

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

In the Matter of the Proposed Adoption  
of Rules of the State Board of Architecture,  
Engineering, Land Surveying, and Landscape  
Architecture.

STATEMENT OF NEED  
AND REASONABLENESS  
OF PROPOSED RULES

STATEMENT OF NEED AND AUTHORITY

Minnesota Statutes Sections 326.02 - 326.15 (1980) provide for the regulation of architects, engineers, land surveyors, and landscape architects. This statute was originally enacted as Minnesota Laws 1921, Chapter 523. Chapter 523, Section 9, permitted the Board of Architecture, Engineering, Land Surveying, and Landscape Architecture to subject applicants to an examination which would test qualifications and fix standards for determining the qualifications of applicants for registration.

Subsequent to the original enactment in 1921 granting the Board authority over architects, engineers, and land surveyors, the Legislature added the Board's regulation of landscape architects in Minnesota Laws 1975, Chapter 329. Presently, the Board exercises regulatory authority through its rulemaking power which is found in Minnesota Statutes Section 326.06 (1980).

Minnesota Statutes Section 214.06 (1980) provides that the board may by rule, with the approval of the commissioner of finance, adjust any fee which the board is empowered to assess a sufficient amount so that the total fees collected by the board will as closely as possible equal anticipated expenditures during the fiscal biennium. It further provides that examination fees shall be set by rule so that the total amount of annual examination fee income approximately meets the anticipated cost of administering the examinations during the fiscal biennium.

FACTS ESTABLISHING REASONABLENESS

The fact that Board fee-generated revenues for the Fiscal Year 1980-81 Biennium are projected to fall short of disbursement requirements by approximately \$14,100 requires that a fee increase be made in accordance with Minnesota Statutes Section 214.06, Subdivision 1 (1980). Laws of 1981, Chapter 357 permits the Board to adjust fees without public hearing when the total fees estimated to be received during the fiscal biennium will not exceed 110 percent of the sum of all direct appropriations, transfers in, and salary supplements for that purpose for the biennium.

Board fee generated income is deposited in the State General Fund with Board expenses paid from an appropriation made by the Legislature on a biennial basis.

The Board has received notification that license production costs will increase from twenty-six cents to eighty cents per license for a total increase of \$4,968 for license issuance alone. The National Council of Architectural Registration Boards (NCARB) has notified its member Boards that annual membership dues will be increased from the present \$350.00 to \$500.00 in 1982 and \$750.00 in 1983. The National Council of Engineering Examiners (NCEE) and the Council of Landscape Architectural Registration Boards (CLARB) have informed the Board that their annual membership dues will be raised an unspecified amount. It is anticipated that the NCEE will raise its membership dues from the current annual fee of \$1,250.00 to as much as \$1,800.00 to cover inflationary rises in costs to that organization. CLARB may raise its current annual membership dues of \$400.00 to \$500.00 in 1982 and to \$750.00 in 1983. CLARB, NCARB, and NCEE are national service organizations comprised of the licensing boards of the 50 states plus the District of Columbia, Guam, Puerto Rico, and the Virgin Islands. These organizations assist member boards by providing defensible written examinations, model laws, and similar type services that may be used by member boards. It is necessary for the board to belong to these national councils in order to purchase examinations. Additional increases in salary costs, examination costs, enforcement costs, and other costs associated with Board operation necessitate increasing the several Board fees to amounts as explained below.

The proposed change to 4 MCAR Section 7.004 C. will increase the biennial license fee from the current \$30.00 to \$34.00. This increase is expected to generate \$36,000 in additional funds which are designed to offset increased operating expenses not to include examination costs. License fees for new licensees are prorated over six month periods over each biennium as in the current rule. References to "Fiscal Year 1978", the phrase "on or before June 30, 1977" and the word "thereafter" have been stricken because the stricken terminology is no longer appropriate to this section.

The proposed changes to 4 MCAR Section 7.004 D. will increase the current delayed renewal fee from a flat rate of \$3.00 to \$5.00 per month not to exceed a total of \$15.00 per delayed renewal. More than 600 licensees have filed late renewals since July 1, 1980. Servicing these late renewals costs the Board in excess of \$3.00 for each such renewal. The increase is proposed to cover the costs of this activity and to further act as the penalty as was originally intended under the current rule. This increase is expected to generate additional funds of up to \$6,000 per biennium. These additional funds will be used to offset costs of this activity and other operational costs. The added phrase "commencing with July 1 of any even numbered year" is proposed to clarify the effective date of the delayed renewal fee requirement.

The proposed changes to 4 MCAR Section 7.004 E. include the addition of the words "certification or" to clarify the fact that certification as an engineer-in-training or land surveyor-in-training does not license such a person to practice. The term "certification" indicates that a person has completed the first step in the licensing examination process. The current fee for examination for licensure as an architect, professional engineer, land surveyor or landscape architect is \$100.00. The Board proposes to increase certain of these fees so that the fee paid by the applicant covers the approximate cost of the examinations as required by Minnesota Statutes Section 214.06, Subdivision 1 (1980). The Board purchases all architect examinations from the National Council of Architectural Registration Boards (NCARB). The Board proposes to initiate an application fee of \$25.00 in 4 MCAR Section 7.004 E. 1. to cover administrative costs for processing applications for three separate examinations. These are the Qualifying Test which consists of a two-hour section covering Architectural Theory and History, a three-hour section on Structural Technology, a two-hour section on Materials and Methods of Construction, and a two-hour section on Environmental Control Systems and a twelve-hour Section A, Professional Examination, Site Planning and Design Test, both of which are currently given during the third week of June each year. The third examination in this series is the sixteen-hour, interrelated four-part Section B, Professional Examination.

The Board proposes a fee of \$40.00 for the Qualifying Test for 1981 and \$60.00 in 1982 and thereafter. These amounts reflect the costs to the Board for this test in each of those years. The fee proposed for Section A, Professional Examination - Site Planning and Design Test is \$45.00 for 1981 and \$50.00 for 1982 and thereafter. The proposed fee for the Section B, Professional Examination is \$65.00 for 1981 and \$75.00 for 1982. Again, these proposed fees reflect the cost to the Board of the examinations in the years indicated.

The change proposed in 4 MCAR Section 7.004 E. 2. for engineer examinations merely combines language from the current Clauses E. and F. to show that the fee for the Fundamentals of Engineer (EIT) Examination is \$30.00 and \$100.00 for the Principles and Practice of Engineering (P.E.) Examination. A person who has taken and passed the EIT Examination in Minnesota is credited with the amount of the EIT application fee paid to the \$100.00 application fee provided that no more than ten (10) years have passed since the date of the EIT examination. There is no change in the amount of these fees over current fees because current fees adequately cover administration and examination costs for engineering examinations.

The change in 4 MCAR Section 7.004 E. 3. for land surveyor examinations is similar to the engineering examination except that no fee credit is given toward the \$100.00 professional practice examination fee for an applicant having passed the Fundamentals of Land Surveying (LSIT) Examination. The credit provision is proposed for deletion because of the additional costs involved in the preparation and grading of the locally-prepared Part IV, Professional Practice Examination.

The Board proposes to initiate an application fee of \$25.00 in 4 MCAR Section 7.004 E.4 to cover administrative costs for processing applications for the four subject Uniform National Examination for landscape architects. The Uniform National Examination materials are purchased from the Council of Landscape Architectural Registration Boards (CLARB). The Uniform National Examination consists of Subject A - History; Subject B - Professional Practice; Subject C - Design; and Subject D - Design Implementation. The Board proposes a fee of \$135.00 for 1981, \$150.00 for 1982 and 1983, and \$165.00 for 1984 and 1985. These fees will cover costs to the Board for this examination.

4 MCAR Section 7.004 F. is proposed for deletion because its provisions are covered in Sections 7.004 E.2. and 3. The provision for a Landscape Architect-in-Training Examination fee is being deleted because there is no Landscape Architect-in-Training Examination available for use by the Board.

The Board proposes to renumber the current 4 MCAR Section 7.004 G. as Section 7.004 F. to account for the repeal of the current Section 7.004 F. The fees proposed are significantly increased over the current retake fee of \$15.00. The \$15.00 fee does not cover the cost of the examinations as required by Minnesota Statutes Section 214.06, Subdivision 1 (1980). Therefore, the phrase "Fifteen (\$15) Dollars" in the proposed 4 MCAR Section 7.004 F. is proposed to be stricken and replaced with the phrase "as indicated" to show the retake fee required as explained below. The retake fees in the proposed 4 MCAR Section 7.004 F. 1. for each part of the Qualifying Test will be \$15.00 which represents the cost of this examination to the Board. The retake fee for Section A, Professional Examination - Site Planning and Design Test will be \$45.00 in 1981 and \$50.00 in 1982. The retake fee for Section B, Professional Examination will be \$65.00 for 1981 and \$75.00 for 1982. These fees are set equal to the costs to the Board for these examinations.

The Board proposes to increase the retake fee for engineering examinations as shown in the proposed 4 MCAR Section 7.004 F.2. to \$20.00 for both the Fundamentals of Engineering Examination and the Principles and Practice of Engineering Examination from the current \$15.00. The National Council of Engineering Examiners is increasing the cost of these examinations from \$15.00 to \$20.00 effective with the October 31, 1981 examination administration.

The Board proposes to increase the retake fee for land surveying examinations as shown in the proposed 4 MCAR Section 7.004 F.3. from the current \$15.00 to \$20.00 for the Fundamentals of Land Surveying (LSIT) Examination; the retake fee for Part III of the Principles and Practice of Land Surveying Examination will remain at \$15.00 while the retake fee for Part IV of the Principles and Practice of Land Surveying Examination is proposed to be increased to \$30.00 and the retake fee for the combined Parts III and IV increased from the current fee of \$15.00 to

\$45.00. These fees are equal to the cost of these exams to the Board effective with the October 1981 examination administration. The increase for Part IV will cover the increased costs for that locally prepared examination.

The Board proposes to increase the retake fee for the landscape architect examination as shown in 4 MCAR Section 7.004 F.4. from the current \$15.00 for one or more parts of the examination to \$15.00 each for Subject A - History and Subject B - Professional Practice. The retake fee for Subject C - Design and Subject D - Design Implementation will be increased to \$60.00 each. These fees will cover the cost of the examination materials to the Board.

The Board proposes to renumber the current 4 MCAR Section 7.004 H. as Section G. Also proposed is the repeal of 4 MCAR Section 7.004 G.1. The examination for certification by the National Council of Architectural Registration Boards is no longer offered nor required. 4 MCAR Sections 7.004 G.2. and 3. are renumbered as G.1. and 2. 4 MCAR Section 7.004 G.2. proposes the increase in the fee for replacement of a revoked, lost, destroyed or mutilated certificate from \$1.00 to \$5.00. This increase is necessitated to cover the cost of the certificate, engrossment, and handling of the request. The current 4 MCAR Section 7.004 G.4. is proposed to be repealed. Instructional staff at the University of Minnesota Departments of Engineering no longer charge the Board for the evaluation of transcripts. 4 MCAR Section 7.004 G.5. is renumbered as Section 7.004 G.3. The final change proposed in this section is updating the reference to Rule AE&LS 4 as 4 MCAR Sect. 7.004.

The Board projects that these fee increases will generate a total of about \$70,000 in new funds during the FY 1982-83 biennium. This amount will be sufficient to cover expected increases in costs for the biennium.

The proposed changes to 4 MCAR Section 7.009, Examination of Architect Applicant, are designed first, to add a provision for a voluntary Intern Development Program; second, to add requirements that each applicant pass the Qualifying Test and Section A, Professional Examination; and third, to update the rule and clarify existing language.

The proposed amendment to 4 MCAR Section 7.009A.2. provides for an alternate method of completing qualifying experience requirements for registration as an Architect through voluntary participation in the Intern Development Program (hereinafter IDP). The IDP is a program developed to provide Architect Interns with a structured internship which provides work experience in all areas in which an Architect may be expected to practice. The program consists of 720 Value Units which cover the several aspects of architecture. A Value Unit equates to 8 hours of

working time. The Architect employer of the Intern serves as the sponsor for the Intern and is responsible for assisting the Intern in obtaining the training specified in the IDP syllabus. Another licensed Architect serves as an Advisor to several Interns on matters concerning the meeting of IDP criteria. If a Sponsor does not or cannot provide an Intern an opportunity to work in certain specified areas of the program, the Advisor will offer the Intern alternatives which he may follow in reaching his goal of completing the IDP. A review of examination statistics for 1980 reveals that persons who have completed the IDP, in other states, had a success rate of 80% in passing the national licensing examination while non-participants achieved a pass rate of 55% nationally. Any person who holds a professional degree from a school of architecture or who has combined education and experience of ten years qualifies for entry to the IDP. The Board believes that the experience received through completion of the IDP to be far superior to the unstructured training received in an Architect's office over the same three-year time period. The adoption of this voluntary provision will be in the public interest in that persons completing the IDP are better qualified for practice as Architects than are the persons who do not complete the Program.

The proposed amendment to 4 MCAR Section 7.009 C.1. would seem to repeal that section in its entirety. The stricken language, however, becomes a portion of 4 MCAR Section 7.009 C.2.b. This change is being made to reflect the order in which examinations are given.

The proposed amendment to 4 MCAR Section 7.009C.2.a. changes the numbering of this section to C.1. because the Qualifying Test is the first examination that an applicant must take. The Board proposes to delete all references to the National Council of Architectural Registration Boards (hereinafter NCARB) in order to show that this examination is approved by the Board for use as a step in determining qualifications of architect applicants for registration. The NCARB appellation is not needed to identify this examination. The Board further proposes to lower the requirements for admission to this examination from twelve (12) years to ten (10) years of combined education and experience. One of the intents of the Qualifying Test is to test non-graduate architects on subjects which are learned by graduates through education. Its purpose is to determine whether the non-graduate has achieved knowledge through experience alone or through a combination of approved architectural education and experience knowledge that a graduate has theoretically learned in five (5) or more years of professional education. The Board also proposes to require, effective for applicants filing initially for admission to examination after June 30, 1981, that all applicants must successfully complete the four-part Qualifying Test before being admitted to Section B of the Professional Examination. The Board does not believe that the Professional Examination properly tests the knowledge of graduates in Architectural Theory and History, Structural Technology, Materials and Methods of Construction and Environmental Control Systems which

comprise the four parts of the Qualifying Test. It is common knowledge in the architectural profession that an architect must understand structural, mechanical and electrical building systems. The Qualifying Test examines the scope of understanding that an applicant has of those systems. If, as a result of this examination, applicants are found lacking in knowledge and understanding of these building systems, the Board will seek alterations in the architectural program at the University of Minnesota to place greater emphasis on the understanding of building systems so that future graduates will have a better understanding of capacity, placement and use of structural, mechanical and electrical systems in buildings and structures. The Board believes that while this requirement will place additional demands on applicants in terms of expenditure of time and energy in preparing for examinations, the requirement will better serve the public interest by providing licensed architects with a proven understanding of building systems. This benefit will accrue through the specification, purchase and installation of systems that are cost effective and designed to carry the specific loads intended in the design.

The Board proposes a change to 4 MCAR Section 7.009 C. by adding a new section 2.a. entitled Section A. Professional Examination - Site Planning and Design Test. The Board proposes to add the requirement that all applicants successfully complete the Site Planning and Design Test before they may be registered to practice architecture in Minnesota. Site planning and design form the basis for the practice of architecture. The Mark Series Professional Examination does not provide for a graphic type of examination that will test the ability of the applicant to graphically present his ideas as to aesthetics, knowledge of life safety codes, circulation, or the function of the building to be designed. The Site Planning and Design Test provides a means not only to test the candidate's ability to graphically present these ideas but also his/her solutions to problems of exterior circulation, parking, siting of a building on a parcel of land and the like. Design is, perhaps, the singular most significant aspect of the practice of architecture that impacts on the public life, health and property as well as the public welfare.

The proposed change made for Section B, Professional Examination in 4 MCAR Section 7.009 C.2.b. restates the language in the current 4 MCAR Section 7.009 C.1. Certain modifications have been made to reflect changes authorized by the Board. Added language includes the requirement for taking the Qualifying Test as noted in the explanation for the proposed 4 MCAR Section 7.009 C.1. The current requirement is that a person failing one part of this examination must retake the entire examination. This requirement is being relaxed to permit a person failing one part of the Section B, Professional Examination to retake only the failed part. Persons failing two or more parts of this examination must retake the entire examination.

The proposed change to 4 MCAR Section 7.010, Examination of Engineer Applicant, is designed to make permissive the current requirement that the Board administer oral examinations to each applicant for registration as a Professional Engineer. The Board also has the authority to require an applicant to submit one exhibit of his or her engineering work along with a written critique of that exhibit in lieu of appearing before the Board for oral examination. The option of submitting an exhibit of engineering work is frequently offered to those applicants who would have to travel long distances in order to appear before the Board for an oral examination.

The proposed amendment to 4 MCAR Section 7.010 B. provides that the Board may require an applicant to appear before the Board for the purpose of an oral examination or to submit an exhibit of engineering work along with a critique of that exhibit. The Board finds that an increasing number of persons having extensive and comprehensive engineering education and experience are submitting applications for registration as Professional Engineer. The Board believes it can review the experience record of applicants and determine whether an applicant has the requisite four years of qualifying, diversified engineering experience for registration. If the Board finds that an applicant meets experience requirements, that applicant would be notified his application was approved without further action by the applicant. If the Board found that the experience of an applicant was marginal at the time of the review of the application, the applicant would be required to appear for an oral examination. The oral examination is used to verify the scope and quality of engineering experience gained as of the date of the oral examination. The ability of the Board to qualify applicants for registration as Professional Engineer without an oral examination would save those applicants the time and money required in appearing for the oral examination. Adoption of the proposed amendment would also save time and money for the Board. The Board anticipates that the number of oral examinations required would be reduced by as much as 75%. There would be no negative effect on the public life, health and property as a result of the adoption of this amendment.

Other changes proposed include the deletion of sexist language and the phrase "unless he is registered under 4 MCAR Section 7.007 E. or F." The later phrase is repealed because it is no longer appropriate to retain the language of the rule due to making permissive the requirement for an oral examination.

The proposed change to 4 MCAR Section 7.012, Rules of Professional Conduct would delete the phrase "hereinafter referred to as licensee" because it is out of place in the rule and is confusing to persons interpreting the rule. The proposed changes to 4 MCAR Section 7.012 C. would repeal Clause 2 relating to one licensee accepting employment to replace another licensee and Clause 6 relating to moonlighting, redefines acceptable advertising by licensees, and renumbers the remaining clauses necessitated by the repeal of Clause 2. The Board proposes to repeal Clause



2 because it prohibits one licensee from accepting employment to replace another professional without that professional's express knowledge. Although this language does not specifically prohibit one licensee from supplanting another, it may be construed to do so. The U.S. Department of Justice has queried this Board, along with several other U.S. licensing boards, concerning the issue of the prohibition of supplanting. The U.S. Supreme Court has found that clauses prohibiting supplanting contained in the canons of ethics of the several professional societies, to be a restraint of trade and consequently ordered that such prohibitions be repealed and no longer enforced. The repeal of 4 MCAR Section 7.012 C.2. will remove any doubt that a supplanting prohibition is included in the Board Rules of Professional Conduct.

The current 4 MCAR Section 7.012 C.4. will be renumbered 4 MCAR Section 7.012 C.3. as a result of the repeal of Clause 2. The Board proposes to redefine advertising that is appropriate for licensees. Current language restricts advertising to the use of brochures. This restrictive language will be repealed in favor of more relaxed language that will permit any advertising that is factual and not false or misleading information regarding the qualifications of the licensee or his employer, employees, associates, or joint venturers. While the new language is somewhat permissive, it does not permit a licensee to advertise in other than a truthful and factual manner.

The current 4 MCAR Section 7.012 C.6. governing the actions of persons accepting part time employment while employed by another firm on a fulltime basis is proposed to be repealed. It is very difficult to enforce the current rule. The Board believes that problems involving so-called "moonlighters" are best handled in a court of law since such problems ultimately are taken to the courts for resolution. Courts have, in the past, found the full-time employer liable for design errors made by an employee working part time for another employer.

The Board proposes to repeal 4 MCAR Section 7.013, Partnership. The current rule discriminates against licensees who wish to form a partnership with a person who is not licensed. The licensee and the nonlicensed person who are currently prohibited from forming a partnership for the purpose of offering professional services may form a corporation to offer those same professional services. The repeal of this section will permit such persons to establish the form of business entity which best suits their needs. The Board believes that the repeal of this section is in the public interest.

The Board proposes to change 4 MCAR Section 7.014, Registration, by including, in addition to partnerships, corporations and other firms engaged in professional practice as specified in Minnesota Statutes Section 326.14 (1980). The current rule specifies only partnerships which again discriminates against that form of business organization. Also added is language to include landscape architects

and other language intended to clarify the need for registration of persons in responsible charge of professional services offered. These changes are being proposed to update the language of this section to conform to the requirements of Minnesota Statutes Sections 326.02 - 326.15 (1980).

The Board proposes to amend 4 MCAR Section 7.015, Responsible Charge, by adding the phrase "and direct supervision" to the section title, including landscape architects under the provisions of the rule, modifying or otherwise adding to the definition of the term "responsible charge", repealing the provision requiring corporations and partnerships to file an annual certificate listing the names of licensees in their employ, and the adding of a definition of the term "direct supervision". The phrase "and direct supervision" is added to the section title to describe better the content of the rule. This is appropriate since a definition of the term "direct supervision" is proposed for addition to this section. The letters "al" are added to the word "architecture" to make it read "architectural" so that it reads in the same context as the names of the other professions. The word "or" is removed from between the words "Engineering" and "Land Surveying" to immediately following the words "Land Surveying" and before the new words "Landscape Architectural" so that this section is in conformance with the provisions of Minnesota Statutes Sections 326.02 - 326.15 (1980). The parenthetical notation of the numeral "1953" following the term "Minn. Stat. Sect. 326.14" is proposed for deletion as a house-keeping matter. The phrase "or persons" is proposed for deletion since Minnesota Statutes Section 645.08(2) (1980) provides that "the singular includes plural; and the plural, the singular..." The inclusion of the phrase "design policy, including" is proposed to be added to clarify duties performed by a person in responsible charge. This language permits the deletion of the phrase "of design and policy" later in the same sentence. The phrase "the work of" between the words "superintends" and "subordinates" is proposed for deletion in favor of the addition of the phrase "during the course of the work" following the word "subordinates".

New language requiring the review of plans and specifications prepared out of state by design professionals not licensed to practice in Minnesota is proposed for addition to the definition of the term "responsible charge". This language is necessary because there is no current provision that will allow Minnesota licensees to certify plans prepared by design professionals who are not licensed to practice in this state. A Minnesota licensee who certifies the work of others may be found guilty of "plan stamping", an offense which, if a person is found guilty, could result in license revocation or suspension. The new language will permit a qualified Minnesota licensee to review plans and specifications to include technical calculation in order to ensure that the design and equipment and materials specified are appropriate for use in this state. The only way a Minnesota licensee may currently certify such documents is to redraw the design plans and retype the specification. This, the Board believes, is begging the issue in regard to the illegal practice of "plan stamping".

The Board proposes to repeal the second paragraph of the current 4 MCAR Section 7.015. This paragraph provides that the Board Executive Secretary send annually a certificate to each partnership or corporation offering professional services regulated by the Board. The partnerships and corporations must list thereon the names and license number of each licensed design professional employed by the firm. This information is provided to the Board on roster cards filed by each licensee along with the license renewal fee. The repeal of the requirement for the annual filing of certificates will result in a significant cost savings for the Board as well as for the firms required to file the certificates listing the names and license numbers of design professionals in their employ. Information submitted on the certificates is seldom, if ever, used and the Board believes it to be unnecessary to continue this filing requirement.

A definition of the term "direct supervision" is proposed for addition to 4 MCAR Section 7.015. The Board has experienced difficulty in prosecuting complaints because of the lack of an appropriate definition of this term. The proposed language is intended to specify who may be considered a person in direct supervision of work. The Board believes that the inclusion of the persons who serve in the capacity of employer, an employee of the same firm, or a person who is under contract to or from another firm properly sets forth the identity of a person in direct supervision. Board requirements for preparation and certification of plans, specifications, reports, plats, or other documents specify that the person who prepared the document or who directly supervised the preparation of the document is the person that must certify that document. The new language also sets forth the types of persons that a person in direct supervision directs. The Board believes that this definition will assist licensees in meeting their certification responsibilities and that the requirement for direct supervision of work is in the public interest.

The Board proposes to amend 4 MCAR Section 7.017A. by modifying existing language to clarify the intent of the rule. This includes the proper name of examinations, adding the phrase "or her" to denote the fact that male and female persons apply for, and pass, examinations, and the addition of a provision for Landscape Architect-in-Training. There is no written examination available for this category. The Board proposes to issue a Landscape Architect-in-Training certificate to those persons who hold a degree from a Board-approved landscape architectural education program. The Board wishes to identify persons who will qualify for admission to the landscape architect professional practice examination for planning purposes. This procedure will also permit the Board to inform these graduates of the requirement for licensure to practice their profession. The Board proposes to make housekeeping amendments to 4 MCAR Section 7.017 B. for the purpose of clarifying existing language and to include landscape architects in its provisions. No other new requirements are imposed on licensees or the public as a result of these amendments.

The Board proposes to amend 4 MCAR Section 7.019, Seal, by clarifying existing language in accordance with the Registration Act. The law refers to registration as licensure and registrant as licensee. The proposed amendment uses the corresponding language for such terms. A new sentence is added to clarify the fact that use of the seal is optional and that the seal may not be used in lieu of the certification stamp provided for in 4 MCAR Section 7.018. These amendments are intended only to clarify existing language and impose no new requirements on licensees or the public.

The Board proposes to adopt new 4 MCAR Section 7.021, Professional Corporations. Minnesota Statutes Section 319A.21 (1980) require that professional corporations file corporate documents initially accompanied by a fee of \$100.00 and that professional corporations subsequently file annual reports with the Board along with a \$25.00 fee. The sole purpose of this rule is to comply with the cited statute.