

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

455- Architecture, Engineering, Land

RULES REVIEW CHECKLIST

DATE RULES RECEIVED 8/8/78 Temporary Rule _____

Resubmitted and Received ~~8/28/78~~ 8/31 10/27/78

DUE DATE 8/28 / 9/9 / 11-6-78

a. Returned to Agency w/o filing w/Secy of State 8/29 Orally rt'd to Agen
b. Approved 11/36 Date Sent Back to Agency _____

- -

1. Rules as Adopted _____
2. Rules as Proposed ✓
3. Certificate of Board's Authorizing Resolution, where applicable ✓
4. Order for Hearing ✓
5. Notice of Hearing ✓
   (i) Sufficiency ✓
6. Secretary of State's List ✓
7. Certificate of Acquisition of Secretary of State's List ✓
8. Affidavit of Mailing ✓
   (i) At least 30 days prior to hearing ✓
9. Statement of Need and Evidence ✓
10. Hearing Examiner's Report ✓
11. Agency's Findings of Fact ✓
12. Certificate of Board's Resolution Adopting Rules, where applicable ✓
13. Order Adopting ✓
14. Report of Chief Hearing Examiner ✓
    (i) Finding of No Substantial Change ✓
    (ii) Permission to Incorporate by Reference, where applicable N.A.
15. Certificate of Compliance with Rulemaking Procedures ✓
16. Copy of Notice of Intent to Solicit Outside Opinion, where applicable ✓
17. Petition by Public, where applicable N.A.

ADMIN 1000 (Rev. 1/78)

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL - Commerce

Office Memorandum

TO : Lee E. Sheehy
Special Assistant
Attorney General

DATE: October 27, 1978

FROM : Peter H. Grills
Special Assistant
Attorney General

PHONE: 9412

SUBJECT: In the Matter of the Proposed Amendments to Rule AE & LS 9 of the Rules of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture

Enclosed herewith and submitted to you for review as provided for by Minn. Stat. § 15.0412 (Supp. 1977) are the documents relating to Proposed Amendments to Minn. Reg. AE & LS 9.

In response to your September 8, 1978 memorandum requesting additional findings, the Board has supplemented their previous Findings of Fact. The Board has also issued a new Order Adopting Rules which is accompanied by a new Certificate of Board's Resolution Adopting Rules. I have also re-issued my Statement of Compliance with Rule Making Procedures.

If there are any questions regarding the enclosed documents, please call.

PHG:pl
Enclosures

cc: Duane Harves

RECEIVED
OCT 27 19..
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

AMENDMENTS AS ADOPTED TO RULE AE&LS 9 OF
THE RULES AND REGULATIONS OF THE BOARD
OF ARCHITECTURE, ENGINEERING, LAND SURVEYING
AND LANDSCAPE ARCHITECTURE

KEY

As Proposed:

Deletions [ ]

Additions _____

As Adopted:

Deletions [[ ]]

Additions _____

AMENDMENTS AS ADOPTED TO RULE AE&LS 9 OF
THE RULES AND REGULATIONS OF THE BOARD
OF ARCHITECTURE, ENGINEERING, LAND SURVEYING
AND LANDSCAPE ARCHITECTURE

Rule AE&LS 9A.2. as proposed shall be amended as follows:

* * 2. Completed at least three (3) years of satisfactory professional experience after graduation under the supervision of licensed architects. Experience shall be credited as provided in Table III.

Rule AE&LS 9A.3 as proposed shall be amended as follows:

3. a. 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; provided, that the provisions of this Rule 9A.3.a. shall terminate effective January 1, [[1979]] 1991, except that the provisions of Table III - Experience Criteria - shall continue to be applicable pursuant to subparagraph 2 hereof.

b. Effective January 1, 1991, admission to the registration examination process shall be limited to holders of an architectural degree from a curriculum accredited by the National Architectural Accreditation Board (NAAB), or an equivalent architectural degree acceptable to the Board.

Rule AE&LS 9B as proposed shall be amended as follows:

B. Application. An applicant may request to be admitted to an examination if such applicant has completed, [or is within six months of completing,] or will have completed by the time of the examination 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.]

Rule AE&LS 9C.1. as proposed shall be amended as follows:

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 include a degree from an architectural curriculum accredited by the National Architectural Accreditation 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.

Rule AE&LS 9C.2. as proposed shall be amended as follows:

[[ ]] 2. a. 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 twelve (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. [[ ]] [[(Effective January 1, 1979)]]

b. Effective January 1, 1991 only those persons holding a degree from an architectural curriculum accredited by the National Architectural Accreditation Board (NAAB), or an equivalent architectural degree acceptable to the Board will qualify for admission to the Professional Examination, and for registration and licensure to practice architecture in the State of Minnesota.

Rule AE&LS 9C.3. as proposed shall be amended as follows:

[[ ]] 3 [[ ]] [[2]]. Handbooks, tables, reference books and handheld electronic calculators may be used when authorized by the Board. [[(Effective January 1, 1979)]].

Rule AE&LS 9, Table 1 as proposed shall be amended as follows:

[[ ]] 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

* Table I - Education and Experience shall not apply after January 1, 1991.

** 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 Accreditation Board. [[ ]]
[[(Delete effective January 1, 1979)]]

Rule AE&LS 9, Table II as proposed shall be amended as follows:

[[ ]] 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%	$4\frac{1}{2}$ 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%	$3\frac{1}{4}$ 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%	$2\frac{1}{2}$ 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 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.) [[ ]]

(((Delete effective January 1, 1979))).

* Table II Educational Criteria shall not apply after January 1, 1991.

Rule AE&LS 9, Table III as proposed shall be amended as follows:

TABLE [[ ]] III [[ ]] [[I]] - 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
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

		Credit Allowed	Maximum Credit Allowed
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 profram and under the direct supervision of a licensed 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 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.

[[(Renumber to Table I effective January 1, 1979).]]

APPROVED AS TO FORM AND LEGALITY
NOV - 6 1978 19
WARREN SPANNAUS, ATTORNEY GENERAL
BY
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
F I L E D
NOV - 6 1978
Joan Anderson Growe
Secretary of State
9:15 AM

STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL
ST. PAUL 55155

WARREN SPANNAUS
ATTORNEY GENERAL

TELEPHONE
(612) 296-6196

August 7, 1978

Mr. Lee Sheehy
Special Assistant
Attorney General
G25 Administration Building
50 Sherburne Avenue
St. Paul, Minnesota 55155

RE: In the Matter of Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture

Dear Mr. Sheehy:

Enclosed herewith is the Rule as Adopted in the above-captioned matter and the complete hearing record for your review as to form and legality pursuant to Minnesota Statutes §15.0412 Subd. 4 (1976 and Supp. 1977).

If you have any questions regarding the enclosed documents, please call.

Very truly yours,

Peter Grills

PETER H. GRILLS
Special Assistant
Attorney General
500 Metro Square Building
St. Paul, Minnesota 55101
Telephone: (612) 296-9412

PHG:sl

Enc.
cc: Lowell Torseth

DEC 28 1977

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS
ROOM 300 – 1745 UNIVERSITY AVENUE
ST. PAUL, MINNESOTA 55104
(612) 296-6910

STATE ...
DEC 28 1977
DEPARTMENT OF COMMERCE

December 23, 1977

Mr. Lowell E. Torseth
Executive Secretary
Board of Architecture
5th Floor, Metro Square Building
St. Paul, Minnesota - 55101

RE: In the Matter of Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture.
Our File No. ARCH-78-001-PE

Dear Mr. Torseth:

I enclose herewith and serve upon you by mail the Report of the Hearing Examiner in the above-entitled matter, together with the official record, and I am closing our file in this case.

Yours very truly,

PETER C. ERICKSON
Hearing Examiner

PCE/eag
Encs.
CC: Mr. Sydney Berde
Attorney at Law

Mr. Lowell E. Torseth
Executive Secretary
Board of A chitecture, Engineering, Land Surveying
and Landscape Architecture
5th Floor, Metro Square Buildng
St. Paul,Minnesota- 55101

Mr. Sydney Berde
Attorney at Law
2602 American National Bank Building
St. Paul, Minnesota - 55101

STATE OF MINNESOTA)
(ss.
COUNTY OF RAMSEY)

AFFIDAVIT OF SERVICE

Eileen A. Gaiovnik, being first duly sworn, deposes and says that on the 23rd day of December 1977, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Report of Hearing Examiner, ARCH-78-001-PE

unstamped, by placing in the designated tray to be collected by messenger for delivery to the central mailing station as required by Minn. Stat., § 16.54 (1974), a true and correct copy thereof on all persons at the addresses shown on the attached mailing list.

Eileen A. Gaiovnik

Subscribed and sworn to before me
this 23rd day of December, 1977.

Sandra A. Haven

SANDRA A. HAVEN
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires July 29, 1983

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 Rule AE&LS 9 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 State Office of Hearing Examiners at 9:00 a.m. on Friday, November 4, 1977 in the Metro Square Building, St. Paul, Minnesota.

Sydney Berde, Esq., 2602 American National Bank Building, St. Paul, Minnesota -55101, appeared as counsel for the Board. Lowell E. Torseth, Executive Secretary of the Board, testified in support of the proposed rules on behalf of the 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. § 15.0412, subd. 4, this Report shall be available for review to all affected individuals upon request for at least five days.

The Board shall, if it proposes to adopt the rules as originally proposed or amended, submit the complete hearing record, including its Findings and Order, to the Chief Hearing Examiner no earlier than five days subsequent to the receipt of this Report. This submission shall clearly indicate any changes made to the rules as originally proposed, preferably in the format that will be submitted to the State Register for publication. The Chief Hearing Examiner shall complete his review and submit his report to the Board on the issues of substantial changes in the rule and compliance with Minn. Stat. § 15.0412 within ten calendar days. Thereafter, the Board shall be responsible for filing the rules with the Attorney General and for notifying persons who have indicated that they wish to be notified of such filing.

Based upon all the records and proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

1. On September 28, 1977, the Board filed the following documents with the Chief Hearing Examiner:

(a) A copy of the proposed rules;
(b) A proposed Notice of Hearing.

2. On September 26, 1977, a Notice of Hearing and a copy of the proposed rules were published at 2 State Register 677.

3. On September 27, 1977, 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.

4. On November 4, 1977, the Board filed 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 Secretary of State's Certificate and list;
(f) The Statement of Need; and
(g) The Statement of Evidence, including the names of witnesses to be called;
(h) The names of Board personnel who will represent the agency.

The documents were not available for inspection prior to hearing. No requests were made to inspect the documents prior to hearing, however.

5. The record remained open through November 25, 1977, for the receipt of written comments and statements.

6. Statutory authority to promulgate the proposed rules is contained in Minn. Stat. § 326.06 (1976). 326.10 to

7. The proposed amendments to Rule AE&LS 9 would require, effective January 1, 1979, that an applicant for examination for licensure as an architect be a graduate of an architectural curriculum accredited by the National Architectural Accrediting Board (NAAB) and delete the provisions which now permit the Board to examine an applicant whose education, as determined by the Board, is substantially equivalent to the graduate of an accredited curriculum. Conforming changes would be made in other provisions of Rule AE&LS 9.

The proposed amendment has a two-fold purpose: (1) to

promote a higher level of competency in the practice of architecture by requiring, as a minimum level of entry to the profession, that an applicant for licensure has successfully completed a course of formal training in an accredited architectural curriculum; and (2) to insure that architects registered in this State will be granted, by comity, the right to practice in other states which may have a similar requirement as a condition of licensure. The degree requirement, if adopted as proposed, would be applied reciprocally to require a similar level of training by architects licensed in other states who seek to practice in this state.

An analysis of the educational background of applicants for licensure in this state demonstrates that the overwhelming majority are graduates of an accredited architectural curriculum. The available data also indicates that the pass rate of graduates of an accredited curriculum is approximately twice that of a non-graduate. The experience of the Minnesota Board is that a graduate of an accredited curriculum will have a two-to-one advantage over the non-graduate in solving design problems. Completion of an accredited architectural curriculum constitutes reliable evidence that an applicant for licensure has been exposed to and successfully completed a training process designed by respected professionals in the field. While a degree in architecture from an accredited institution cannot insure competence in practice, it is a more reliable measure of the applicants' level of training than is now provided under the existing rules.

8. The present rule provides that a person with thirteen years of architectural experience and no formal education in architecture may take the registration exam. It also provides for a lessening of the experience requirement in conjunction with formal architectural education. This experience qualification alternative is commonly called the "pipeline".

The rule as proposed states that as of January 1, 1979, all applicants for the registration examination shall be graduates of accredited architectural education programs. No provision was made for persons already in the "pipeline".

9. Several architects testified and commented in writing in opposition to the removal of the "pipeline" alternative. They argue that no need was shown for a degree requirement as all applicants must take and pass the same registration examination. It was argued that experience is the best teacher in many areas of architecture.

10. The major concern expressed at hearing and in the written comments was for persons who are already in the "pipeline" and will not be eligible to take the exam until after January 1, 1979. Many of these persons presently have over five years of experience in architectural employment. An amendment to the rules was proposed which would allow all those presently in the "pipeline" to make their status known to the Board, thus enabling them to eventually take the examination as is presently set out in the rules.

11. E. A. Sovik, FAIA, President MSAIA, submitted the following resolution of the Board of Directors of the MSAIA:

> Resolved, that this Board, echoing the unamimous recommendation of the MSAIA Registration Committee, communicate to the State Registration Board its approval of a change in the registration law for architects to require a degree from an accredited school of architecture as a qualification for registration. This Board further recommends that provisions be included for exceptions in unusual circumstances, and that those professionals who declare themselves to be now in the process of working toward registration under the existing law be exempted.

Based upon the foregoing Findings of Fact, the Hearing Examiner makes the following:

CONCLUSIONS

1. Due, timely and adequate legal notice of the hearing was properly served and filed by the Board of Registration of Architecture, Engineering, Land Surveying and Landscape Architecture.

2. The Board has the staturory 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. Although the Statement of Evidence and Statement of Need were not submitted until the date of the hearing, the Examiner concludes that this defect is not fatal to the proceeding. As

was stated in Finding 4, no requests were made to the Examiner regarding inspection of those documents. Architects Donald Stanius and Raymond Blesener commented that they had requested the documents from the Board prior to hearing, but had not received them. The scope of the hearing was narrow enough so that there was ample time to comment in response to the Board's presentation, however.

4. The Examiner concludes that the rule as proposed is not reasonable because of the prejudicial effect it would have on persons already in the "pipeline". The rule should be amended as set out in Finding 10. This same approach was implemented when a degree requirement was imposed on the engineering profession.

5. The Board has not made a showing that the public will, or has been harmed, by the registration of non-degreed architects. The Examiner concludes that this kind of burden need not be met by the Board, however. The Board has been entrusted with the sole state authority to register and regulate the profession of architecture. Its judgment regarding the qualifications necessary to practice architecture must be given great weight. The record herein affirmatively supports the conclusion that the degree requirement will ensure greater overall competency in the profession and is therefore needed.

6. The Examiner concludes that the need for and reasonableness of the proposed rules, as recommended to be amended in this Report, has been demonstrated by the Board.

Based upon the foregoing Conclusion, the Hearing Examiner makes the following:

RECOMMENDATION

That the Board adopt the proposed rule as recommended to be amended in this Report.

Dated: December 23, 1977.

Peter C. Erickson

PETER C. ERICKSON
Hearing Examiner

AMENDMENTS AS ADOPTED TO RULE AE&LS 9 OF THE RULES AND REGULATIONS OF THE BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

KEY

As Proposed:

Deletions [ ]

Additions _____

As Adopted:

Deletions [[ ]]

Additions =====

AMENDMENTS AS ADOPTED TO RULE AE&LS 9 OF
THE RULES AND REGULATIONS OF THE BOARD
OF ARCHITECTURE, ENGINEERING, LAND SURVEYING
AND LANDSCAPE ARCHITECTURE

Rule AE&LS 9A.2. as proposed shall be amended as follows:

* 2. Completed at least three (3) years of satisfactory professional experience after graduation under the supervision of licensed architects. Experience shall be credited as provided in Table III.

Rule AE&LS 9A.3 as proposed shall be amended as follows:

3. a. 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; provided, that the provisions of this Rule 9A.3.a. shall terminate effective January 1, [[1979]] 1987, except that the provisions of Table III - Experience Criteria - shall continue to be applicable pursuant to subparagraph 2 hereof.

b. Effective January 1, 1987, admission to the registration examination process shall be limited to holders of an architectural degree from a curriculum accredited by the National Architectural Accreditation Board (NAAB), or an equivalent architectural degree acceptable to the Board.

Rule AE&LS 9B as proposed shall be amended as follows:

B. Application. An applicant may request to be admitted to an examination if such applicant has completed, [or is within six months of completing,] or will have completed by the time of the examination 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.]

Rule AE&LS 9C.1. as proposed shall be amended as follows:

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 include a degree from an architectural curriculum accredited by the National Architectural Accreditation 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.

Rule AE&LS 9C.2. as proposed shall be amended as follows:

[[[]] 2. a. 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 twelve (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. [[]] [[(Effective January 1, 1979)]]

b. Effective January 1, 1987 only those persons holding a degree from an architectural curriculum accredited by the National Architectural Accreditation Board (NAAB), or an equivalent architectural degree acceptable to the Board will qualify for admission to the Professional Examination, and for registration and licensure to practice architecture in the State of Minnesota.

Rule AE&LS 9C.3. as proposed shall be amended as follows:

[[[]] 3 [[]] [[2]]. Handbooks, tables, reference books and handheld electronic calculators may be used when authorized by the Board. [[(Effective January 1, 1979)]].

Rule AE&LS 9, Table 1 as proposed shall be amended as follows:

[[ ]] 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

* Table I - Education and Experience shall not apply after January 1, 1987.

** 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 Accreditation Board. [[ ]]
[[(Delete effective January 1, 1979)]]

Rule AE&LS 9, Table II as proposed shall be amended as follows:

[[ ]] 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.
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%	2½ 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.) [[]]

[[(Delete effective January 1, 1979)]].

* Table II Educational Criteria shall not apply after January 1, 1987.

Rule AE&LS 9, Table III as proposed shall be amended as follows:

TABLE [[]] III [[]] [[I]] - 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
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

		Credit Allowed	Maximum Credit Allowed
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 profram and under the direct supervision of a licensed 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 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.

[[(Renumber to Table I effective January 1, 1979).]]

STATE OF MINNESOTA

BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING & LANDSCAPE ARCHITECTURE

IN THE MATTER OF PROPOSED AMENDMENTS)
TO RULE AE&LS 9 OF THE RULES AND)
REGULATIONS OF THE BOARD OF ARCHITECTURE,) FINDINGS OF FACT
ENGINEERING, LAND SURVEYING AND)
LANDSCAPE ARCHITECTURE)

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson of the State Office of Hearing Examiners at 9:00 a.m. on Friday, November 4, 1977 in the Metro Square Building, St. Paul, Minnesota.

Sidney Berde, Esq., 2602 American National Bank Building, St. Paul, Minnesota 55101, appeared as counsel for the Board. Lowell E. Torseth, Executive Secretary of the Board, testified in support of the proposed rules on behalf of the Board. The hearing continued until all interested groups or persons had an opportunity to be heard concerning the adoption of the proposed rules.

Hearing Examiner Peter C. Erickson prepared his Report of Hearing Examiner, dated December 23, 1977, stating his Findings of Fact, Conclusions and Recommendations in accordance with Minn. Stat. §15.052 Subd. 3 (1976) and Minn. Reg. HE 106.

Having afforded interested persons an opportunity to present written and oral data, statements and arguments, and having considered all testimony and other evidence adduced herein, based upon all the records, files, transcripts, exhibits and proceedings in this matter, the Board of Architecture, Engineering, Land Surveying & Landscape Architecture hereby adopts as its Findings of Fact the Findings of Fact and Conclusions propounded by the Hearing Examiner in his report of December 23, 1977.

Dated: July 24, 1978

BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING & LANDSCAPE ARCHITECTURE

G. Leigh Morrow

G. LEIGH MORROW, Chairman

STATE OF MINNESOTA

BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING & LANDSCAPE ARCHITECTURE

IN THE MATTER OF PROPOSED AMENDMENTS TO RULE AE&LS 9 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 & Landscape Architecture of the State of Minnesota on the 4th day of November, 1977 at 500 Metro Square Building, St. Paul, Minnesota 55101, after proper notice required by Minn. Stat. §15.0412 (Supp. 1977) was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose and after publication of such notice in the State Register.

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, and having confirmed the need for the above-captioned rule and the reasonableness thereof,

NOW, THEREFORE, IT IS ORDERED that this rule, identified as Minn. Rule AE&LS 9 is adopted this 24 day of July, 1978, pursuant to the authority vested in the Board of Architecture, Engineering, Land Surveying & Landscape Architecture by Minn. Stat. §15.0412 (Supp. 1977) and 326.06 (1976).

Dated:

STATE OF MINNESOTA
BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING & LANDSCAPE
ARCHITECTURE

G. Leigh Morrow

G. LEIGH MORROW, Chairman

OUR FILE NO. 455[illegible]

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT Attorney General

TO : Peter H. Grills
Special Assistant
Attorney General

DATE: September 8, 1978

FROM : Lee E. Sheehy
Special Assistant
Attorney General

PHONE: 296-1288

SUBJECT: In the Matter of the Proposed Amendments to Rule AE & LS 9 of the Rules of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture

The above-captioned rules are returned herewith. They have not been approved or filed with the Secretary of State.

The rules are returned to require additional detailed agency findings relating to the amendments to the proposed rules permitting individuals presently in the "pipeline" to acquire certification without obtaining a degree from a NAAB accredited school or equivalent, as recommended by the Hearing Examiner's Conclusion Number 4.

This office grants great deference to agency judgments. We do require, however, an articulation of the reasonableness and need for the policy judgment exist in the Agency's Findings. While the Hearing Examiner's findings justify some change, they do not serve as an adequate basis for the specific change made in the rules proposed for adoption. Additional findings are necessary.

Secondly, it appears that two asterisks should have been added to the amendment to adopted amendment AE & LS 9 (A)(2).

If you have any questions, do not hesitate to call me at 296-1288.

LES:mb

cc: Duane Harves

Enclosure

STATE OF MINNESOTA

BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING & LANDSCAPE ARCHITECTURE

IN THE MATTER OF PROPOSED AMENDMENTS TO RULE AE&LS 9 OF THE RULES AND REGULATIONS OF THE BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE	FINDINGS OF FACT

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson of the State Office of Hearing Examiners at 9:00 a.m. on Friday, November 4, 1977 in the Metro Square Building, St. Paul, Minnesota.

Sidney Berde, Esq., 2602 American National Bank Building, St. Paul, Minnesota 55101, appeared as counsel for the board. Lowell E. Torseth, Executive Secretary of the board, testified in support of the proposed rules on behalf of the board. The hearing continued until all interested groups or persons had an opportunity to be heard concerning the adoption of the proposed rules.

Hearing Examiner Peter C. Erickson prepared his Report of Hearing Examiner, dated December 23, 1977, stating his Findings of Fact, Conclusions and Recommendations in accordance with Minn. Stat. §15.052 Subd. 3 (1976) and Minn. Reg. HE 106.

Having afforded interested persons an opportunity to present written and oral data, statements and arguments, and having considered all testimony and other evidence adduced herein, based upon all records, files, transcripts, exhibits and proceedings in this matter, the Board of Architecture, Engineering, Land Surveying & Landscape Architecture hereby adopts as its Findings of Fact the Findings of Fact and Conclusions propounded by the Hearing Examiner in his report of December 23, 1977 with the inclusion of the following:

1. Minn. Reg. AE&LS 9A.3 and 9C.1 currently provide that persons seeking licensure to practice architecture in the state of Minnesota may qualify for admissions to the NCARB Mark Series

Professional Examination after satisfying thirteen (13) years of combined architectural education and experience, as provided for in Table I, II, III of Minn. Reg. AE&LS 9 and by successful completion of the NCARB Qualifying Examination.

2. Minn. Reg. AE&LS 9C.2 currently provides that a person seeking licensure to practice architecture in the state of Minnesota may qualify for admission to the NCARB Qualifying Exam after Twelve (12) years of combined architectural education and experience as provided for in Table I, II, III of Minn. Reg. AE&LS 9.

3. The amendments to Minn. Reg. AE&LS 9 as proposed provide that as of January 1, 1979 all applicants for examination for licensure to practice architecture in the state of Minnesota shall be graduates of accredited architectural education programs.

4. The amendments to Minn. Reg. AE&LS 9 as proposed would unfairly deny those persons who have prior to this time relied upon Minn. Reg. AE&LS 9 and committed substantial time and effort in satisfying licensure requirements through professional experience (rather than formal education) the opportunity to complete the professional experience requirement for licensure.

5. Amending the effective date of the proposed Rule to January 1, 1991 would permit those persons who have previously relied upon Minn. Reg. AE&LS 9 to complete the professional experience requirements for licensure prior to the effective date of the proposed Rule.

Dated: Oct 22, 1976

BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING & LANDSCAPE ARCHITECTURE

G. Leigh Morrow

G. LEIGH MORROW, Chairman

STATE OF MINNESOTA

BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING & LANDSCAPE ARCHITECTURE

IN THE MATTER OF PROPOSED AMENDMENTS TO RULE AE&LS 9 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 & Landscape Architecture of the State of Minnesota on the 4th day of November, 1977, at 500 Metro Square Building, St. Paul, Minnesota 55101, after proper notice required by Minn. Stat. §15.0412 (Supp. 1977) was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose and after publication of such notice in the State Register.

After affording interested persons an opportunity to present written and oral data, statements and arguements, having heard all of the testimony, having considered all of the evidence adduced, and having confirmed the need for the above-captioned rule and reasonableness thereof,

NOW, THEREFORE, IT IS ORDERED that the proposed rule as most recently amended, and identified as Minn. Rule AE&LS 9 is adopted this day of , 1978, pursuant to the authority vested in the Board of Architecture, Engineering, Land Surveying & Landscape Architecture by Minn. Stat. §15.0412 (Supp. 1977) and §326.06 (1976).

Dated: Oct. 28, 1978

STATE OF MINNESOTA
BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING & LANDSCAPE
ARCHITECTURE

G. Leigh Morrow

G. LEIGH MORROW, Chairman

APPENDIX "A"

PROPOSED AMENDMENTS TO RULE AE&LS 9 OF THE RULES AND REGULATIONS OF THE BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

1. Rule AE&LS 9 A.2 shall be amended to read as follows:

Completed at least three (3) years of satisfactory experience after graduation under the supervision of licensed architects. Experience shall be credited as provided in Table III.

2. Rule AE&LS 9 A.3 shall be amended as follows:

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; Provided, that the provisions of this Rule 9 A.3 shall terminate effective January 1, 1979, except that the provisions of Table III - Experience Criteria - shall continue to be applicable pursuant to subparagraph 2 hereof.

3. Rule AE&LS 9 B shall be amended to read as follows:

Application. An applicant may request to be admitted to an examination if such applicant has completed, [or is within six months of completing,] or will have completed by the time of the examination 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.]

4. Rule AE&LS 9 C.1 shall be amended to read as follows:

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 include 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.

5. Rule AE&LS 9 C.2 shall be amended as follows:

[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.] (Effective January 1, 1979)

6. Rule AE&LS 9 C.3 shall be amended as follows:

[3] 2. Handbooks, tables, reference books and handheld electronic calculators may be used when authorized by the Board. (Effective January 1, 1979).

7. Rule AE&LS 9, Table I.

[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.]
(Delete effective January 1, 1979).

8. Rule AE&LS 9, Table II.

[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.
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%	2½ 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.)]

(Delete effective January 1, 1979).

9. Rule AE&LS 9, Table III.

TABLE [III] I - 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
3.	Master or PhD degree in architecture, or credits, except where the degree is the first professional degree.	100%	1 year

		Credit Allowed	Maximum Credit Allowed
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
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.

c. 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.

(Renumber to Table I effective January 1, 1979).

Underscoring indicates proposed new language.
Brackets [ ] indicate proposed deletions.

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS
ROOM 300 – 1745 UNIVERSITY AVENUE
ST. PAUL, MINNESOTA 55104
(612) 296-6910

July 31, 1978

STATE OF MINNESOTA
AUG 2 1978
DEPARTMENT OF COMMERCE

Mr. Peter H. Grills
Special Assistant Attorney General
500 Metro Square Building
St. Paul, Minnesota 55101

Re: In the Matter of Proposed Amendments to Rule AE&LS 9 of the Rules and Regulations of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture. ARCH78-001-PE

Dear Mr. Grills:

Enclosed please find the entire record which you submitted to us for review on the issue of substantial change together with the Report of the Chief Hearing Examiner, pursuant to Minn. Stat. § 15.052, Subd. 3.

Yours very truly,

DUANE R. HARVES
Chief Hearing Examiner

DRH:sh
Encs.

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 RULE AE&LS 9)
OF THE RULES AND REGULATIONS) REPORT OF THE
OF THE BOARD OF ARCHITECTURE,) CHIEF HEARING EXAMINER
ENGINEERING, LAND SURVEYING)
AND LANDSCAPE ARCHITECTURE.)

WHEREAS, a hearing was held on November 4, 1977, 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 (hereinafter "Board of Architecture") on December 23, 1977; and

WHEREAS, the Board of Architecture has now determined to adopt rules pursuant to Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Board of Architecture has submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, Subd. 4, and Rule HE 107; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rules are not substantially different from those proposed at the public hearing and that the Board of Architecture has met all requirements of Minn. Stat. § 15.0412, Subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Board of 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 31st day
of July, 1978.

Duane R. Harves

DUANE R. HARVES
Chief Hearing Examiner

STATE OF MINNESOTA
BOARD 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 Architecture, Engineering, Land Surveying and Landscape Architecture

STATEMENT OF COMPLIANCE WITH MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General Peter H. Grills, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed without exception.

Pete Grills

PETER H. GRILLS
Special Assistant Attorney General

Dated: Aug. 7, 1978

STATE OF MINNESOTA

BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING & LANDSCAPE ARCHITECTURE

IN THE MATTER OF PROPOSED AMENDMENTS TO RULE AE&LS 9 OF THE RULES AND REGULATIONS OF THE BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE	CERTIFICATE OF BOARD'S RESOLUTION ADOPTING RULES

I, Richard F. Whiteman, do hereby certify that I am secretary of the Board of Architecture, Engineering, Land Surveying, & 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 the meeting of the Board of Architecture, Engineering, Land Surveying & Landscape Architecture duly and properly called and held on the 24 day of July, 1978; that a quoram was present at the meeting; that a majority of those present voted for the resolution; that the resolution is set forth in the minutes of the meeting and has not been rescinded or modified.

"RESOLVED, that the rule relating to the examination for licensure of architects is hereby approved and adopted, pursuant to the authority vested in the State Board of Architecture, Engineering, Land Surveying and Landscape Architecture by Minn. Stat. §§15.0412 (Supp. 1977) and 326.06 (1976), and that G. Leigh Morrow, Chairman of the State Board of Architecture, Engineering, Land Surveying & Landscape Architecture is hereby authorized to sign an order adopting that rule."

IN WITNESS WHEREOF, I have hereunder subscribed by name this day of , 1978.

Richard F. Whiteman

RICHARD F. WHITEMAN, Secretary
State Board of Architecture,
Engineering, Land Surveying
& Landscape Architecture

ATTESTED:

G. Leigh Morrow

G. LEIGH MORROW
State Board of Architecture,
Engineering, Land Surveying
& Landscape Architecture

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD 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 Architecture, Engineering, Land Surveying and Landscape Architecture

STATEMENT OF NEED

The proposed amendments to Rule AE & LS 9 would require, effective January 1, 1979, that an applicant for examination for licensure as an architect be a graduate of an architectural curriculum accredited by the National Architectural Accrediting Board (NAAB) and by deleting the provisions which now permit the Board to examine an applicant whose education, as determined by the Board, is substantially equivalent to the graduate of an accredited curriculum. Conforming changes would be made in other provisions of Rule AE & LS 9.

The proposed amendment has a two-fold purpose: (1) to promote a higher level of competency in the practice of architecture by requiring, as a minimum level of entry to the profession, that an applicant for licensure has successfully completed a course of formal training in an accredited architectural curriculum; and (2) to insure that architects registered in this State will be granted, by comity, the right to practice in other states which may have a similar requirement as a condition of licensure. The degree requirement, if adopted as proposed, would be applied reciprocally to require

Bd. Ex. 6

a similar level of training by architects licensed in other states who seek to practice in this state.

An analysis of the educational background of applicants for licensure in this state demonstrates that the overwhelming majority are graduates of an accredited architectural curriculum. The available data also indicates that the pass rate of graduates of an accredited curriculum is approximately twice that of a non-graduate. The experience of the Minnesota Board is that a graduate of an accredited curriculum will have a two-to-one advantage over the non-graduate in solving design problems. Completion of an accredited architectural curriculum constitutes reliable evidence that an applicant for licensure has been exposed to and successfully completed a training process designed by respected professionals in the field. While a degree in architecture from an accredited institution cannot insure competence in practice, it is a more reliable measure of the applicants' level of training than is now provided under the existing rules.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD 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 Architecture, Engineering, Land Surveying and Landscape Architecture

AFFIDAVIT OF MAILING

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

That on the 27th day of September, 1977, 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, and by sending through inter-office to those individuals located in the State mailing complex, 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 Torseth

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

Subscribed and sworn to before me
this 27th day of September, 1977.

Carol A. Andersen

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

Bd. Ex. 4

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD 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 Architecture, Engineering, Land Surveying and Landscape Architecture.

I hereby certify that the attached 497 labels and 3 sheet(s) constitute the complete list of persons, associations and other interested groups who as of 11:00 o'clock A M., this 6th day of September, 1977, 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 Sheri L. Watkins

Bd.Ex.5

SEP 28 1977

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD 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 Architecture, Engineering, Land Surveying and Landscape Architecture

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing in the above entitled matter will be held pursuant to Minn. Stat. 1976 Sections 326.06 and 15.0412, as amended, at the offices of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture, Metro Square Building, Seventh and Robert Streets, Saint Paul, Minnesota, on Friday, November 4, 1977, commencing at 9 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. Statements may be made orally and written materials may be submitted at the hearing. In addition, written materials may be submitted by mail to Mr. Peter C. Erickson, c/o Hearing Examiner Office, Room 300, 1745 University Avenue, Saint Paul, Minnesota 55104 either before the hearing or within 20 days after the close of the hearing. All such statements will be entered into and become a part of the record. Testimony or other evidence to be submitted for consideration should be pertinent to the matter at hand.

Bd. Ex. 3

A copy of the proposed Amendments is attached hereto as Appendix A. Additional copies of the proposed Amendments are now available and may be obtained from the offices of the Board, 5th Floor, Metro Square Building, Saint Paul, Minnesota 55101.

The proposed Amendments would amend Rule AE&LS 9 by requiring, effective January 1, 1979, that an applicant for examination for licensure as an architect be a graduate of an architectural curriculum accredited by the National Architectural Accrediting Board (NAAB) and by deleting the provisions which now permit the Board to examine an applicant whose education, as determined by the Board, is substantially equivalent to the graduate of an accredited curriculum. Conforming changes would be made in other provisions of Rule AE&LS 9.

A Statement of Need setting forth the basis and need for the proposed Amendments and a Statement of Evidence outlining the testimony and evidence to be introduced by the Board in support of the proposed Amendments will be filed with the Hearing Examiner's Office at least twenty-five (25) days prior to the hearing and will be available there for public inspection.

Please be advised that Minnesota Statutes, Chapter 10A, requires each lobbyist to register with the Ethical Practices Board within five days after he commences lobbying. Lobbying includes attempting to influence rule making by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than $250 per year for lobbying or any individual who is engaged for pay or authorized to spend money by another individual or association and who spends more than $250 per year or five hours per month at lobbying. The statute provides certain exceptions. Questions

should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, phone (612) 296-5615.

By Order of the Chairman

BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE

By Lowell E. Torseth
Lowell E. Torseth, Executive Secretary

Board of Architecture, Engineering, Land Surveying and Landscape Architecture

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

IT IS HEREBY ORDERED that a public hearing on the above-captioned rule be held 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, November 4, 1977, commencing at 9:00 a.m. and continuing until all persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that a Notice of Hearing be mailed to all persons or representatives of associations or other interested groups who have registered their names with the Secretary of State for that purpose.

IT IS FURTHER ORDERED that the Notice of Hearing be published in the State Register.

By Lowell E. Torseth
Lowell E. Torseth, Executive Secretary

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

Date: August 20, 1977

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

CERTIFICATE OF BOARD'S AUTHORIZING RESOLUTION

I do hereby certify that I am Executive 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 of Architecture, Engineering, Land Surveying and Landscape Architecture duly and properly called and held on the 20th day of August, 1977; that a quorum was present at said meeting; that a majority of those present voted for the resolution; that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that Lowell E. Torseth, Executive Secretary of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture, be and he hereby is granted the authority and directed to call a hearing for the purpose of amending the Board's existing AE&LS Rule 9 and signing an order for hearing and notice of hearing."

IN WITNESS THEREOF, I have hereunto subscribed my name this 20th day of August, 1977.

Lowell E. Torseth

Lowell E. Torseth, Executive Secretary
Board of Architecture, Engineering,
Land Surveying and Landscape Architecture

G. Leigh Morrow

G. Leigh Morrow, Chairman
Board of Architecture, Engineering,
Land Surveying and Landscape Architecture

AN EQUAL OPPORTUNITY EMPLOYER

OFFICIAL NOTICES

Board of Architecture, Engineering, Land Surveying and Landscape Architecture

Notice of Intent to Solicit Outside Information on Proposed Rules Governing Licensure of Architects

The Board of Architecture, Engineering, Land Surveying, and Landscape Architecture is considering a revision of its rule governing the examination of architect applicants proposing that each such applicant be a graduate of a 5-year architectural curriculum accredited by the National Architectural Accreditation Board (NAAB) or a Master's program accredited by the NAAB. The present rule appears in AE&LS 9.

The Board invites interested persons or groups to provide information, comment, and advice on the subject, in writing or orally, to Lowell E. Torseth, Executive Secretary, Board of Architecture, Engineering, Land Surveying, and Landscape Architecture, 5th Floor, Metro Square, St. Paul, Minnesota 55101.

Written statements will be made part of the public hearing record.

Banking Division

Notice of Maximum Mortgage Interest Rate for the Month of May, 1977

Notice is hereby given that the Banking Division, Department of Commerce, State of Minnesota, pursuant to the Conventional Home Loan Assistance and Protection Act, Laws of 1976, ch. 300, hereby determines that the maximum lawful rate of interest for home mortgages for the month of May, 1977, is nine and one-quarter (9.25) percent.

Robert A. Mampel
Commissioner of Banks

Department of Commerce Securities Division

Notice of Amendment of Statutes Governing the Minnesota Franchise Act

The following provisions of the Minnesota Franchise Act, Minnesota Statutes, Chapter 80C, have been amended effective April 1, 1977.

Minn. Stat. § 80C.01 (1976).

Subd. 4. "Franchise" means a contract or agreement, either express or implied, whether oral or written, for a definite or indefinite period, between two or more persons:

(a) by which a franchisee is granted the right to engage in the business of offering or distributing goods or services using the franchisor's trade name, trademark, service mark, logotype, advertising, or other commercial symbol or related characteristics;

(b) in which the franchisor and franchisee have a community of interest in the marketing of goods or services at wholesale, retail, by lease, agreement, or otherwise; and

(c) for which the franchisee pays, directly or indirectly, a franchise fee.

"Franchise" shall include a contract, lease, or other agreement whereby the franchisee is granted the right to market (1) automobiles, motorcycles, trucks, truck tractors, or self propelled motor homes or campers if the foregoing are designed primarily for the transportation of persons or property on the public highways or (2) motor vehicle fuel.

"Franchise" does not include any business which is operated under a lease on the premises of the lessor as long as such business is incidental to the business conducted by the lessor on such premises, including, without limitation, leased departments and concessions.

Minn. Stat. § 80C.09 (1976).

[Advertising.] Subd. 1. No person shall publish or cause to be published in this state any advertisement offering a franchise subject to the registration requirements of §§ 80C.01 to 80C.22 unless a true copy of the advertisement has been filed in the office of the commissioner at least five business days prior to the first publication thereof, or at such later time as the commissioner by rule or order may allow, unless such advertisement has been exempted by rule of the commissioner.

Minn. Stat. §§ 80C.08 (1976).

[Annual Report.] Subd. 1. Within 120 days after the fiscal year end of the registrant, the registrant shall file a report in the form prescribed by rule of the commissioner. A fee of $100 shall accompany the annual report.

STATE OF MINNESOTA

RECEIVED
MAR 24 1977

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

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Minneapolis

January 17, 1977

MEMORANDUM TO ALL ARCHITECTS REGISTERED AND LICENSED BY THE STATE OF MINNESOTA

By: Lowell E. Torseth, Executive Secretary

The Board is considering requiring that all applicants for registration and licensure as Architect in Minnesota hold a degree from an architectural curriculum accredited by the National Architectural Accreditation Board (NAAB), or the educational equivalent thereof as determined by the Board, effective January 1, 1979. All non-graduates approved for admission to the examination process as of that date will be permitted to continue the registration process. This proposal will require a rule-making hearing in which all interested persons would have an opportunity to be heard.

The architectural profession must assist in the establishment of educational requirements comparable to those of other design professions, such as engineering, to ensure the maximum degree of professional competency possible at the time of entrance to professional practice. Also, the Board will require, beginning January 1, 1985, that all applicants for registration as land surveyor must hold an approved surveying degree or its educational equivalent. States such as Michigan and Florida now require approved degrees in architecture for registration and Illinois requires a Board-approved Bachelor of Science degree. We must keep our standards consistent with those of other states to ensure continued reciprocity between registration jurisdictions.

State legislatures and consumer groups nationwide are questioning the need for registration and/or licensure of the profession and trades. Each licensing Board has, as its legislative charge, the safeguarding of life, health and property and promoting the

public welfare. In order to properly meet this charge, the Board believes it necessary to impose a degree requirement on future applicants to ensure that each applicant is properly equipped to first enter the internship program and then into private practice. The adoption by governmental units and user groups of various design requirements has made the architectural profession complex and diversified in its service to the public.

As a point of interest, of the 111 persons approved for the December 1976 NCARB Mark IV Professional Examination, only six persons did not hold NAAB accredited B Arch or M Arch degrees, or 5.5% of the total approved. Of these six persons, three have extensive technical educational backgrounds applicable to architecture. The percentage of non-degreed persons entering the registration process has decreased by at least one per cent each year for the past four years. The Board does not believe that the small number of non-graduates making application for registration warrants leaving the door open at the expense of professional quality.

Of primary importance in Board considerations is the emphasis placed on environmental problems by other professional and consumer groups, governmental agencies, and the AIA. This emphasis has placed a mandate on the design professions to protect the environment. Environmental issues are extensively covered in accredited architectural curricula.

Finally, the degree requirement will provide a basis for identification - what is an architect? If architecture is to be considered a learned profession, we must require a degree for registration and licensure to assure the best professional service possible and to establish credibility in the eyes of the public.

We request that you send your comments concerning the degree requirement issue to the Board office at your earliest convenience.

I SUPPORT THIS OPINION.

STEVE KUYKKO.

LET:ca

3053 LOIS DR ANCH. AK

ANCHORAGE, AK 995

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE BOARD 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 Architecture, Engineering, Land Surveying and Landscape Architecture

STATEMENT OF EVIDENCE

Available data from architectural examinations administered by the Board of Architecture, Engineering, Land Surveying and Landscape Architecture demonstrates a clear trend in the comparative competency of graduates of NAAB accredited curricula as compared with non-graduates. The following is a summary of the pass-fail ratio during the past three years as compiled by the Board:

Examination	Pass	Fail	% Pass
Professional Practice - 7 Part (June 1974 only)			
Graduates - 1st exam	2	4	33
Non-grads - 1st exam	1	5	16.7
Graduates - retake	5	12	29.4
Non-grads - retake	3	11	21.4
Equivalency			
Graduates - 1st exam	3	1	75
Non-grads - 1st exam	5	22	19
Graduates - retake	0	0	-
Non-grads - retake	-	-	-
Equivalency - design only			
Graduates - retake	12	15	44
Non-grads - retake	11	19	37

Bd Ex. 7

Examination	Pass	Fail	% Pass
Mark Series - Professional Examination			
Graduates - 1st exam	162	43	79
Non-grads - 1st exam	13	2	87
Graduates - retake	14	16	47
Non-grads - retake	2	2	50
3-year Totals			
Graduates - 1st exam	169	48	78
Non-grads - 1st exam	19	30	39
Graduates - retake	31	43	42
Non-grads - retake	16	28	36

On the basis of the above data, it is apparent that the predicted pass rate for graduates of accredited curricula is approximately twice that of the non-graduate.

An increasing number of the applicants for professional examination as an architect are graduates of an accredited curriculum. An analysis of the educational background and training of the professional examination applicants during the past three years shows that well over 80% of the applicants hold a bachelor or masters degree in architecture from an institution accredited by the NAAB.

EDUCATION STATUS

1973-1976 APPLICANTS FOR ARCHITECT EXAMS

Graduates - NAAB Approved Curricula	267	80%
Graduates - Non-Accredited Curricula	36	10.7%
(Architect-Engineering and Foreign Arch.)	31	9.3%
Total	334	100%

IN THE MATTER OF PROPOSED AMENDMENTS
TO RULE AE&LS 9 OF THE RULES AND
REGULATIONS OF THE BOARD OF ARCHITECTURE,
ENGINEERING, LAND SURVEYING AND
LANDSCAPE ARCHITECTURE

DOCUMENTS

2 1. Notice to Solicit outside Info.

2. Materials Rec'd In Response To Notice To Solicit Outside Info.

2 3. Rules as Proposed

2 4. Cert. of Agency's Authorizing Resolution

2 5. Order for Hearing

2 6. Notice of Hearing

2 7. ~~Aff. of Acq. of Mailing List;~~ Sec. of State's Cert; ~~Mailing List~~; Aff. of Mailing

2 8. Statement of Need

2 9. Statement of Evidence

10. Public Exhibits Introduced at Hearing

11. Hearing Transcript

2 12. Report of Hearing Examiner

2 13. Findings of Fact

3 14. Order Adopting Rule

3 15. Cert. of Bd's Resolution Adopting Rules

3 16. Rules As Adopted

2 17. Report of Chief Hearing Examiner

2 18. Statement of Compliance with Atty. Gen.'s Rule-Making Procedure