. The purpose for this rather extensive change is to in effect, adopt the certification criteria of the National Council of Architectural Registration Boards. The reason for this is to facilitate the reciprocal registration of Minnesota architects with other states

and out-of-state architects for registration in this state. It's an attempt to standardize registration requirements among the 54 registration jurisdictions under the National Council of Architectural Registration Boards.

Q. Are you able to state generally what the nature of the changes are from the old rule, or the existing rule, 9a, 9b and 9c?

A. The changes are primarily of a nature whereby a prospective applicant can look at the rule and determine before making any contact with the Board whether he or she qualifies for registration. There are three different tables; one on education and experience, one on educational criteria, which spells out what educational experience the individual has had that qualifies for credit, and then a final -- whoops, excuse me, I'm ahead of myself here.

There's educational and experience, one for education and one for experience only. They're quite definitive, specify as to what qualifies for credit and what will not be admitted.

Q. Now, are there some changes that you now want to propose in the language of Proposed Rule 9a, 9b and 9c --

A. Yes, sir, there is.

Q. -- that are different from the language as it appears in

the Notice of Hearing?

A. Yes, sir.

Q. What changes are those?

A. On page 5 of the Proposed Amendments to the Rules, paragraph 9a, the first line, there appears the word "registration" which should be changed to "licensure". Under 9a(2) in the second line, the word "registered" should be changed to "licensed".

At the end of Table I, there is an asterisk. The second sentence of that particular explanation should read: "An applicant with qualified experience will be granted full credit for such experience," and the rest stays the same.

The reason for this change is that it disagreed with the material in Table II.

Q. That's on page 6?

A. That is on page 6.

Q. Under the single asterisk?

A. That is correct.

Q. You're proposing to strike in the fourth line the words "each full year of experience". Is that correct?

A. I'm proposing to strike in the fourth line the first word "year", and then "each full year of . . .", and then "each full year of" replacing "each full year of" with the word "such".

THE HEARING EXAMINER: Aren't you also changing line 3?

THE WITNESS: Striking, at the end of line 3, the term "one-half" replacing it with the word "full".

BY MR. BERDE:

Q So that it will read "full credit"?

A That is correct.

Q Now, there is also a change proposed in the word "equivalency" to the word "qualifying" wherever the word "equivalency" occurs.

A That is correct.

Q Can you point out for the record where those changes --

A On page 7 the second line beneath the table, which now reads: "NCARB Equivalency Examination" should be changed to read "NCARB Qualifying Examination".

Q And a similar change needs to be made on page 9. Is that correct?

A That is correct, on the second line from the bottom. The first word of the second line from the bottom of page 9 should be changed from "equivalency" to "qualifying".

Q And a similar change on page 10?

A That is correct. Sub (2) there are three instances at the top of page 10, three instances where the word

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"equivalency" appears. In each instance, "equivalency" should be stricken and the word "qualifying" inserted in lieu thereof.

Q. Now, the first change on page 10 is at the top of the page, second word.

Is that right?

A. That is correct.

Q. The next change from "equivalency" to "qualifying" appears where?

A. Line 5, the last word, and the last one is in line 8, about the middle of the line.

Q. Very well. Now, Mr. Torseth, I don't think the record discloses what the NCARB is.

A. The NCARB is the National Council of Architectural Registration Boards, which consists of, I believe, 54 registration jurisdictions. This includes the 50 states, plus the District of Columbia, Puerto Rico, the Virgin Islands and Guam; possibly 55, because the Canal Zone is also included.

Q. This is a council of state agencies, is it not?

A. That's correct, a council of state registration boards.

Q. And is one of the functions of the council to standardize the examination process for architects?

A. That is correct.

Q. There is a procedure through which a person may obtain

recognition by the National Council as a qualified architect for use by other states.

Isn't that right?

A. Yes, sir, that is correct.

Q. Would you describe how you go about obtaining a council certificate?

A. As of this date, an individual who was registered by Minnesota as an architect, based upon passing the examination taken this past December, must complete two years of professional practice before he or she becomes eligible for national certification. When that time has elapsed, he then applies for the application package, which he receives, fills out, sends in. The National Council then verifies with the State of Minnesota whether this individual is in fact registered; if so, the date he or she was registered, and also the method by which he or she was registered.

That is to say whether the individual was registered based on successful completion of the professional, Mark Series professional examination, or that individual was registered based on successful completion of the qualifying examination and the professional examination or if the individual had been registered sometime ago and had been registered based on successfully completing the national seven-part examination.

The individual must list all his employment experience. Each employer is queried as to the competency and qualifications of the individual for national certification; personal references are provided to individuals attesting to the individual's participation in community affairs, usually, and things of this nature. There are about 20 pages of material in a National Council certificate.

Q. Now, does the Minnesota Board of Representatives have representation on the National Council?

A. Yes, sir, the Board is a member board of the National Council.

Q. And does the National Council meet from time to time to discuss matters of interest to the practice of architecture on a national basis?

A. Yes, sir. The National Council meets normally the third week of June each year at various points around the country.

Q. Is there a National Council-developed examination of a standardized nature that has been adopted by the various states?

A. Yes, sir. The National Council of Architectural Registration Boards has a series of examination committees; what they call the Mark Series Professional Examination has a committee. There is one committee that

has prepared the Mark IV Examination, which will be administered in December; another committee has developed the Mark V, which will be administered in December of 1977; other committees have been designated to develop the examinations to be given in December of 1978 and December of 1979. These exams are used by each of the member boards, to the best of my knowledge.

Q. Does the examination process described under Proposed Amendments to 9a, 9b and 9c conform in substance to the examination process recommended by the NCARB?

A. Yes, sir, it does.

MR. BERDE: I think, Mr. Hearing Examiner, that, since the Proposed Amendments to 9a, 9b and 9c constitute substantive changes, it might be appropriate at this time to inquire whether there are any persons who want to present any testimony or comments with respect to the proposed amendments.

EXAMINATION (Continued)

BY THE HEARING EXAMINER:

Q. Mr. Torseth, to begin, where do you say the major changes from the current rules have occurred in the proposed amendments?

A. The major change is in the detailing of the requirements for the benefit of the prospective applicant. The basic

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requirements are contained in the current rules, but this, the proposed change, spells them out so the applicant, in picking up next year's issue of the blue book, if this rule is adopted, can go in there and say, "Gee, I need six more months of experience," or something like that, and he saves a little time by not writing to the Board and getting back an answer that he's not yet qualified to be admitted to the examination process.

THE HEARING EXAMINER: Does anyone have any questions of Mr. Torseth concerning the proposed amendments to Rule 9?

Would anybody like to make a statement?

Okay, at this time let's break for fifteen minutes and come back at quarter to 11:00.

(Recess taken.)

THE HEARING EXAMINER: Back on the record.

Mr. Berde, you may proceed with, I believe, paragraph 24 in the proposed amendments.

EXAMINATION (Continued)

BY MR. BERDE:

Q Now, would you turn to paragraph 24, Mr. Torseth, and would you describe for the record what those proposed

changes entail?

A. Proposed changes for Item 24 reflect a strengthening of requirements for education and experience for registration in the State of Minnesota as land surveyor. This is an attempt on the part of the Board to increase the scope and qualifications of persons who will be newly licensed to practice the profession of land surveying.

Q. And the qualifications that are provided for are over and above what has heretofore been required. Isn't that correct?

A. Yes, sir, that is correct.

Q. Can you state for the record the factors that gave rise to the apparent need for the changes proposed in the Proposed Amendments to Rule 11a, 11b, 11c and 11d?

A. There are several factors that brought about this proposed change. One is the experience record of examinees taking the registration examination; the failure rate is excessive, and the reason for the failure rate being excessive is primarily the lack of technical education, and, secondly, the lack of appropriate experience.

Q. Has that lack of education and appropriate experience also been reflected in actual practice of the profession of land surveying by those who have been registered for some years?

A. Yes, sir. For an example, we have an instance currently

in Washington County where three surveyors have done the same job, have come up with three different answers, and cannot get together. They're all three right.

Q. Now, the principal change in the proposed rules a, b, c and d relate to the formal educational requirements.

Is that correct?

A. Yes, sir.

Q. I wonder if you can state the reason for the specific reference on page 11, under subparagraph (5), to, and I quote, "Technical courses offered through the University of Minnesota."

Why is that limitation to the University of Minnesota included in the proposed amendment?

A. This particular clause, which is 11a(5), has been modified by a short piece of paper which has been given to each member of the Board, I believe, to eliminate that restrictive language.

What Rule 11a(5) should now read is: "All applicants for licensure, by examination, as land surveyor in Minnesota, must have completed one year of education leading to a BS degree, including eight quarter credits of surveying, to take the land surveyor in training examination and must have completed two years of education leading to a BS degree, including sixteen quarter credits of surveying or related courses to take

the final examinations for land surveyor. This requirement is effective January 1, 1981."

MR. BERDE: I wonder, Mr. Hearing Officer, if we should mark this as an exhibit and offer it as a substitute for Proposed Rule 11a(5).

THE HEARING EXAMINER: Will the reporter please mark this Exhibit No. 6.

MR. BERDE: Exhibit No. 6 for identification is headed "AE&LS Rule 11a(5)," and contains substitute language for the language that appears in the Notice of Hearing.

(Exhibit 6 marked.)

THE WITNESS: There are some other changes that should be made here also.

BY MR. BERDE:

Q. Can you state who prepared Exhibit 6, Mr. Torseth?

A. Exhibit 6 was prepared by Mr. Monson, the land surveyor member of the Board.

Q. Was that prepared in consultation with the representatives of the land surveying profession?

A. Yes, I believe it was.

Q. If propose Exhibit No. 6 is adopted, it would solve that limitation which now appears in the Notice of Hearing with respect to the University of Minnesota, would it not?

A. Yes, sir, it would.

Q. And that would take care of any complaints that may have

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been registered with the Board that the proposed rule was unduly restrictive.

A. Yes, sir, I believe it would.

Q. Very well.

Is there a national council of registration boards relating to land surveying?

A. No, sir, there is not. There is a proposal before the National Council of Engineering Examiners that registration boards for land surveyors be admitted to that council as full members, full voting members.

THE HEARING EXAMINER: Excuse me. Let the record show that Exhibit No. 6 is received.

BY MR. BERDE:

Q. Do you know who prepares the land surveying examination for the Minnesota board?

A. The land surveyor in training examination is prepared by an examination committee of the National Council of Engineering Examiners. What is known as Part III of the Professionsl Examination is prepared by a committee of the National Council of Engineering Examiners, and Part IV of the Professional Examination is prepared by a committee which is appointed by the Board to prepare and score this particular examination.

MR. BERDE: I think, Mr. Hearing Examiner, we ought to have any comments or additional

testimony that anyone may want to give with respect --

THE WITNESS: I have some other changes which should be made.

BY MR. BERDE:

Q. Other changes in this land surveying --

A. Yes.

Q. In a(2), is that one of the changes?

A. Well, 24a is "registration" and "registered". They need to be changed. In line 1 of 11a, the word "registration" should be changed to "licensure".

The last word in line 4 of 11a should be changed from "registered" to "licensed". About two-thirds of the way in line 5, the word "registered" should be changed to read "licensed". And line 8, the fifth word, "registration", should be stricken and replaced with the word "licensure".

In Clause 11a(2), which now reads " . . . completed at least two (2) . . ." should be changed to read, ". . . completed at least three (3). . ."

Clause 11a(3), about two-thirds of the way in the first line, the word "registration" should be stricken and replaced by the word "licensure".

In the table, line 1, under the heading "Experience in Years," the numeral, Arabic numeral 2 should be stricken and replaced with Arabic numeral 3.

Arabic numeral 6 under "Total Education and Experience" should be stricken and replaced with Arabic numeral 7.

At the top of page 11, three asterisks should be placed before the term "nongraduate" which is the last portion of this table.

Under the heading "Experience in Years," the 7-10 should be stricken and replaced with the Arabic numerals 6-9.

Under "Total Education and Experience," Arabic numeral 10 should be stricken and replaced with Arabic numeral 9.

Under the table double asterisk item, which now reads "All applicants for registration. . ." should be changed to read "All applicants for licensure . . ."

Then three asterisks with the notation "A minimum of two years of qualifying education will be required as of January 1, 1981." This to coincide with the change that was made in 11a(5).

On page 12, at the top of the page, which would be 11b(2), in line 3, which now reads, where the phrase now reads, "Total of six or more years," should be changed to read, "Total of seven or more years."

In 11c(2), the first word in the fifth and sixth lines should be changed from "registration" to "licensure".

Those are all the changes that I believe I wish to make at this time.

THE HEARING EXAMINER: Does anyone have any questions of Mr. Torseth concerning the Proposed Amendments to AE&LS 11?

Would anybody like to make a statement concerning that rule?

MR. JOHNS: My name is Guy Robert Johns, J-o-h-n-s.

I was just wondering why the January 1st date, 1981, why it's a five-year period, or whatever it is.

THE WITNESS: I believe I would defer that question to Mr. Monson, since he worked this up.

MR. MONSON: Why the January, 1981?

THE HEARING EXAMINER: Excuse me, let's go off the record.

(Discussion held off the record.)

MR. BERDE: We'll identify Mr. Monson and we'll call him as a witness with respect to the land surveying amendment, since he is the land surveying member of the Board, and anyone who has any questions of Mr. Monson can put the questions to him.

There may be more than one.

THE HEARING EXAMINER: Mr. Monson, will you please step forward? Please be seated.

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MR. BERDE: Were there some questions that someone wanted to put to Mr. Monson?

MR. JOHNS: Just the one: Why that period of time?

EXAMINATION

BY MR. BERDE:

Q Can you indicate, Mr. Monson, why the time change in -- what specific rule?

MR. JOHNS: The one here they wanted to make. The requirements effective January 1st, 1981. That's kind of like a five-year period.

MR. BERDE: That's under 5, under a5.

THE HEARING EXAMINER: Mr. Monson, please spell your name.

THE WITNESS: My name is Rudy Monson, M-o-n-s-o-n, land surveyor member of the Board, and in answer to your question, Bob -- thank you -- 1981 is just a date. We go into full educational requirements in 1985, and this is a method of phasing into the strict requirement of a degree requirement. So it's an arbitrary date. It's midway between where we are now and where we're going to be. Just a date, really.

THE HEARING EXAMINER: Any further questions of Mr. Monson?

You may be excused. Thank you.

Does anyone else have any comments on Rule 11?

Off the record.

(Discussion held off the record.)

MR. BERDE: We can go back on the record, and we'll now cover Rule 12, which appears under paragraph 25 of the Proposed Amendments.

EXAMINATION (Continued)

BY MR. BERDE:

Q. Mr. Torseth, can you state the reasons for the proposed changes in Rule 12?

A. The primary reason for the changes proposed for Rule 12 are brought about by the inadequacy of the current Rules of Professional Conduct, shown in the current Rule 12, which are written in such a way they can be interpreted just about any way anyone wants to do them, and they are very ineffective.

The proposed changes in Rule 12 is an attempt to specify rules of professional conduct on the part of registrants.

Q. Now let's take them one by one. These rules -- well, first of all, let's take them in summary.

These rules are the result of approximately a year's

study and consideration first by a committee of the Board and then by the full Board.

Is that correct?

A. At least a year.

Q. And they have been reviewed by the entire Board and changes made and drafts submitted by subcommittees.

A. Yes, sir, and copies of these particular changes, as they have been developed, have been distributed to the interested technical and professional societies and associations.

Q. Would you name the professional societies who have received copies of drafts of these rules of professional conduct?

A. Specifically, Minnesota Society of Architects, Minnesota Society of Professional Engineers, Consulting Engineers Council of Minnesota, Minnesota Land Surveyors Association, Minnesota Federation of Engineering Societies, Minnesota Chapter of the American Institute of Planners, Minnesota Chapter of the American Society of Landscape architects.

Q. And as a result of the distribution of drafts of proposed rules of professional conduct, has the Board received comments which it has taken into consideration in drafting these proposed amendments?

A. To the best of my knowledge, the Board has received

written comment from two organizations in the last three years concerning this particular rule as it has developed. These comments were taken into consideration by the committee that made revisions and by the full Board in its final deliberation that led to the adoption of this rule for public hearing.

Q. Now, first of all, has there been occasions in the past where the existing Rules of Professional Conduct have been deemed to be too vague or imprecise to permit their effective enforcement?

A. Yes, sir. I specify one in particular, which is Rule 7, which states: "To advertise only in a manner supporting the dignity of his profession."

I received countless telephone calls and written correspondence alleging improper conduct in the advertising by registrants. No definition has been forthcoming concerning the part that I just read. It's a rather relatively impossible thing to enforce.

Q. Now, under our existing law and regulations, a registrant's certificate of registration may be revoked for violation of these rules.

Isn't that correct?

A. Yes, sir, that is correct.

Q. And so, in order to give registrants fair notice of what is required of them, it is necessary to have these

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rules drafted in language that they can understand and so that they may know what is required of the registrants.

Is that right?

A. Yes, sir, that is correct.

Q. Now, as to personal conduct, Rule 12a, the paragraph 2 of that proposed rule relates to the submission of materially false statement in connection with an application for certification.

Is there any existing rule relating to that subject?

A. I believe there is one that refers to it, but I'm not certain.

No, there is not.

MR. BERDE: I don't know if anything will be served by having Mr. Torseth read through each rule. If anyone has any questions they want to put to Mr. Torseth concerning these rules, this might be the appropriate time to do so.

EXAMINATION (Continued)

BY THE HEARING EXAMINER:

Q. Mr. Torseth, how does this rule of professional conduct compare to what other states have?

A. In the 25 or 30 sets of rules of professional conduct that

I have reviewed over the last three years, I would say that the proposed rule is superior to any one of those that I have reviewed.

Q. When you say superior, do you mean stricter, more precise?

A. More precise, more specific.

Q. Do you think that this rule will conflict with anybody's legitimate business interests at all?

A. I don't believe so.

MR. BERDE: Can we go off the record?

THE HEARING EXAMINER: All right.

(Discussion held off the record.)

THE HEARING EXAMINER: Back on the record. Mr. Berde?

EXAMIANTION (Continued)

BY MR. BERDE:

Q. Mr. Torseth, have you had occasion to examine rules of professional conduct adopted by other state registration boards?

A. Yes, sir.

Q. Would you agree that there is a relative lack of uniformity among those rules?

A. Yes, sir, there certainly is.

Q. They go all over the lot, do they not?

A. Yes, sir. Some have adopted some rules that were proposed by the National Council of Engineering Examiners; other states have adopted a code of ethics set forth by the National Society of Professional Engineers, and they vary anywhere in number from six very brief, concise statements to pages of things that registrants may or may not do.

Q. In connection with the drafting of these proposed rules, was consideration given to whether or not the professions who will be governed by these rules will be able, as a practical matter, to operate under them?

A. As I indicated earlier, each of the major professional societies and associations received copies of the rule, the proposed rule, going back to about 1973, and comments were requested at that time, at each time, and, to the best of my recollection, we have received two written comments in three years' time.

MR. BERDE: Okay.

THE HEARING EXAMINER: Does anybody have any questions of Mr. Torseth concerning Rule No. 12?

Let's go off the record.

(Discussion held off the record.)

THE HEARING EXAMINER: Back on the record.

Will you please state and spell your name?

THE WITNESS: My name is Burton Shacter, S-h-a-c-t-e-r, representing the Minnesota Society of Architects.

The Society has reviewed Rule 12, recommendations for Rule 12 revisions, and recognizes that the existing rule does have some areas of questionable enforcibility. At the same time, we also recognize there are certain aspects of the existing Rule 12 which we think are in the best public interests, and in this regard, we have prepared a critique, if you will, of the proposed Rule 12, which would voice our concerns.

The preamble of the proposed Rule 12 mentions each person, corporation or partnership. The existing Rule 12, and the proposed -- existing rules, rather -- do have requirements for partnership, and, of course, they have requirements for, as we would call them now, licensees. However, there's nothing, to my knowledge that I'm aware of in the new proposed rule or in the existing rules, per se, which deals with corporations.

So we would question at this point the intention of the nomenclature "corporation", since corporations are not licensed under the law. We would agree that there has been some conversation about the need for corporation constraints; however, I don't think it's appropriate at this point to mention that.

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Our largest concern lies, I would believe, in the area of personal conduct. The existing law, which is under Rule 12, existing subsection (10), excuse me, I think I'm out of order here.

The omission in the new rules of the existing Rule 12, subsection (10), is, from our point of view, not consistent with the intent of the law to protect the public interest. It seems to us that the present rule which allows the Board the avenue to control the sphere of practice of qualified professionals in specific areas of skills, in accordance with carefully prepared licensing examinations, is necessary in order for the Board, after the fact, to govern their actions. In fact, if a person under the proposed rules is tested in a specific area of skill, he could practice outside of that area without any fear of administrative action by virtue of being in misconduct, as he would presently be.

We would accordingly recommend that the existing language of Rule 12, subsection (10), "To confine his professional service to the profession in which he is licensed and competently qualified" be maintained.

Under the proposed subsection b, Conflict of Interest," it says, in the present form, as proposed, ". . . in the opinion of the registrant, may give rise to a possible conflict of interest." Although we

believe that the intention of the proposed subsection 1 of Section B is appropriate, it seems difficult from our point of view to imagine the enforcibility of that section, since it's left totally to the registrant, and it would seem to us that the language asks the registrant to be a speculator of what may come, and at the same time, one who establishes the criteria for potential conflict.

This would seem to us to be difficult, at best, to enforce.

We would recommend, in essence, striking "opinion" and "possible" and leave it up to the Board to decide whether the public interest is best served by the individual's actions.

I'd like to move to the language of Section C, "Improper Solicitation of Employment," and specifically I would like to deal with subsection 1, in that this whole structure of the language of the section concerns us. We're not certain what the ultimate intent is. In its present form, it would seem to imply that a registrant, once qualified in a particular area of specialty or skills, could justify seeking work in other areas than those in which he is qualified by reasons presently outside the jurisdiction of the Board; namely, education, training and experience, rather than license examination.

We would recommend that "license examination" be added after the word "experience" in that proposal,

and after "training or experience" to add "and license examination," so that the criteria for seeking work in a specific area of skills would be related to one's qualifications by Board examination.

I'd like to move on to Section D as proposed. "False or Malicious Statements."

Again, this is an area where we understand the intention and we think the intention is good, but we wonder if the language is really related to the purpose of the law and whether or not it might be best left to disputes of a civil nature. The Board can make that decision. We'd simply wonder if that really belongs in the jurisdiction of the Board. I could quote the section, but I think we'll leave the comment stand.

Is there a necessity to repeat the language of the section if the comment is made, or only if there's a question on the part of the Board?

THE HEARING EXAMINER: If you have some language as proposed, I think you should probably state that, or any changes you would like to see.

THE WITNESS: No, I think we're simply saying it's a civil issue between persons who are injured, and we're not certain how we see that's in the public interest, and the law's intended to work relative to the competency and qualifications of

practical professionals.

BURTON SHACTER,

called as a witness, was examined and gave testimony as follows:

EXAMINATION

BY THE HEARING EXAMINER:

Q. You're suggesting that D be eliminated in its entirety.

A. Right.

Section G is our next concern. This is one of an administrative nature. It seems to us that the title "Associations with Nonregistered Persons" is rather indirectly related to the context of that section. It would seem that that section or constraint or rule ought better be placed under "Personal Conduct."

What we're suggesting is that it's inferring that a person would associate, by plant-stamping, if you will, with a nonregistrant, a person might certify documents outside his area of competency, and we'd like to see that placed in the category of "personal competency".

I should ask a question before I proceed here. In our zeal, I suppose to getting into the implications of the rules, we expanded our comments in the letter to be delivered to the Board with Rule 18, but it is not on

the agenda. Would it be best to isolate that from the discussion and make that separate, a separate issue of communication to the Board?

THE HEARING EXAMINER: Our hearing today --

THE WITNESS: I didn't realize the groundrules for the hearing.

THE HEARING EXAMINER: The hearing today is confined to the proposed amendments in regard to the rules, as is stated, and so, if you have comments on Rule 18, I think we should not hear those today, but, rather, you might communicate those to the Board at a later time.

THE WITNESS: We'll reconstruct our letter.

That's all I would have.

THE HEARING EXAMINER: Questions from the Board? Mr. Berde?

MR. BERDE: I have a couple of questions.

EXAMINATION

BY MR. BERDE:

Q. Mr. Shacter, you are aware that our present law permits the practice of architecture, engineering, land surveying

or landscape architecture by a corporation.

A. Frankly, no. We presume that that practice could only be undertaken by a registered professional.

Q. Well, let me go on to what the law provides. The law permits practice in corporate form, provided that the person or persons connected with such corporation and responsible charge of the professional work are registered by the Board.

A. Is that, in effect, then, practice by the corporation or by the individual?

Q. It's corporate practice, and that is what the law defines it as, is corporate practice, because the corporation may be organized in the ordinary business corporation statutes of the State of Minnesota for the purpose of practicing architecture, with a proviso.

A. If that's the case, then the inclusion of the word "corporation" is, of course, appropriate. I wasn't aware of that.

Q. As to personal conduct, your comments that you would feel more comfortable with retention of the existing Rule 12(10), isn't that existing prohibition, which I might read as follows, that, a registered professional is to confine his professional service to the profession to which he is registered and competently qualified.

You're aware, are you not, that we propose, in

c(1)-- no, wait a minute.

A. The seeking or solicitation of work issue?

Q. This proposed 12c(1) under "Improper Solicitation," there is proposal reading as follows: "A registrant shall seek only such professional work or employment as such professional is competent and qualified to perform by reason of education, training or experience," and you suggest "examination".

You are familiar, are you not, with Rule AE&LS 18, which further delineates the conditions under which a registered professional shall be permitted to affix his certification to plans.

A. Correct.

Q. And which provides, in effect, that he must assume the professional responsibility for those plans or specifications. And there is the further requirement that such plans be prepared by him or under his direct supervision, and that they embody his skill and judgement.

Now, taking all of those rules together as a group, don't you believe that the rules, as they presently exist, and as they propose to be amended by c(1), would cover, in effect, what is presently contained in Rule 12a(10)?

A. That may be, but let's simply say that we prefer the preciseness of the language in the existing Rule 10 to

make that crystal clear. I think there's a question in our mind about interpretation of language, again, and 10 leaves no interpretation to the question at all as it presently exists.

Q. Do you think that Rule 12(10), as it presently exists, using the words "... the profession in which he is registered and competently qualified..." is as precise as the proposed language that "The professional shall seek only such professional work as he is competent and qualified to perform by reason of ...", et cetera?

A. Well, yes, in the sense that -- again it's difficult for me to try to play attorney -- but our concerns have been questions of interpretation in the past, and let me play devil's advocate to suggest that a case might be built on an issue of not having sought work outside of your area of skill, but perhaps where you may have implemented work after the fact when the work has been acquired.

Let's presume that one professional, appropriately within the language of the proposed C, subsection (1), appropriately sought work in an area in which he was skilled and didn't seek work outside that area.

What would stop another individual, after that fact, within the given language we're speaking of, from practicing outside his area of qualifications? Not

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seeking, but practicing.

Well, the language is consistent with the intent of the law to protect the public, the existing language, and much less interpretable. I can leave it at that.

Q. It seems to me that what you're suggesting to be including, which is now omitted, is the words "seek and confine" or "seek and engage".

You want something other than "seek".

A. "Seek and practice," if you prefer. I think a combination of the two might result in the one. I'm suggesting that the strength of the previous language, along with the intention of the new language, could be, I agree, composed into a single, clear, concise code or rule.

Q. Suppose we were to change that language to read, "Shall seek, engage in, and confine"?

THE HEARING EXAMINER: Let's go off the record.

(Discussion held off the record.)

THE HEARING EXAMINER: Back on the record. Mr. Berde?

BY MR. BERDE:

Q. Mr. Shacter, I want to ask you about your comments with respect to the proposed Rule 12d, "False or Malicious Statements." You indicated that this might be better left to civil action, which is a rather formalized

procedure and requires anyone who believes they've been falsely or maliciously attacked to incur the burden of commencing a civil action.

Why do you not believe that it's a matter for the Board's concern if it becomes aware that one professional is circulating false or malicious statements concerning another?

A. Well, only in the sense that that could very readily happen without any implication of impact upon the public in terms of the original intent of the law, which was to protect the public interest relative to these practices. I just think it seems to me out of context of the intent of the law to have the Board making judgements on the qualifications or the continued practice of an individual; that is to say, that he would be in misconduct because of that kind of a situation, when it may have absolutely nothing to do with mispractice or the public interest as it relates to the law. It seems academic.

Q. Let's suppose that the false or malicious statements ciruclated by one professional against another did result, for an example, in the loss by that other of a public project or the deprivation of the public of the services of that person who has been falsely charged and maliciously charged? Wouldn't that constitute a

matter of public concern?

A. In that instance, yes. All I'm suggesting is that maybe the language could be treated somewhat differently, that the professional not be open to the possibility of misconduct and perhaps loss of license if there was an unrelated situation. Now, that might be handled by language.

Q. Of course, if the Board can choose and select its cases, and if in any particular instance the false or malicious charge brought to the Board's attention did not constitute, in the Board's opinion, a matter of public concern, the Board simply could choose not to consider that matter and leave the parties to their civil remedies, couldn't it?

A. That seems appropriate, yes.

Q. Then your comments concerning association with non-registered persons. I'm not sure I understood why you thought that that language was inappropriate.

A. I suggested that that seemed to me -- well, my comment was administrative in nature. I don't understand the relationship between preparing documents not prepared by a registrant or a licensee or under his direct supervision, how that relates to, if you will, the title of the section, "Association with Nonregistered Persons." It seems to me it's assuming some things

that it need not assume just by its categorization.

It was just that kind of an academic analysis.

Q. Your concern is with the heading?

A. More than anything else. It's strictly an administrative placing or title with the act.

Q. You understand that that language is aimed at what is called plant-stamping?

A. It occurred to me that it might be alluding to that, but it's a rather indirect way of doing it, since there is another section of the law that covers that, at any rate.

It also seemed to me that it's also suggesting, in a very direct sense, that, if you do plant-stamp it is misconduct in a different form of language, and I don't have any problem with it. I'm simply saying that the statement or categorization of "Association with nonregistered persons" seems obtuse to me, that's all, and it's as simple as that.

Q. Your concern then is that the language does not track the heading.

A. Yes, in essence. It's alluding to something which it probably does not need to allude to.

Q. I'm interested, if I may, in getting from you any other comments or the general response of the MSA to these proposed rules of professional conduct. You will note

MILLERS FALLS
COTTON CONTENT

particularly that there is no longer any reference to bidding or accepting retainers on the basis of competitive bidding.

Was that a matter of discussion at all by the MSA?

A. In a very cursory fashion. We didn't react to it in a positive sense in our comments because we didn't really feel that those original rules had much impact on the practice and the jurisdictional administrative actions of the Board, and, as a matter of fact, our own ethical standards are obviously under scrutiny in regard to some of these things.

MR. BERDE: Very well, I have no other questions.

THE HEARING EXAMINER: Does anyone else have any questions of the witness?

Let's go off the record.

(Discussion held off the record.)

THE HEARING EXAMINER: Back on the record.

Mr. Morrow, do you have a question of the witness?

MR. MORROW: Is there any portion of paragraph c that that MSA feels is necessary in the Rules of Professional Conduct?

THE WITNESS: Well, let me respond

by saying our reaction to that language, beyond the fact that we saw some areas of omission relative to actual execution of work that existed in previous rules, which is our main motive for confronting the rule -- it did occur to us that, this is in support, I believe, of Mr. Berde's contention, that it could very well be in the best public interest as it relates to the intent of the present law to see that unqualified -- that professionals registered and not qualified in certain areas don't solicit that work, and I think that's the contention of the original purpose or intention of that new proposed rule, and although I think it might be a slight chance that the public might be open to harm because of the seeking of work on the part of people outside of areas of competency, it's just as easy to take the position that it might very well benefit the public to make it clear that the potential exists, that, if you do harm to the public or confront the public with potential harm, say to health and welfare, by seeking work in an area in which you simply are grossly not qualified to seek, this might be appropriate in the law. I do see some virtue in it. The necessity in total has to be judged by the Board. I think we could live with it, and I don't think it would stop, for instance, our firm -- I speak not now as a member of the MSA, but of

our firm, of Ellerbe Architects Associates, Inc. -- I don't think it would stop us from our present, as I see the language -- that it would stop us from our present practice of pursuing work, personally.

MR. MORROW: Isn't MSA's greatest concern with nonregistered people seeking work rather than the registrant?

THE WITNESS: Nonregistered people performing work, perhaps.

MR. MORROW: Seeking and performing.

THE WITNESS: Perhaps "seeking" would be a better way to say it.

MR. MORROW: Theoretically, they cannot perform it because they aren't qualified.

THE WITNESS: There are both nonregistered and registered people in our Marketing Department that seek work, but they do it as agents of qualified people and under their control. There is a difference between that and a wholly, for instance, unrelated nonqualified people seeking work for which they are totally unqualified.

THE HEARING EXAMINER: Any more questions?

Yes, sir, please state your name for the record.

MR. ABRAHAMSON: Abrahamson,

A-b-r-a-h-a-m-s-o-n, architect member.

It's not so much a question to you, Mr. Shacter, but I would, as an architect member, like to thank you for your testimony today, which evidences, in my opinion, that the MSA and yourself has very carefully reviewed Rule 12 and you have offered, I believe, some good information and suggestions for the Board to deliberate on in its further discussion.

Thank you.

THE WITNESS: Glad to be of help, thank you for the opportunity.

THE HEARING EXAMINER: Does anyone else have any comment or questions?

Sir, would you please step forward?

Will you please state and spell your name for the record?

THE WITNESS: My name is Edward Johnson, J-o-h-n-s-o-n, Executive Director of the Society of Professional Engineers; I'm a registered lobbyist, registered with the Ethics Commission.

I have only one comment for a point of inquiry, and that deals with Rule 12h. I would like to ask the Board to identify the definition of "employer". What do we mean when we say "employer".

My purpose for asking that is, if "employer" means

an engineer, architect, land surveyor, et cetera, in private practice, that's one, but our concern is for the engineer who is employed by county government, state government, federal government, local county engineer, who suddenly finds that he cannot promote people himself; somebody does the promotion.

Would the engineer then be in violation of this particular rule?

THE HEARING EXAMINER: Mr. Berde, would you care to respond?

MR. BERDE: Well, a person employed in public employment as a professional is not an employer. He may be a supervisor, he may be a manager, but he is not an employer. The employer is the public agency. The reference to employer in 12h is not to the situation that Mr. Johnson is concerned about.

THE HEARING EXAMINER: Would anyone from the Board like to respond to Mr. Johnson's question?

Mr. Johnson, does that answer your question?

THE WITNESS: That's answered the question, yes.

THE HEARING EXAMINER: Thank you.

THE WITNESS: Thank you.

THE HEARING EXAMINER: Let's go off the record.

(Discussion held off the record.)

THE HEARING EXAMINER: Back on the record.

Does anyone have any further questions or comments regarding the proposed amendments to the rules?

If not, this hearing is adjourned.

(Whereupon, the proceedings came to a close at 12:05 o'clock p.m., June 14, 1976.)

MILLERS FALLS
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COPY ON CONTENT

REPORTER'S CERTIFICATE

I, John Ledford, a notary public in and for the County of Hennepin, State of Minnesota, do hereby certify that the foregoing is a true and accurate transcript of the stenographic taken by me in the above-mentioned portion of the above-entitled matter.

John Ledford
Court Reporter

MILLERS FALLS
PLEASE
COTRON CONTENT

A[illegible]H-76-003-PE

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING AND LANDSCAPE ARCHITECTURE

IN THE MATTER OF: PROPOSED AMENDMENTS TO RULES AE&LS 2, 3, 4, 5, 7, 8, 9, 11 AND 12 OF THE BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE.

REPORT OF THE ACTING CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on June 14, 1976, before Peter C. Erickson, a Hearing Examiner of the State Office of Hearing Examiners, on the above-entitled matter in compliance with Minn. Stat. §15.0412, Subd. 4; and

WHEREAS, the Report of Hearing Examiner made pursuant to Minn. Stat. §15.052, Subd. 3, was issued to the Board of Architecture, Engineering, Land Surveying and Landscape Architecture on July 27, 1976; and

WHEREAS, the Board of Architecture, Engineering, Land Surveying and Landscape Architecture has now determined to adopt rules pursuant to Minn. Stat. §15.0412, Subd. 4; and

WHEREAS, the Board of Architecture, Engineering, Land Surveying and Landscape Architecture has submitted said rules to the Acting Chief Hearing Examiner for review pursuant to Minn. Stat. §15.052, Subd. 4; and Rule HE 107; and

WHEREAS, the Acting Chief Hearing Examiner finds that there are no substantial changes in said rules as originally proposed.

NOW, THEREFORE, upon receipt of this Report, the Board of Architecture, Engineering, Land Surveying and Landscape Architecture has the responsibility of submitting the complete hearing record and the rules as adopted by the Board to the Attorney General and to publish in the State Register, all pursuant to Minn. Stat. §15.0412, Subd. 4.

Dated this 23rd day
of August, 1976.

DUANE R. HARVES
Acting Chief Hearing Examiner

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter Of:

Proposed Amendments to Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11 and 12 of the Rules and Regulations of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture.

FINDINGS AND CONCLUSIONS

The Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture, having considered the Record herein and the Report of the Hearing Examiner, and upon all of the files, records and proceedings herein, hereby makes the following findings and conclusions:

1. The Board adopts the findings and conclusions set forth in the Report of Hearing Examiner attached hereto and made a part hereof except as hereinafter stated.
2. Proposed Rule 12C is consistent with the standards of conduct expected of a professional regulated by the Board. It is unprofessional conduct for a person registered by the Board to appropriate the property of his employer, whether it be his equipment, time or office space, to engage in work from which the employee, alone, will receive sole benefit.
3. The Board concludes that amended rules, in the form annexed to the Order Amending Rules should be adopted and made effective.

BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

G. Leigh Morrow Jr.

G. Leigh Morrow, Chairman

STATE OF MINNESOTA
OFFICE OF HEARINGS EXAMINERS

FOR THE BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter of: Proposed Amendments to Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11 and 12 of the Rules and Regulations of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture.

REPORT OF HEARING EXAMINER

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson of the Minnesota Office of Hearing Examiners at 9:00 a.m. on Monday, June 14, 1976 in the Metro Square Building, St. Paul, Minnesota.

Sydney Berde, attorney at law, 2602 American National Bank Building, St. Paul, Minnesota, appeared as counsel for the State Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture (Board). Lowell E. Torseth, Executive Secretary of the Board, Fifth floor, Metro Square Building, appeared as a witness on behalf of the petitioning Board. The hearing continued until all interested groups or persons had an opportunity to be heard concerning the adoption of the proposed rules.

Pursuant to Minn. Stat. § 15.052, subd. 3 (1975 Supp.), this report will include Findings of Fact, Conclusions and Recommendations. The Board shall make a copy of this report available for review to any interested person upon request.

The Board shall, if it proposes to adopt the rules as originally proposed or amended, submit the complete hearing record to the Chief Hearing Examiner no earlier than ten days subsequent to the receipt of this Report. It shall include the rules as originally proposed, and the rules as proposed for adoption in final form.

The submission to the Chief Hearing Examiner shall precede review by the Attorney General. The Chief Hearing Examiner shall complete his review and submit his report to the Board on the issue of substantial changes in the rule within ten calendar days. The Board will be responsible for filing the rules with the Attorney General.

Based upon the proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

1. On April 22, 1976, the Board filed the following documents with the Chief Hearing Examiner:

(a) A proposed Order for Hearing;

(b) A proposed Notice of Hearing with the proposed amendments attached; and

(c) A statement of the number of persons expected to attend and estimated length of hearing.

2. On May 7, 1976, the Board mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice, to all persons and associations on a list maintained by the Architecture, Engineering, Land Surveying and Landscape Architecture Board, and to all member of the Legislature.

3. On May 10, 1976, the Board filed with the Office of Hearings Examiners the following documents:

(a) The Order for Hearing;

(b) The Notice of Hearing as mailed;

(c) The affidavit of receipt of the Secretary of State's list;

(d) The Affidavit of Mailing;

(e) The Statement of Need;

(f) The affidavit of mailing of a notice pursuant to Minn. Stat. § 15.0412, subd. 6, and a copy of the notice and material received pursuant to the Notice.

(g) The names of Department personnel who will represent the agency.

(h) A summary of evidence.

The documents were available for inspection at the office of Hearings Examiners from the date of filing to the date of the hearing.

4. The record was closed at the end of the day on July 5, 1976.

5. Statutory authority to promulgate the proposed rules is found in Minn. Stat. § 326.06 (1975 Supp.).

6. The proposed amendment to AE&LS 2 strikes the category of "Architect-in-Training" and replaces it with Landscape Architect-in-Training. This change is necessary because the stricken category no longer exists, and the new category was added to the Board's jurisdiction by Minn. Stat. § 326.10 (1975 Supp.). The reference to AE&LS 12 should be changed to AE&LS 9, because of a mistake in drafting the proposal.

7. The proposed amendment to AE&LS 3(a) clarifies the kind of documentation that must be supplied to the Board by an applicant prior to his or her being sent a formal application for registration. This change is needed because the present rule is ambiguous. The category of Landscape Architect-in-Training is also added.

8. The proposed amendment to AE&LS 3(b) requires that applications for registration be filed with the Executive Secretary, a full-time staff person, rather than with the Secretary-Treasurer. The word "registration" in the rule is stricken and replaced with the word licensure. These changes are needed to comply with language changes in Chapter 222 (Laws 1976). The amendment also specifies, by reference, the examination fees.

9. The proposed amendment to AE&LS 3(c) again reflects the elimination of "Architect-in-Training" and the addition of Landscape Architect-in-Training; and substitutes the Executive Secretary for the Secretary-Treasurer as the recipient of applications for in-training examinations.

10. The proposed amendment to AE&LS 4(a) is necessary to provide for fees to be paid by an applicant for Landscape Architect-in-Training certification and to clarify the point in time at which such fees are due from Land Surveyor-in-Training applicants. The word "registration" is replaced by the word licensure.

11. The proposed amendment to AE&LS 4(c) is needed to specify registration renewal periods and enable the Board to prorate initial registration fees over a biennium. Registration is replaced by licensure and license, and registrant is replaced by licensee.

12. The proposed amendment to AE&LS 4(d) is necessary so that the Board's registration fee payment schedule will conform to the state's fiscal year.

13. Rules 4(e), 4(f), 4(h)(3) and (4) and 5 are amended to include landscape architects. AE&LS 4(e) 4(f) and 4(h)(3) replace registration and, in some instances, certification, with licensure. Because of title changes, the "Committee on National Engineering Certification conducted by the National Council of Engineering Examiners" must be amended to read, National Certification Committee of the National Council of Engineering Examiners in AE&LS 5.

14. Minor grammatical and clarifying changes are made to AE&LS 7(b) and (d).

15. The proposed amendment to AE&LS 7(e) is needed to specify which documents are required to be submitted and to reflect the title change as in AE&LS 5.

16. AE&LS 7 is amended by adding a new subparagraph (f) to include a provision for Landscape Architects. Present AE&LS (f) is redesignated as AE&LS (g) and present (g) as (h).

17. The proposed amendment to AE&LS 8(b) is needed to clarify the requirements for a change in registration status of a registered person who was originally registered by exemption. The oral examination presently set out in 8(b) is eliminated because that kind of examination is now obsolete. The word "registered" is replaced with "licensed".

18. The proposed amendment to AE&LS 8(c) is needed to make it clear that any applicable "in-training" examination must be passed prior to the applicants taking the professional examination and to avoid piece-meal examination.

19. AE&LS 8(d) is amended by adding needed clarifying language.

20. The proposed amendment to AE&LS 8(e) is necessary to describe and fix the frequency for oral and written examinations.

21. The proposed amendment to AE&LS 9 is needed so that the registration of architects conforms to the minimum standards of the National Council of Architects Registration Board.

Conformity with these standards is required to insure that architects registered in Minnesota will be able to secure registration by comity in other states. Registration is replaced by licensure, and equivalency by qualifying. At the end of Table I, the one-half credit provision is changed to full credit. That change is needed to make Table I consistent with Table II in the rule.

22. The proposed amendment to AE&LS 11 is needed to increase the level of competence, background, education and experience required of candidates for registration as land surveyors. The rule as presently written does not provide a satisfactory table of equivalents, nor does it describe the educational background deemed essential. Proposed AE&LS 11(a)(5) is amended to exclude a direct reference to the University of Minnesota. That change is necessary to remove the restrictiveness of the paragraph. Registration is replaced by licensure in several places in the proposed rule. Changes in the number of years of education and experience required are made in the proposal to conform with the upgraded level of competence sought.

23. The proposed amendments to AE&LS 12, Rules of Professional Conduct, are needed to advise registered persons in as specific language as possible of their ethical obligations to the public and profession. The present rule is not sufficiently specific and fails to cover certain essential areas of ethical conduct. In addition, certain portions of the present rule are not based exclusively on ethical considerations and should be amended to do so.

Mr. Burton B. Shacter, AIA, Chairman of the Minnesota Society of Architects Registration Law Committee, testified and submitted written comments regarding proposed AE&LS 12. He suggested that: (1) the present language of Rule 12, subsection (10) be maintained; (2) proposed section B, Conflict of Interest, would be very difficult to enforce; (3) the words "registration examination" be added after "experience" in section C, 1; (4) section C, 2 is inappropriate; (5) the words

"or qualifications" be added after "or experience". in C, 3; (5) section C, 6 is a matter that should be left to the employer-employee relationship; (7) section D is a matter for civil actions and not rules of conduct; and (8) section G would be better placed under section A, Personal Conduct.

CONCLUSIONS

1. Due, timely and adquate legal notice of the hearing was properly served and filed by the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture. All other substantive and procedural requirements of statute or rule have been complied with.

2. The Board has the required statutory authority to "make all rules, . . ., needed in performing its duties." Minn. Stat. § 326.06. The proposed rules are within the scope of this broad authority.

3. The Board has demonstrated the need for and reasonableness of the proposed amendments to AE&LS 2, 3, 4, 5, 7, 8, 9 and 11 and the amendments thereto.

4. The addition of the words "and engage in" after the word "seek" in proposed Rule 12C, 1, along with present Rule 18 obviates the necessity of retaining present Rule 12(10), and the addition of the words "registration examination".

Proposed Rule 12B,1 is very indefinite and would lend itself to broad interpretation. The last sentence of the paragraph should be amended to read, ". . . such facts as may give rise to a conflict of interest."

Proposed Rule 12C, 3 would be more precise if the first sentence were amended to read, ". . . education, training, experience or qualifications to any person. . . ."

Proposed Rule 12C,6 invades the private work relationship between employer and employee and should be deleted as it is not reasonable.

Proposed Rule 12, D is an appropriate standard of conduct. It would allow for a viable remedy for the misconduct set out other than a civil remedy.

Proposed Rule 12, G is aimed at the forbidden practice of

"plan-stamping". The language used, i.e., "shall refrain from associating his name or seal", is unclear, however, and could lend itself to several interpretations. Minn. Stat. § 326.11 and AE&LS 18 are much more direct and clear in regard to forbidding "plan-stamping". If the language in G is to be retained, it would be more appropriately placed under Rule 12, A, Personal Conduct.

The need for regulations as proposed in AE&LS 12 has been shown. The Examiner feels, however, that the reasonableness of the proposed rule would be enhanced by the changes suggested in the preceding paragraphs.

RECOMMENDATION

That the proposed amendments to AE&LS 2, 3, 4, 5, 7, 8, 9 and 11, as amended, be adopted by the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture. That the proposed amendment to AE&LS 12 be adopted by the Board in conformance with the recommendations embodied in this report.

Dated this 27th day of July, 1976.

Peter C. Erickson

PETER C. ERICKSON
Hearing Examiner

STATE OF MINNESOTA

OFFICE OF THE BOARD
5TH FLOOR, METRO SQUARE
7TH AND ROBERT STREETS
SAINT PAUL, MINNESOTA 55101

BOARD OF REGISTRATION
OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING AND LANDSCAPE ARCHITECTURE

PHONE: 296-2388

October 20, 1976

Honorable Warren Spannaus
Office of the Attorney General
State Capitol
St. Paul, Minnesota 55155

Attention: Michael J. Miller,
Special Assistant Attorney General

Re: Proposed Amendments to Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11, and 12 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture - ARCH-76-003-PE

Dear Mr. Miller:

I enclose herewith the following documents relating to the above matter which we originally filed with the Attorney General for approval as to form and legality on September 23, 1976:

1. Five copies of Order Adopting Rules with annexed Appendix "A", the amended Rules as adopted by the Board.

2. Findings and conclusions of the Board.

I trust that the foregoing will permit you to approve and file the amended Rules at the earliest possible time.

Thank you for your cooperation.

Sincerely,

SYDNEY BERDE
Special Attorney for the Board of Registration for Architecture, Engineering, Land Surveying and Landscape Architecture

SB:jh
Enclosures

AN EQUAL OPPORTUNITY EMPLOYER

STATE OF MINNESOTA

OFFICE OF THE BOARD
5TH FLOOR, METRO SQUARE
7TH AND ROBERT STREETS
SAINT PAUL, MINNESOTA 55101

PHONE: 296-2388

BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING AND LANDSCAPE ARCHITECTURE

October 29, 1976

Honorable Warren Spannaus
Office of the Attorney General
State Capital
St. Paul, Minnesota 55155

Attention: Michael J. Miller
Special Assistant Attorney General

Re: Proposed Amendments to Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11, and 12 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture - ARCH-76-003-PE

Dear Mr. Miller:

I enclose the signed original of the Order Adopting Rules in the above matter.

Sincerely,

Sydney Berde

SYDNEY BERDE
Special Attorney

SB:lav
Enclosure

STATE OF MINNESOTA

OFFICE OF THE BOARD
5TH FLOOR, METRO SQUARE
7TH AND ROBERT STREETS
SAINT PAUL, MINNESOTA 55101

BOARD OF REGISTRATION
OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING AND LANDSCAPE ARCHITECTURE

PHONE: 296-2388

September 23, 1976

Honorable Warren Spannaus
Office of the Attorney General
State Capitol Building
St. Paul, Minnesota 55155

Attention: Michael J. Miller,
Special Assistant Attorney General

Re: Proposed Amendments to Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11 and 12 of the Rules and Regulations of the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture
ARCH-76-003-PE

Dear Mr. Miller:

I submit herewith for approval as to form and legality, pursuant to Minn. Stat. §150412, proposed amendments to the Rules and Regulations of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture approved for adoption by the Board on September 10, 1976.

Enclosed are the following documents relating to the proposed amendments:

1. Record of Hearing on proposed amendments consisting of:

   (a) Transcript of Hearing June 14, 1976.
   (b) Certificate of adoption of Order authorizing Hearing.
   (c) Order for Hearing.
   (d) Affidavit of mailing.
   (e) Notice of Hearing.
   (f) Certificate of Secretary of State listing persons to receive Notice of Hearing.
   (g) Statement of Need.
   (h) Statement of number of persons expected to attend the Hearing.

2. Report of Hearing Examiner July 27, 1976.

3. Certificate of Resolution adopting amendments to Rules and Regulations, September 10, 1976.

4. Order adopting amended Rules, September 10, 1976.

5. Report of Acting Chief Hearing Examiner, August 23, 1976.

6. Statement of Compliance with Rules relating to rule making procedures.

Very truly yours,

Sydney Berde
Special Attorney for the Board of Registration for Architecture, Engineering, Land Surveying and Landscape Architecture

SB:jh

Enclosures

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter Of:

Proposed Amendments to Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11 and 12 of the Rules and Regulations of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture.

ORDER ADOPTING RULES

The above entitled matter came on for hearing before the Board of Architecture, Engineering, Land Surveying and Landscape Architecture on the 14th day of June, 1976, at the offices of the Board, Metro Square Building, 7th and Robert Streets, St. Paul, Minnesota, after proper notice, as required by Minn. Stats. §15.0412 was duly served on all persons, associations, and interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence educed upon the records, files and proceedings herein, and the applicable statutory standards or criteria, and having confirmed the need for the above captioned Rules;

NOW, THEREFORE IT IS ORDERED that these Rules, in the form annexed hereto as Appendix "A" are adopted this 10th day of September,

1976, pursuant to the authority vested in me by the Board of Architecture, Engineering, Land Surveying and Landscape Architecture.

BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

G. Leigh Morrow, Chairman

APPENDIX "A"

RECEIVED
AUG 19 1976
OFFICE OF HEARING EXAMINERS

BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

PROPOSED AMENDMENTS TO RULES AE&LS 2, 3, 4, 5, 7, 8, 9, 11 AND 12 OF THE RULES AND REGULATIONS

1. Rule AE&LS 2 shall be amended to read as follows:

AE&LS 2. In Training Classifications. There shall be a classification of Engineer-in-Training, a classification of Land Surveyor-in-Training, and a classification of Landscape Architect-in-Training. (For examination of Engineer-in-Training see Rule AE&LS 10, for Land Surveyor-in-Training see Rule AE&LS 11, and for examination of Landscape Architect-in-Training see Rule AE&LS 9.1.)

2. Rule AE&LS 3(a) shall be amended to read as follows:

(a) Before making formal application for examination, the applicant is requested to submit to the Board, on a preliminary letter-form, information relative to place and date of birth, time and place of schools attended and studies completed, ~~whether he graduated or not;~~ status relative to graduation from such schools or completion of studies, degree or degrees received, ~~whether he has taken~~ the Engineer-in-Training, or Land Surveyor-in-Training, or Landscape Architect-in-Training examination, and ~~whether he has passed or failed such examination, together with~~ has been successfully completed and a chronological record of his personal employment, with all dates and with complete information relative to duties and type of work performed, and particularly outlining the applicant's responsibilities in charge of the whole or any part thereof. The preliminary letter-form

will be furnished an applicant upon request to the Board office. This information will be evaluated by the appropriate member or members of the Board and if the applicant is found ~~definitely~~ ineligible for admission to the examination at that time, he or she will be so notified and given the reasons therefor and no expense to ~~him~~ will have been incurred by the applicant. If he the applicant is apparently eligible at that time for admission to the examination, ~~he~~ such applicant will be so notified and a form will be sent ~~him~~ on which to make ~~his~~ formal application for licensure subject to the Rules and Regulations of the Board.

3. Rule AE&LS 3(b) shall be amended to read as follows:

(b) Applications for licensure shall be under oath and made on forms prescribed and furnished by the Board and shall be filed with the ~~Secretary-Treasurer~~ Executive Secretary of the Board at least sixty days before the date set for the Professional examinations accompanied by the payment of the examination fee as specified in AE&LS Rule 4(e) and (f).

4. Rule AE&LS 3(c) shall be amended to read as follows:

(c) Applications for examination as Engineer-in-Training or, Land Surveyor-in-Training, or Landscape Architect-in-Training shall be made under oath and ~~made~~ on forms prescribed and furnished by the board and shall be filed with the ~~Secretary-Treasurer~~ Executive Secretary of the Board accompanied by the examination fee as specified in AE&LS Rule 4(f).

5. Rule AE&LS 4(a) shall be amended to read as follows:

(a) Applications for examination for certification as Engineer-in-Training,

~~Land Surveyor-in-Training~~ Landscape Architect-in-Training, or licensure (or renewal of licensure) as an architect, professional engineer, ~~or~~ land surveyor, or landscape architect, shall be accompanied by a fee in the amount provided for herein. The fee for examination for certification as Land Surveyor-in-Training shall be paid in the amount provided for herein upon approval of the application by the Board.

6. Rule AE&LS 4(c) shall be amended to read as follows:

(c) The fee for licensure, or renewal of licensure, as an architect, professional engineer, ~~or~~ land surveyor, or landscape architect shall be ~~fifteen~~ ($15) ~~Dollars~~ per year. The initial license fee shall be prorated at six month intervals during each biennium. The fee for months 24 to 18 shall be $30, for months 18 to 12 shall be $22.50, for months 12 to 6 shall be $15 and for months 6 to 0 shall be $7.50. The renewal fee for Fiscal Year 1978 shall be paid on or before ~~December 31 of each year,~~ June 30, 1977 and biennially on or before June 30 of each even numbered year thereafter, as required by Minn. Stat. Sec. 326.10, Subd. 4. The Board may delete from the Roster the name of any licensee who fails to timely pay the required ~~his~~ renewal fee or if such whose renewal, when ~~if~~ paid by mail, is not postmarked on or before ~~December 31.~~ June 30 of the year specified herein.

7. Rule AE&LS 4(d) shall be amended to read as follows:

(d) A renewal fee shall be deemed to be a "delayed renewal fee", within the meaning of Minn. Stat. Sec. 326.10, Subd. 5 if it is not postmarked on or before ~~December 31.~~ June 30 of the year specified herein. The delayed

renewal fee shall be Three ($3) Dollars for each profession in addition to the renewal fee provided for herein.

8. Rule AE&LS 4(e) shall be amended to read as follows:

(e) The fee for examination for licensure of an architect, professional engineer, or land surveyor, or landscape architect shall be One Hundred ($100) Dollars. An applicant for examination in more than one branch of engineering shall submit a separate examination fee for each additional branch of engineering for which he such applicant has applied for examination.

9. Rule AE&LS 4(f) shall be amended to read as follows:

(f) The examination fee for certification as an Engineer-in-Training, or Land Surveyor-in-Training, or Landscape Architect-in-Training shall be Thirty ($30) Dollars. Such fee shall be applied in payment of the One Hundred ($100) Dollars examination fee for licensure as provided in paragraph (e) hereof, provided that the applicant for licensure shall have completed all examinations required by the Board for licensure within ten (10) years from the date of certification as an Engineer-in-Training or, Land Surveyor-in-Training, or Landscape Architect-in-Training. In the event that the applicant for licensure has not completed all examinations for licensure within the ten-year period provided for herein, the examination fee for licensure shall be One Hundred ($100) Dollars.

10. Rule AE&LS 4(h)(3) shall be amended to read as follows:

(3) for reissuance of a revoked, lost, destroyed or mutilated certificate of licensure or certificate as an Engineer-in-Training or, Land Surveyor-

in-Training, or Landscape Architect-in-Training, One ($1) Dollar:

11. Rule AE&LS 4(h)(4) shall be amended to read as follows:

(4) for evaluation of transcripts to determine an applicant's educational qualifications for examination for licensure or certification as an Engineer-in-Training, Land Surveyor-in-Training, or Landscape Architect-in-Training, the fee may be not more than Ten ($10) Dollars; provided, however, that in the case of transcripts of foreign universities which shall require translation, the fee ~~shall~~ may be not more than Thirty ($30) Dollars;

12. Rule AE&LS 5 shall be amended to read as follows:

AE&LS 5. Certificate of Registration. Certification of an applicant's technical qualifications by the National Council of Architectural Registration Boards (NCARB), or the ~~Committee on National Engineering Certification conducted by~~ National Certification Committee of the National Council of Engineering Examiners (NCEE), or the Council of Landscape Architectural Registration Boards (CLARB) may be accepted by the Minnesota Board as establishing such qualifications, and the applicant, in such instances, will not be required to pass further examination.

13. Rule AE&LS 7(b) shall be amended to read as follows:

(b) By ~~passing~~ successfully completing an oral examination.

14. Rule AE&LS 7(d) shall be amended to read as follows:

(d) By submitting a Council Certificate prepared by the National Council of Architectural Registration Boards. (For architect applicants only.)

15. Rule AE&LS 7(e) shall be amended to read as follows:

(e) by submitting ~~a Certificate of Qualification~~ an NEC Council Record prepared by the ~~Committee on National Engineering Certification of the~~ National Certification Committee of the National Council of Engineering ~~Examiners~~. (For engineer applicants only.)

16. Rule AE&LS 7(f) shall be redesignated as Rule AE&LS 7(g).

17. Rule AE&LS 7(g) shall be redesignated as Rule AE&LS 7(h).

18. Rule AE&LS 7 shall be amended by the inclusion of a new subparagraph (f) to read as follows:

(f) By submitting a Council Certificate prepared by the Council of Landscape Architectural Registration Boards. (For landscape architect applicants only.)

19. Rule AE&LS 8(b) shall be amended to read as follows:

(b) An architect, engineer, land surveyor, or landscape architect, licensed by exemption and desiring a change of status may apply therefor and ~~his~~ the applicant's qualifications for such change will be determined by ~~(1) written examination, or (2) oral examination and submitting satisfactory exhibits of his technical qualifications. (The oral examination shall apply only to those having ten (10) or more years of independent lawful practice as a principal in the profession of architecture.)~~

20. Rule AE&LS 8(c) shall be amended by striking the language thereof in its entirety and substituting in lieu thereof the following:

(c) An applicant must take all parts of the "in-training" examination at one time. The applicant must pass the "in-training" examination prior to taking

the professional examination, if applicable (see AE&LS Rule 10(d)). The applicant must take all parts of the professional examination at one time.

21. Rule AE&LS 8(d) shall be amended to read as follows:

(d) An applicant who does not receive a passing grade in ~~the~~ an examination may make application to retake ~~the~~ that examination. Such application shall be accompanied by a re-examination fee as required under Rule AE&LS 4. The Board may require ~~A~~ an applicant failing an examination ~~twice~~ two or more times ~~must~~ to submit evidence of improved qualifications before an additional retake examination is permitted. Only an acceptable ~~excuse~~ reason for non-appearance for a scheduled examination will permit the applicant to ~~retake his~~ be rescheduled for his such examination.

22. Rule AE&LS 8(e) shall be amended to read as follows:

(e) Oral examinations ~~will~~ may be given each year at such times as may be designated by the Board. Written examinations will be given twice a each year for engineer and land survey applicants and once each year for architectural and landscape architectural applicants. Persons who file applications for licensure by examination and are determined to be eligible for admission to the examination will be informed by letter of the date and place of the examinations.

23. Rules AE&LS 9(a), 9(b), and 9(c) shall be amended by striking said rules in their entirety and substituting in lieu thereof the following:

(a) Education and Experience. An applicant for licensure as an architect shall be required to pass a written examination as provided herein and may

be required to appear before the Board for an oral examination for the purpose of verifying personal experience qualifications. To qualify for admission to such written examination, applicants shall present satisfactory evidence that they have:

(1) Graduated from an architectural curriculum accredited by the National Architectural Accrediting Board (NAAB) at the time of their graduation or within two years subsequent to that graduation.

*(2) Completed at least three (3) years of satisfactory professional experience after graduation under the supervision of licensed architects.

(3) Applicants may also qualify for admission to the examination provided that they submit to the Board satisfactory evidence of education and subsequent experience substantially equivalent to the above requirements and as set forth in Table I. The basis for determination of educational qualifications and equivalents are set forth in Table II. The basis for determination of experience qualifications and equivalents are set forth in Table III.

TABLE I - EDUCATION AND EXPERIENCE

Description	Professional Education Max. (yrs.)	Professional Experience Min. (yrs.)	Total Education and Experience
1. **Graduate of Accredited Architectural School ...	5	*3	8
2. Graduate of Accredited Architectural Engineering School			
5-year Course ...	5	*4	9
4-year Course ...	4	*5	9
3. Graduate of Non-Accredited Architectural or Architectural Engineering School			
5-year Course ...	5	*5	10
4-year Course ...	4	*6	10
4. Non-School Trained Applicant ...	0	13	13

*Professional experience must be acquired after graduation except that continuous experience gained before graduation will be evaluated by the

Board. An applicant with qualified experience will be granted full credit for such experience, not to exceed a total of one (1) year. The remaining experience shall be after graduation. No credit will be given to architectural students for experience gained during summer vacations.

**Accredited by the National Architectural Accrediting Board.

TABLE II - EDUCATIONAL CRITERIA

Education Category	1st 2 yrs.	Succeeding Years	Maximum Credit Allowed
1. First professional degree in architecture, or credits, where the degree program has been accredited by NAAB not later than two years after termination of enrollment.	75%	100%	5 yrs.
2. First professional degree in architecture, or credits, where the degree program has not been accredited by NAAB.	75%	100%	4½ yrs.
3. Bachelor of architectural engineering degree, or credits, accredited by Engineers' Council for Professional Development (ECPD).	50%	100%	4 yrs.

Education Category	1st 2 yrs.	Succeeding Years	Maximum Credit Allow
4. Bachelor of architectural engineering degree, or credits, not accredited by ECPD.	50%	75%	3¼ yrs.
5. Degree, or credits, in civil, mechanical, or electrical engineering accredited by ECPD.	50%	100%	3 yrs.
6. Degree, or credits, in civil, mechanical, or electrical engineering not accredited by ECPD.	50%	75%	2 ½ yrs.
7. Degree, or credits, in courses (university, college, Jr. college, technical school, etc.) other than architecture	50%	50%	2 yrs.

Substitution of education listed in Table II for requirements for admission to NCARB Qualifying Examination shall be subject to the following conditions:

a. 32 semester credit hours or 48 quarter hours is considered to be one year. Fractions equal to, or greater than, one-half year will be counted one-half year and smaller fractions will not be counted.

b. An applicant working full time and simultaneously earning formal education credits from a college and university through evening or part-time courses will be allowed credit, prorated between education

and training.

c. When credits are submitted from more than one college or university, they will be evaluated on the same basis as by the school last attended.

d. Credits from a foreign college or university may be evaluated by a faculty representative, School of Architecture, University of Minnesota on the same basis as candidates for B.Arch degree from the University of Minnesota. Any cost of translation or evaluation must be borne by the applicant. Credits for foreign architectural degrees may be granted in categories 1 or 2 in Table II, as determined by the Board.

e. For non-graduates, each year of approved, architectural education successfully completed at the college level, is deemed equivalent to two (2) years of experience. (Minimum total - 13 years.)

TABLE III - EXPERIENCE CRITERIA

	Credit Allowed	Maximum Credit Allowed
1. Experience as an employee under the direct supervision of a licensed architect.	100%	no limit
2. Practical training of more than three continuous months, prior to acquisition of an architectural degree, in offices of licensed architects.	100%	1 year

		Credit Allowed	Maximum Credit Allowed
3.	Master or PhD degree in architecture, or credits, except where the degree is the first professional degree.	100%	1 year
4.	Teaching or research in NAAB accredited architectural curriculum.	100%	1 year
5.	Employment by government agencies, consulting engineers, general contractors, interior designers, landscape architects, or city planners, in areas directly related to construction, and those self-employed in one of the above. Such experience not under the direct supervision of a licensed architect.	50%	2 years
6.	Employment by government agencies, including the military, when diversified and comparable to employment in the office of a licensed architect practicing as a principal, such work is directly related to architectural work, in a recognized training program and under the direct supervision of a licensed architect employed in the capacity of manager of the agency's architectural activities.	100%	no limit

	Credit Allowed	Maximum Credit Allowed
7. Same as "6" above except experience is not structured.	50%	2 years
8. Employment by organizations that have employees performing architectural services in connection with projects used or owned by that organization, said employment is directly related to architectural work, is diversified and under the direct supervision of a licensed architect employed in the capacity of manager of the organization's architectural activities.	100%	no limit
9. Same as "8" above except where services are limited to prototype projects.	50%	2 years

Substitution of experience listed in Table III shall be subject to the following conditions:

a. No training prior to graduation from high school will be accepted.

b. A minimum of one year of training earned in offices of licensed architects practicing as principals may be required at the discretion of the Board.

c. One year of teaching is considered to be total teaching load of 20 semester credit hours or 30 quarter credit hours.

d. When training is earned by work with such agencies as VISTA, Peace Corps and advocacy planning, the applicant shall submit a statement with the application outlining briefly, but concisely, duties for which responsible and the names and professional status of supervisory personnel. For credits to be granted under this category, training must be in areas directly related to the practice of architecture.

(b) Application. An applicant may request to be admitted to an examination if such applicant has completed, or is within six months of completing, educational and experience requirements contained herein. Any applicant lacking up to six months of qualifying architectural experience at the time of successful completion of the registration examination may not be licensed until such experience requirements have been met.

(c) Written Examination.

(1) NCARB Mark Series Professional Examination. Administered once annually during the month of December in the format provided by the National Council of Architectural Registration Boards to those applicants approved by the Board for admission to the examination at a time and place as determined by the Board. Qualification requirements for admission to the Professional Examination includes a degree from an architectural curriculum accredited by the National Architectural Accrediting Board, at least three years of diversified, qualifying architectural experience and/or successful completion of the NCARB Qualifying Examination. Any person failing one or more parts of the Professional Examination must retake the entire examination.

(2) NCARB Qualifying Examination. Administered once annually during the month of June in the format provided by the National Council of Architectural Registration Boards to those applicants approved by the Board for admission to the examination at a time and place as determined by the Board. Qualification requirements for admission to the Qualifying Examination include 12 years of combined architectural education and experience as provided in Tables I, II and III, herein. Any person failing one or more parts of the Qualifying Examination must retake the failed parts.

(3) Handbooks, tables, reference books and hand-held electronic calculators may be used when authorized by the Board.

24. Rules AE&LS 11(a), 11(b), 11(c) and 11(d) shall be amended by striking said Rules in their entirety and substituting in lieu thereof the following:

(a) Education and Experience. Each applicant for licensure as a land surveyor shall be required to appear before the Board for the purpose of an oral examination and to pass written examinations as provided hereinafter. Oral examinations may not be required of those comity applicants licensed under Rule 7(g) which rule applies to those licensed in one or more states other than Minnesota. In the case of comity applicants, the same minimum requirements will be demanded as existed in Minnesota at the time of the original licensure as land surveyor in such other state. To qualify for oral and written examination, applicants shall present satisfactory evidence that they have:

(1) Graduated from a 4-year land surveying curriculum, approved by the Board.

(2) Completed at least three (3) years of qualifying land surveying experience, after graduation, satisfactory to the Board.

(3) Prospective applicants may qualify for licensure by examination provided they submit to the Board satisfactory evidence that their education and subsequent experience are substantially equivalent to the requirements set forth in the following table:

Classification	Education in Years	Experience in Years	Total Education & Experience*
**Graduate of 4-year land surveying curriculum approved by the Board	4	3	7
Graduate of other Bachelor of Science Curriculum approved by the Board	3	5	8
***Non-Graduate	0-3	6-9	9

*Requirements effective January 1, 1977.

**All applicants for licensure as land surveyor will be required to hold a degree from a Bachelor of Science curriculum approved by the Board or its educational equivalent effective January 1, 1985.

***A minimum of two years of qualifying education will be required as of January 1, 1981.

(4) Recognized Equivalent Education. The education requirement of an applicant whose education was not obtained in a Bachelor of Science curriculum approved by the Board will be accepted only if such education is determined by the Board to be equivalent to such curriculum. The applicant will be required to submit a transcript of grades for evaluation by the Board to determine the credit to be allowed for such education. The applicant will be informed, in writing, of any course requirements lacking for equivalent education.

(5) All applicants for licensure, by examination, as land surveyor in Minnesota must have completed one year of education leading to a B.S. degree including 8 quarter credits of surveying to take the Land Surveyor-in-Training examination and must have completed two years of education leading to a B.S. degree including 16 quarter credits of surveying or related courses to take the final examinations for Land Surveyor. This requirement is effective January 1, 1981.

(b) Requirements For Admission To Examination. The Board may subject an applicant to such examinations as may be deemed necessary to establish the qualifications of such applicant. Oral and written examinations shall be held at such times and places as the Board may direct.

(1) Land Surveyor-in-Training. Any applicant who is a graduate of or is within three (3) months of graduating from, a 4-year land surveying curriculum approved by the Board or has equivalent education, may be admitted to the Fundamentals of Land Surveying Examination (LSIT).

Non-graduates must have a minimum of two years of approved education and three years of qualifying experience.

(2) Professional Practice. The applicant must have successfully completed the Fundamentals of Land Surveying Examination (LSIT) and have had a total of seven or more years of combined land surveying education and qualifying land surveying experience as shown in the table herein. After the applicant has submitted a formal application for admission to the Professional Practice Examination, such applicant may be required to appear before the Board for an oral examination. The applicant may be called to appear for an oral examination where evidence of personal qualifications will be reviewed and the educational and experience record evaluated to determine eligibility for admission to the Professional Practice Examination.

(c) Examinations

(1) Fundamentals of Land Surveying (LSIT). Consists of an eight-hour examination. Failure of either the morning or afternoon portion of the examination will require the applicant to retake the entire eight-hour examination. Successful completion of this examination qualifies the applicant for a Land Surveyor-in-Training Certificate.

(2) Professional Practice. Consists of two (2) four-hour examinations. Failure of one or both of the four-hour sections of this examination will necessitate retaking the failed section. Successful completion of the Professional Practice Examination qualifies the applicant for

licensure as a Land Surveyor in Minnesota upon payment of the license fee.

(3) Reference materials may be used when permitted by the Board.

(d) A Syllabus for written examination in Land Surveying has been approved by the Board. It may be revised or updated periodically, as required. A copy of the current Syllabus may be obtained from the Board office by the prospective applicant prior to making application for examination.

25. Rule AE&LS 12 shall be amended by striking said Rule in its entirety and substituting in lieu thereof the following:

AE&LS 12. Rules of Professional Conduct. The Rules of Professional Conduct hereinafter set forth are adopted for the purpose of implementing the laws and regulations governing the practice of architecture, engineering, land surveying and landscape architecture including, but not limited to, Minn. Stat. Sec. 326.11. These Rules shall be applicable to and binding upon each person, corporation or partnership subject to the regulatory jurisdiction of the Board (hereinafter referred to as licensee) and each person subject to the control of the licensee.

Each licensee who holds a certificate of licensure issued by the Board is charged with knowledge of the Rules of Professional Conduct hereinafter set forth or as such Rules may be amended from time to time. In the exercise of the privileges and rights granted by such certificate of licensure, the licensee shall conform his professional conduct to the public and to the Board in accordance with the provisions of these Rules, and shall, as a condition of his licensure, subscribe to and agree that he

will conduct his practice in accordance with the provisions thereof.

A. Personal Conduct.

1. A licensee shall avoid any act which may diminish public confidence in the profession and shall, at all times, conduct himself, in all of his relations with his clients and public, so as to maintain its reputation for professional integrity.

2. A licensee shall not submit a materially false statement or fail to disclose a material fact requested in connection with his application for certification or licensure in this state or any other state.

3. A licensee shall not further the application for certification or licensure of another person known by him to be unqualified in respect to character, education, or other relevant factor.

4. A licensee shall not:

(a) circumvent a Rule of Professional Conduct through actions of another;

(b) engage in illegal conduct involving moral turpitude;

(c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation;

(d) engage in conduct that adversely reflects on his fitness to practice his profession;

(e) permit his name or seal to be affixed to plans, specifications or other documents which were not prepared by him or under his direct supervision.

B. Conflict of Interest.

1. A licensee shall avoid accepting a commission where duty to the client, or the public, would conflict with the personal interest of the licensee or the interest of another client. Prior to accepting such employment, the licensee shall disclose to a prospective client such facts as may give rise to a conflict of interest.

2. A licensee shall not accept compensation for services relating or pertaining to the same project from more than one party unless there is a unity of interest between or among the parties to the project and unless the licensee makes full disclosure and obtains the express consent of all parties from whom compensation will be received.

3. A licensee shall not, directly or indirectly, solicit or accept any compensation, gratuity, or item of value from contractors, their agents or other persons dealing with the client or employer in connection with the work for which the licensee has been retained without the knowledge and approval of the client or the employer.

C. Improper Solicitation of Employment.

1. A licensee shall seek and engage in only such professional work or employment as such professional is competent and qualified to perform by reason of education, training or experience.

2. A licensee shall not accept employment to replace another professional except with his express knowledge, or unless the employment of such other professional by the client has been terminated.

3. A licensee shall not falsify or misrepresent the extent of his education, training, experience or qualifications to any person or to the public; nor shall he misrepresent the extent of his responsibility in connection with any prior employment.

4. A licensee may prepare a brochure for the purpose of informing the public or any prospective employer of his qualifications, training or experience; provided, that such brochure shall not contain any false or misleading information concerning the professional or his employer, employees, associates, or joint venturers.

5. A licensee shall not tender any gift, pay, or offer to pay, directly or indirectly, anything of substantial value, whether in the form of a commission or otherwise, as an inducement to secure employment; provided, that this Rule shall not prohibit the professional from paying a commission to a licensed employment agency for securing a salaried position.

6. A licensee who is a regular full-time employee and who accepts other part-time employment shall not, without the express consent of his regular employer, use his employer's: (a) equipment, (b) time, or (c) office, to seek or accept part-time work.

D. False or Malicious Statements.

A licensee shall make no false or malicious statements which may have the effect, directly or indirectly, or by implication, of injuring the personal or professional reputation or business of another member of his profession.

E. Knowledge of Improper Conduct By Others.

1. A licensee who has knowledge or reasonable grounds for believing that another member of his profession has violated any statute or rule regulating the practice of his profession shall have the duty of presenting such information to the Board.

2. A licensee, when questioned concerning any alleged violation on the part of another person by any member or authorized representative of the Board commissioner or delegated to conduct an official inquiry, shall neither fail nor refuse to divulge such information as he may have relative thereto.

F. Action By Other Jurisdiction.

Convictions of a felony without restoration of civil rights, or the revocation or suspension of the certificate of licensure of a licensee by another jurisdiction, if for cause which in the State of Minnesota would constitute a violation of law or of these Rules, shall be deemed to be a violation of these Rules of Professional Conduct. Any licensee adjudged mentally incompetent by a court of competent jurisdiction shall, until he is restored to mental competency, be deemed to be incompetent to practice his profession within the meaning of Minn. Stat. Sec. 326.11, subd. 2.

G. Employment on the Basis of Merit.

A licensee as an employer, shall refrain from engaging in any discriminatory practice prohibited by law and shall, in the conduct of his business, employ professional personnel solely upon the basis of merit.

APPROVED AS TO FORM AND LEGALITY
NOV 03 1976 19
WARREN SPANNAUS, ATTORNEY GENERAL
BY /s/ Michael B. Miller
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 3 - 1976 - 3:15 pm
Joan Anderson Growe
Secretary of State

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter Of:

Proposed Amendments to Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11 and 12 of the Rules and Regulations of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture.

ORDER ADOPTING RULES

The above entitled matter came on for hearing before the Board of Architecture, Engineering, Land Surveying and Landscape Architecture on the 14th day of June, 1976, at the offices of the Board, Metro Square Building, 7th and Robert Streets, St. Paul, Minnesota, after proper notice, as required by Minn. Stats. §15.0412 was duly served on all persons, associations, and interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence educed upon the records, files and proceedings herein, and the applicable statutory standards or criteria, and having confirmed the need for the above captioned Rules;

NOW, THEREFORE IT IS ORDERED that these Rules, in the form annexed hereto as Appendix "A" are adopted this 10th day of September,

1976, pursuant to the authority vested in me by the Board of Architecture, Engineering, Land Surveying and Landscape Architecture.

BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

G. Leigh Morrow, Chairman

STATE OF MINNESOTA
OFFICE OF HEARINGS EXAMINERS

FOR THE BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING AND LANDSCAPE ARCHITECTURE

In the Matter of: Proposed Amendments to Rules AE&LS 2, 3, 4, 5, 7, 8, 9, 11 and 12 of the Rules and Regulations of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture.

REPORT OF HEARING EXAMINER

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson of the Minnesota Office of Hearing Examiners at 9:00 a.m. on Monday, June 14, 1976 in the Metro Square Building, St. Paul, Minnesota.

Sydney Berde, attorney at law, 2602 American National Bank Building, St. Paul, Minnesota, appeared as counsel for the State Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture (Board). Lowell E. Torseth, Executive Secretary of the Board, Fifth floor, Metro Square Building, appeared as a witness on behalf of the petitioning Board. The hearing continued until all interested groups or persons had an opportunity to be heard concerning the adoption of the proposed rules.

Pursuant to Minn. Stat. § 15.052, subd. 3 (1975 Supp.), this report will include Findings of Fact, Conclusions and Recommendations. The Board shall make a copy of this report available for review to any interested person upon request.

The Board shall, if it proposes to adopt the rules as originally proposed or amended, submit the complete hearing record to the Chief Hearing Examiner no earlier than ten days subsequent to the receipt of this Report. It shall include the rules as originally proposed, and the rules as proposed for adoption in final form.

The submission to the Chief Hearing Examiner shall precede review by the Attorney General. The Chief Hearing Examiner shall complete his review and submit his report to the Board on the issue of substantial changes in the rule within ten calendar days. The Board will be responsible for filing the rules with the Attorney General.

Based upon the proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

1. On April 22, 1976, the Board filed the following documents with the Chief Hearing Examiner:

(a) A proposed Order for Hearing;

(b) A proposed Notice of Hearing with the proposed amendments attached; and

(c) A statement of the number of persons expected to attend and estimated length of hearing.

2. On May 7, 1976, the Board mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice, to all persons and associations on a list maintained by the Architecture, Engineering, Land Surveying and Landscape Architecture Board, and to all member of the Legislature.

3. On May 10, 1976, the Board filed with the Office of Hearings Examiners the following documents:

(a) The Order for Hearing;

(b) The Notice of Hearing as mailed;

(c) The affidavit of receipt of the Secretary of State's list;

(d) The Affidavit of Mailing;

(e) The Statement of Need;

(f) The affidavit of mailing of a notice pursuant to Minn. Stat. § 15.0412, subd. 6, and a copy of the notice and material received pursuant to the Notice.

(g) The names of Department personnel who will represent the agency.

(h) A summary of evidence.

The documents were available for inspection at the office of Hearings Examiners from the date of filing to the date of the hearing.

4. The record was closed at the end of the day on July 5, 1976.

5. Statutory authority to promulgate the proposed rules is found in Minn. Stat. § 326.06 (1975 Supp.).

6. The proposed amendment to AE&LS 2 strikes the category of "Architect-in-Training" and replaces it with Landscape Architect-in-Training. This change is necessary because the stricken category no longer exists, and the new category was added to the Board's jurisdiction by Minn. Stat. § 326.10 (1975 Supp.). The reference to AE&LS 12 should be changed to AE&LS 9, because of a mistake in drafting the proposal.

7. The proposed amendment to AE&LS 3(a) clarifies the kind of documentation that must be supplied to the Board by an applicant prior to his or her being sent a formal application for registration. This change is needed because the present rule is ambiguous. The category of Landscape Architect-in-Training is also added.

8. The proposed amendment to AE&LS 3(b) requires that applications for registration be filed with the Executive Secretary, a full-time staff person, rather than with the Secretary-Treasurer. The word "registration" in the rule is stricken and replaced with the word licensure. These changes are needed to comply with language changes in Chapter 222 (Laws 1976). The amendment also specifies, by reference, the examination fees.

9. The proposed amendment to AE&LS 3(c) again reflects the elimination of "Architect-in-Training" and the addition of Landscape Architect-in-Training; and substitutes the Executive Secretary for the Secretary-Treasurer as the recipient of applications for in-training examinations.

10. The proposed amendment to AE&LS 4(a) is necessary to provide for fees to be paid by an applicant for Landscape Architect-in-Training certification and to clarify the point in time at which such fees are due from Land Surveyor-in-Training applicants. The word "registration" is replaced by the word licensure.

11. The proposed amendment to AE&LS 4(c) is needed to specify registration renewal periods and enable the Board to prorate initial registration fees over a biennium. Registration is replaced by licensure and license, and registrant is replaced by licensee.

12. The proposed amendment to AE&LS 4(d) is necessary so that the Board's registration fee payment schedule will conform to the state's fiscal year.

13. Rules 4(e), 4(f), 4(h)(3) and (4) and 5 are amended to include landscape architects. AE&LS 4(e) 4(f) and 4(h)(3) replace registration and, in some instances, certification, with licensure. Because of title changes, the "Committee on National Engineering Certification conducted by the National Council of Engineering Examiners" must be amended to read, National Certification Committee of the National Council of Engineering Examiners in AE&LS 5.

14. Minor grammatical and clarifying changes are made to AE&LS 7(b) and (d).

15. The proposed amendment to AE&LS 7(e) is needed to specify which documents are required to be submitted and to reflect the title change as in AE&LS 5.

16. AE&LS 7 is amended by adding a new subparagraph (f) to include a provision for Landscape Architects. Present AE&LS (f) is redesignated as AE&LS (g) and present (g) as (h).

17. The proposed amendment to AE&LS 8(b) is needed to clarify the requirements for a change in registration status of a registered person who was originally registered by exemption. The oral examination presently set out in 8(b) is eliminated because that kind of examination is now obsolete. The word "registered" is replaced with "licensed".

18. The proposed amendment to AE&LS 8(c) is needed to make it clear that any applicable "in-training" examination must be passed prior to the applicants taking the professional examination and to avoid piece-meal examination.

19. AE&LS 8(d) is amended by adding needed clarifying language.

20. The proposed amendment to AE&LS 8(e) is necessary to describe and fix the frequency for oral and written examinations.

21. The proposed amendment to AE&LS 9 is needed so that the registration of architects conforms to the minimum standards of the National Council of Architects Registration Board.

Conformity with these standards is required to insure that architects registered in Minnesota will be able to secure registration by comity in other states. Registration is replaced by licensure, and equivalency by qualifying. At the end of Table I, the one-half credit provision is changed to full credit. That change is needed to make Table I consistent with Table II in the rule.

22. The proposed amendment to AE&LS 11 is needed to increase the level of competence, background, education and experience required of candidates for registration as land surveyors. The rule as presently written does not provide a satisfactory table of equivalents, nor does it describe the educational background deemed essential. Proposed AE&LS 11(a)(5) is amended to exclude a direct reference to the University of Minnesota. That change is necessary to remove the restrictiveness of the paragraph. Registration is replaced by licensure in several places in the proposed rule. Changes in the number of years of education and experience required are made in the proposal to conform with the upgraded level of competence sought.

23. The proposed amendments to AE&LS 12, Rules of Professional Conduct, are needed to advise registered persons in as specific language as possible of their ethical obligations to the public and profession. The present rule is not sufficiently specific and fails to cover certain essential areas of ethical conduct. In addition, certain portions of the present rule are not based exclusively on ethical considerations and should be amended to do so.

Mr. Burton B. Shacter, AIA, Chairman of the Minnesota Society of Architects Registration Law Committee, testified and submitted written comments regarding proposed AE&LS 12. He suggested that: (1) the present language of Rule 12, subsection (10) be maintained; (2) proposed section B, Conflict of Interest, would be very difficult to enforce; (3) the words "registration examination" be added after "experience" in section C, 1; (4) section C, 2 is inappropriate; (5) the words

"or qualifications" be added after "or experience" in C, 3; (5) section C, 6 is a matter that should be left to the employer-employee relationship; (7) section D is a matter for civil actions and not rules of conduct; and (8) section G would be better placed under section A, Personal Conduct.

CONCLUSIONS

1. Due, timely and adquate legal notice of the hearing was properly served and filed by the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture. All other substantive and procedural requirements of statute or rule have been complied with.

2. The Board has the required statutory authority to "make all rules, . . ., needed in performing its duties." Minn. Stat. § 326.06. The proposed rules are within the scope of this broad authority.

3. The Board has demonstrated the need for and reasonableness of the proposed amendments to AE&LS 2, 3, 4, 5, 7, 8, 9 and 11 and the amendments thereto.

4. The addition of the words "and engage in" after the word "seek" in proposed Rule 12C, 1, along with present Rule 18 obviates the necessity of retaining present Rule 12(10), and the addition of the words "registration examination".

Proposed Rule 12B,1 is very indefinite and would lend itself to broad interpretation. The last sentence of the paragraph should be amended to read, ". . . such facts as may give rise to a conflict of interest."

Proposed Rule 12C, 3 would be more precise if the first sentence were amended to read, ". . . education, training, experience or qualifications to any person. . . ."

Proposed Rule 12C,6 invades the private work relationship between employer and employee and should be deleted as it is not reasonable.

Proposed Rule 12, D is an appropriate standard of conduct. It would allow for a viable remedy for the misconduct set out other than a civil remedy.

Proposed Rule 12, G is aimed at the forbidden practice of

"plan-stamping". The language used, i.e., "shall refrain from associating his name or seal", is unclear, however, and could lend itself to several interpretations. Minn. Stat. § 326.11 and AE&LS 18 are much more direct and clear in regard to forbidding "plan-stamping". If the language in G is to be retained, it would be more appropriately placed under Rule 12, A, Personal Conduct.

The need for regulations as proposed in AE&LS 12 has been shown. The Examiner feels, however, that the reasonableness of the proposed rule would be enhanced by the changes suggested in the preceding paragraphs.

RECOMMENDATION

That the proposed amendments to AE&LS 2, 3, 4, 5, 7, 8, 9 and 11, as amended, be adopted by the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture. That the proposed amendment to AE&LS 12 be adopted by the Board in conformance with the recommendations embodied in this report.

Dated this 27th day of July, 1976.

Peter C. Erickson

PETER C. ERICKSON
Hearing Examiner