

## ARTICLE 8-01 GENERAL ADMINISTRATION

Chapter  
8-01-01

Organization of Board

### CHAPTER 8-01-01 ORGANIZATION OF BOARD

Section

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Organization of State Board of Architecture and Landscape Architecture

#### **8-01-01-01. Organization of state board of architecture and landscape architecture.**

1. **History.** The 1917 legislative assembly passed architectural practice legislation which is codified as North Dakota Century Code chapter 43-03. This chapter requires the governor to appoint a state board of architecture:
  - a. To adopt rules to govern its proceedings.
  - b. For the examination of candidates for registration.
  - c. For the regulation of the practice of architecture and landscape architecture. The board's purpose is to protect the public health, safety, and welfare against incompetent and unscrupulous practice.
2. **Board membership.** The board consists of three members appointed by the governor. A member must be an architect registered in North Dakota who has been a resident of, and in active practice as a principal in, this state for at least five years prior to appointment.
3. **Terms of office.** Each member is appointed for a term of six years, with terms arranged so that one term expires on March fourteenth of each odd-numbered year.
4. **Qualifications and removal.** Each member qualifies by taking the oath of office required of civil officers. The governor may remove a member for inefficiency or neglect of duty.
5. **Officers.** The board elects a president and secretary, who shall also be treasurer, at a regular meeting each year.
6. **Secretary-treasurer's duties.** The secretary-treasurer:
  - a. Records all business of the board at its meetings and keeps all records.
  - b. Collects all fees, deposits all moneys to the board account, and makes all disbursements for board expenses.
  - c. Receives all applications for registration and examinations, receives and answers all correspondence, and maintains files of all communications received and sent, including copies of those by other members.
  - d. Maintains a list of architects and landscape architects certified under this chapter. This list of certificate holders must contain each certificate holder's name, current business address, certification number, and the expiration date of the certificate.
7. **Board records - Seal.**
  - a. Records. Records are open to the public when information is of a general nature. Records and correspondence of a personal nature concerning an individual or firm, such

as examination documents, correspondence, financial disclosures, and the like, are confidential and are available only to the board, its counsel, and to the individual or firm itself.

- b. Seal. The board has adopted a seal for its use. The seal is affixed to certificates of registration, renewal cards, and legal documents, over signatures of the members.
8. **Meetings.** The board holds regular meetings at least once each year, with the date and location set by the board. The board may meet as designated by a majority of the board.
- a. Notice. The executive director shall notify each member in writing at least five days in advance of any special meeting. Should an applicant or other person wish to be present at a special meeting, a request shall be made in writing to the executive director or other member, in time for the executive director to give at least ten days' notice to the applicant or other person.
  - b. Quorum. A quorum shall consist of two members.
  - c. Presiding officer. The president shall preside at all meetings. In the president's absence, the senior member present shall preside.
  - d. Open meetings. All meetings shall be open to the public.
  - e. When meetings not required. Routine business, such as review of applications for registration, may be conducted by mail or electronically, when it is in the applicant's and the public's interest. Copies of all correspondence relating to any business conducted outside meetings shall be filed with the executive director.
9. **Compensation of members and expenses of board.**
- a. Limit. The expenditures of the board shall at no time exceed the amount of moneys on deposit to the credit of the board.
  - b. Audit. The board accounts shall be audited annually by an independent auditing firm whose members are authorized by law to perform auditing services in North Dakota, and a report of the audit shall be furnished to all members of the board and filed in accordance with state law.
  - c. Bank account. All fees and other income collected by the board shall be deposited in a bank authorized to do business in North Dakota. The account shall be drawn against only for expenses of the board.
  - d. Reserve accounts. At the discretion of the board reserve accounts may be established.
  - e. Executive director. If the board appoints or contracts an executive director, the executive director is entitled to receive such fee as fixed by a resolution of the board adopted at a regular meeting, and is entitled to receive reimbursement for travel, lodging, and other expenses as are incurred in the performance of the executive director's official duties.
  - f. Members. Each member of the board is entitled to receive a per diem of seventy-five dollars for each day or portion of a day spent in the discharge of the members, such mileage as is provided for by North Dakota Century Code section 54-06-09, and is entitled to reimbursement for the member's actual and necessary expenses incurred in the discharge of the member's official duties.
  - g. Other expenses. The board or its designee shall pay office rental, clerical, legal, auditing, printing, and all other legitimate expenses of the board from board funds.

10. **Counsel.** The board may, at its expense, employ as legal counsel an attorney who has been admitted to practice in North Dakota. When approved and appointed by the attorney general as "special assistant attorney general", the board attorney shall represent that office in all matters relating to the regulation of the practice of architecture and landscape architecture within the scope of North Dakota Century Code chapter 43-03.
11. **Inquiries.** Inquiries regarding the board, registration, examinations, or practice shall be addressed to the executive director in care of the state board of architecture and landscape architecture.

**History:** Amended effective October 1, 1989; February 1, 2005; January 1, 2014.

**General Authority:** NDCC 28-32-02(1)

**Law Implemented:** NDCC 28-32-02(1)