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10/3/03  
Date

2003 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1256

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1256

House Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date 1/27/03

Tape Number	Side A	Side B	Meter #
1		x	13.0-end
4	x		10.0-11.9
Committee Clerk Signature <i>Judith Hamma</i>			

Minutes: Chairman Kelser opened the hearing on HB 1256.

Rep. Matt Klein, District 40, introduced HB 1256. This bill makes changes in the engineering registration law. Retired engineers would be allowed to continue to use their title but not be required to pay full engineering registration fees. The second portion of the bill relates to taking the exam and about valid engineering training certificate. The third portion addresses some of the degrees that are related to engineering. After a set period of time, these affiliates would be qualified to take the exam. The fourth area addresses continuing education, especially with the availability of on line course work, and the standardization issues between states.

Lawrence Woodbury, ND Board of Registration for PE/LS, appeared in support of HB 1256.

(See Attachment # 1: testimony and extensive background information prepared for HB 1256)

Rep. Ekstrom: According to the fiscal note, revenues will decrease \$3000 per biennium.

Demographics concern me, any consideration that you'll have more retired members than active members?

Page 2

House Industry, Business and Labor Committee

Bill/Resolution Number HB 1256

Hearing Date 1/27/03

**Woodbury:** Yes, after a short period of time, we expect the effect to be minimal in the change.

**Dennis Meyer**, representing himself, appeared in support of HB 1256. (See Attachment # 2)

**Kevin Nelson**, Professional Engineer and Land Surveyor Intern, appeared in support of HB 1256. He is presently the Secretary/Treasurer of the ND Society of Professional Engineers and on behalf of NDSPE, submitted four resolutions in support of HB 1256. (See Attachment # 3: written personal testimony and resolutions)

**Chairman Keiser:** Would you explain the engineering and training certificate for the committee, please? And can that certificate can be obtained in all the new scenarios that are being created here with HB 1256?

**Nelson:** The certificate is obtained after required education and taking first of two 8 hour exams. It allows an individual to be recognized as an engineer who is training under a licensed professional. Yes, that's correct.

**Grant Levi**, Deputy Director of NDDOT, appeared for **Dave Sprynczynatyck**, Director of ND Dept. of Transportation, to testify in support of HB 1256. (See Attachment # 4)

**Larry Smith**, representing himself and the ND Society of Professional Land Surveyors, appeared in support of HB 1256 and offered oral testimony. He distributed copies of letters of support from all chapters of NDSPLS. (See Attachment # 5)

**Gary Arman**, Chairman of Board of Registration for Professional Engineers, appeared in support of HB 1256 and offered oral testimony.

**Richard Hammond**, appeared in opposition to HB 1256. (See Attachment # 6)

**Rep. Klein:** Isn't continuing education, updating skills necessary?



Page 3

House Industry, Business and Labor Committee

Bill/Resolution Number HB 1256

Hearing Date 1/27/03

**Hammond:** The Board can't write requirements for all facets of engineers, the engineering field is too diverse.

**Rep. Kasper:** Are you licensed in states surrounding North Dakota? How familiar are you with other state's requirements?

**Hammond:** No and no, I am not.

**Roger Dawser**, appeared in opposition to HB 1256 and gave oral testimony regarding his objections to continuing education. The only benefit the annual registration fee of \$50 serves is to satisfy one's ego, increase self worth and have the prestige of a PEF following your name.

**Rep. Kasper:** How do you educate yourself and how much time per year do you spend doing so?

**Dawser:** I review published trade materials, exchange information through user groups, and take training courses.

**Rep. Severson:** Do I understand that you don't need to be registered with the board to maintain your current employment? So if this bill goes through, you probably will give it all up?

**Dawser:** That's right.

As there was no one else present to testify in opposition to HB 1256, the hearing was closed.

Prior to the afternoon's scheduled hearings, **Chairman Keiser** called for committee work on HB 1256.

**Rep. Klein:** We've done continuing education for the cosmetologists, the appraisers, they still have to go through rules to implement whether the individual can have a complaint etc. I move a do pass. **Rep. Severson** seconded the motion. The results of the roll call vote were 13-1-0.

**Rep. Klein** will carry this bill on the floor.

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*Lu Costa Rickford*  
Operator's Signature

10/3/03  
Date

**FISCAL NOTE**  
**Requested by Legislative Council**  
**01/14/2003**

Bill/Resolution No.: HB 1256

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$42,307	\$0	\$42,307
Expenditures	\$0	\$0	\$0	\$45,307	\$0	\$45,307
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Any fiscal impact due to HB 1256 will affect only the North Dakota State Board of Registration for Professional Engineers and Land Surveyors. The ND State Board of Registration operates on revenues collected from registered professional engineers and registered land surveyors and does not receive any General Fund monies.

Section 1. of HB 1256, which is a proposal to create a new subsection allowing for a retired status of licensure, will result in a decrease in expected revenues. It is anticipated that the registration fee for a retired status of license will be significantly less than an active license. However, this will impact on a small number of license holders and the overall effect on the total Board revenues will be minimal.

Section 2. of HB 1256, which is an amendment to the existing engineering registration laws, will have no fiscal impact.

Section 3. of HB 1256, which is a new subsection to the existing engineering registration laws, will have no fiscal impact.

Section 4. of HB 1256, which is a new subsection to the existing engineering registration laws, will have no fiscal impact.

Section 5. of HB 1256, which is a new section to the engineering registration laws, will have a fiscal impact on both revenues and expenditures. The Board is anticipating that a fee appropriate only to cover costs will be assessed. Therefore, the overall effect on the Board's current operating funds will be minimal.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Section 1. of HB 1256 will affect approximately 75 registrants each biennium. The Board is anticipating a retired status registration fee of \$40.00 per biennium, or \$20.00 a year. This will affect revenues by an approximate reduction of \$3,000.00 per biennium.

Section 5. of HB 1256 will have both expenditures and revenues associated with it. The Board anticipates the cost to develop forms, administer, and audit continuing education for its 2,589 registrants will be approximately \$15.00 to \$20.00 per registrant per biennium. This figure is based on costs currently incurred by licensing boards both in North Dakota and in other jurisdictions who administer continuing education programs. Because the Board will assess only its direct costs, the revenues and costs will be the same. The total fiscal impact for both revenues and expenditures will be \$38,835.00 to \$51,780.00 per biennium.

The above revenues and expenditures affect only the North Dakota State Board of Registration for Professional Engineers and Land Surveyors and will not affect the General Fund and none of these amounts are included in the executive budget.

**B. Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

Section 5. of HB 1256 will have estimated expenditures of \$38,835.00 to \$51,780.00 per biennium. These expenditures affect only the North Dakota State Board of Registration for Professional Engineers and Land Surveyors. No FTE positions will be affected.

**C. Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

The State Board of Registration does not receive any general fund monies nor is its budget contained in the executive budget.

Name:	Candle Robinson	Agency:	North Dakota State Board of Registration for Professional Engineers and Land Surveyors
Phone Number:	701-258-0786	Date Prepared:	01/16/2003

Date: 1/27/03

Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1256House Industry, Business & Labor

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Do Pass

Action Taken

Motion Made By

Klein

Seconded By

Severson

Representatives	Yes	No	Representatives	Yes	No
Chairman Keiser	/		Rep.Boe	/	
Rep.Severson, Vice-Chair	/		Rep.Ekstrom	/	
Rep.Dosch	/		Rep.Thorpe	/	
Rep. Froseth	/		Rep. Zaiser	/	
Rep. Johnson	/				
Rep.Kasper	/				
Rep. Klein	/				
Rep. Nottlestad	/				
Rep. Ruby	/				
Rep.Tleman	/				

Total (Yes)

13

No

1

Absent

0

Floor Assignment

Klein

If the vote is on an amendment, briefly indicate intent:

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Date

10/3/03

**REPORT OF STANDING COMMITTEE (410)**  
January 27, 2003 6:59 p.m.

Module No: HR-15-1161  
Carrier: M. Klein  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
HB 1256: Industry, Business and Labor Committee (Rep. Kelsner, Chairman)  
recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1256  
was placed on the Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-15-1161

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2003 SENATE INDUSTRY, BUSINESS AND LABOR

HB 1256

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10/3/03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1256

Senate Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date 03-11-03

Tape Number	Side A	Side B	Meter #
1	xxxx		0-3556
Committee Clerk Signature <i>Susan Berkon</i>			

Minutes: Chairman Mutch opened the hearing on HB 1256. Senator Krebsbach was absent.

HB 1256 relates to definitions, registration of professional engineers, qualifications of engineers in training, and continuing professional education.

**Testimony in support of HB 1256**

Lawrence Woodbury, North Dakota State Board of Registration for Professional Engineers and Land Surveyors, introduced the bill. See written testimony. There were no questions from the committee.

Dennis Meyer spoke on his own behalf in support of the bill. Through the administrative process, we can ensure that the principles in this law be followed. I was opposed to this bill two years ago, but as amended I support it. The availability of courses has increased in the past two years. In Kansas City, the cost of continuing education hours is \$2995. The cost is substantial there where it is not here. The current proposal provides for a sun set.

Dave Sprynczynatyk, P.E. Director, spoke in support of the bill. See attached testimony.

Page 2

Senate Industry, Business and Labor Committee

Bill/Resolution Number 1256

Hearing Date 03-11-03

Kevin Nelson, NDSPE, spoke in support of the bill. See attached testimony.

Larry Smith, NDSPE, spoke in support of the bill. See attached testimony.

Testimony in opposition to HB 1256

Roger Gazur, speaking on behalf of himself, opposed the bill. See binder attached.

Senator Heitkamp: Is it required for you to be licensed and registered?

Roger: No, I chose to do that for myself

Senator Heitkamp: As a water professional, I have to be licensed and go to 12 hours of continuing education per year. I have the benefit of my employer paying for it. When I hired engineers in the beginning, we never discussed telemetry, don't you think that continuing education is good for people like me who hire engineers to know that they are up to speed with what I need in today's world?

Roger: In my present position with my employer, the one thing that all of us as engineers know up front is that the only thing that drives engineers is cost. If my employer looks to a given technology for improvement, the first question he will ask is, "What is the payback?". My employer has provided technology in the form of PC's and equipment, simply because it drops his bottom line. My employer is performing continuing education for me to support his business.

Senator Heitkamp: I would contend that your employer doesn't value having a professional engineer on staff.

Roger: There is no business necessity to hire a professional engineer, and it comes down to cost.

End testimony.

Hearing was closed. There was no action taken at this time.



2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1256

Senate Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date 03-24-03

Tape Number	Side A	Side B	Meter #
1	xxx		4870-end
1		xxx	0-56
Committee Clerk Signature <i>Lisa Van Berkum</i>			

Minutes: Chairman Mutch opened the discussion on HB 1256. All Senators were present.

HB 1256 relates to definitions, registration of professional engineers, qualifications of engineers in training, and continuing professional education.

Senator Klein: How have they been able to keep up to this point without continuing ed..?

Senator Espgaard: Some would say that they don't need continuing ed. because they get their education on the job. They have new technology and techniques while at work.

Senator Klein: In the grocery business we have to develop our own education.

Senator Heitkamp: The only problem I have is Roger from Beulah made a good point, but I struggle with the fact the he chose himself not to practice his trade. If you chose not to do that, then he isn't getting continuing education. He chose that.

Senator Klein distributes amendments. See attached.

Senator Klein moved to adopt the amendments. Senator Nething seconded.

Roll Call Vote: 2 yes. 5 no. 0 absent.

Page 2  
Senate Industry, Business and Labor Committee  
Bill/Resolution Number 1256  
Hearing Date 03-24-03

**Motion falls.**

**Senator Espgaard moved a DO PASS. Senator Every seconded.**

**Roll Call Vote: 7 Yes. 0 no. 0 absent.**

**Carrier: Senator Every**

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10/3/03  
Date

30500.0101  
Title.

Prepared by the Legislative Council staff for  
Senator Klein  
March 19, 2003

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1256

Page 1, line 2, after the first comma insert "and" and remove ", and a new section to chapter"

Page 1, line 3, remove "43-19.1"

Page 1, line 4, after the first comma insert "and" and remove ", and continuing professional education"

Page 1, line 11, remove "and is not required to meet the"

Page 1, line 12, remove "continuing professional education requirements as prescribed by the board"

Page 2, remove lines 21 through 26

Renumber accordingly

Page No. 1

30500.0101

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10/3/03  
Date

Date: 3-24-03  
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.

Senate 1256 Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 3900.0101

Action Taken Adopt Amendments from Senator Klein

Motion Made By Klein Seconded By Nothing

Senators	Yes	No	Senators	Yes	No
Senator Mutch	X				
Senator Klein	X				
Senator Krebsbach		X			
Senator Nething		X			
Senator Heitkamp		X			
Senator Every		X			
Senator Espegard		X			

Total (Yes) ~~4~~ 2 No ~~4~~ 5

Absent \_\_\_\_\_

Floor Assignment ~~UNANIMOUSLY PASSED~~

If the vote is on an amendment, briefly indicate intent:

Date: 3-24-03  
Roll Call Vote #: 2

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.

Senate 1256 Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken

Do Pass

Motion Made By

Espegard

Seconded By

Every

Senators	Yes	No	Senators	Yes	No
Senator Mutch	X				
Senator Klein	X				
Senator Krebsbach	X				
Senator Nething	X				
Senator Heitkamp	X				
Senator Every	X				
Senator Espegard	X				

Total (Yes) ~~XXXXXXXXXXXX~~ 7 No ~~XXXXXXXXXXXX~~ 0

Absent 0

Floor Assignment ~~XXXXXXXXXXXX~~ Every

If the vote is on an amendment, briefly indicate intent:

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10/2/03  
Date

**REPORT OF STANDING COMMITTEE (410)**  
March 24, 2003 12:59 p.m.

Module No: SR-45-5544  
Carrier: Every  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
HB 1256: Industry, Business and Labor Committee (Sen. Mutoh, Chairman) recommends  
**DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1256 was placed  
on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-45-5544

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10/3/03  
Date

2003 TESTIMONY

HB 1256

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10/3/03  
Date

Attachment 1

RE: H.B. 1256

Industry, Business and Labor Committee  
North Dakota House of Representatives  
Bismarck, North Dakota

Dear Chairman Keiser and Committee Members:

My name is Lawrence Woodbury and I am here to speak in support of HB1256. I am a registered Professional Engineer and am the Secretary of the North Dakota State Board of Registration for Professional Engineers and Land Surveyors. I am currently in my second term on the Board of Registration having already served 7 years. In the past 7 years, I have served as Secretary, Vice Chairman, and Chairman

The bill you have before you is the result of countless meetings of the Board of Registration in conjunction with individuals from both the engineering and land surveying professions, their respective societies, NDDOT as well as the Deans of Engineering from both UND and NDSU.

The Board of Registration has compiled some background information regarding the various sections of HB 1256. The background information was previously submitted to you. Although I'm not going to read it to you, I would like to highlight some of the more salient facts.

Section one of HB 1256 deals with implementing a retired status of licensure. A retired registrant will be able continue to use his professional title but not offer or practice any engineering or land surveying. The Board of Registration will charge a significantly reduced fee for a retired status license; basically, enough of a fee to cover mailing costs of the Board's newsletter and other correspondence. A retired registrant will be exempt from any continuing education requirements. Also, a reinstatement provision already exists in NDCC 43-19.1-22 and NDAC 28-02.1-09-03.

Sections two, three, and four of HB 1256 deal with several changes to the existing requirements for becoming registered as a professional engineer. North Dakota is one of six states where an individual can become licensed as a professional engineer without any education, be it a high school diploma or a college degree. This licensure path requires a total of 20 years experience. Ironically, under existing laws, an individual with a college degree in anything other than engineering, for example science or physics, also needs to accumulate 20 years of experience. HB 1256 proposes to remove the path to registration with no education. HB 1256 also proposes to allow less stringent experience requirements for those individuals who have obtained a college degree in an engineering related curriculum. The Board acknowledges the fact that some individuals are currently pursuing registration via the path that has no education requirements. To accommodate these individuals, the Board of Registration will allow them until July 1, 2004 to pass the first examination, which is the Fundamentals of Engineering, and demonstrate their intent to ultimately become registered.

La Costa Rickford  
Operator's Signature

10/2/03  
Date



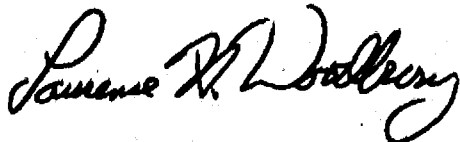
HB 1256  
Lawrence Woodbury

HB 1256  
#1 Page 2

Section five of HB 1256 deals with continuing education. The Board has long been aware of difficulties encountered by other jurisdictions when implementing a meaningful continuing education program. To avoid these difficulties, the Board has done extensive research into continuing education plans in other states, especially those surrounding North Dakota. This research involved a detailed evaluation of other states' statutes and rules as well as interviews with individual registrants who must comply with those rules. Based upon the data gathered, the Board located multiple sources of continuing education programs available at reasonable cost and that can be attended either in person or via the Internet. Additionally, the registrants we talked to indicated that it is important that North Dakota's continuing education program be similar in scope to other states. The Board will develop this continuing education plan through the Administrative Rules process with the input of any and all interested parties.

In closing, I want to assure you that the Board of Registration has carefully evaluated the implications of this legislation and feel that HB 1256 will have a meaningful, positive impact on the engineering and land surveying professions in North Dakota. I would respectfully ask for a DO PASS recommendation on HB 1256.

Sincerely,



Lawrence Woodbury, PhD, P.E.

La Costa Rickford  
Operator's Signature

10/3/03  
Date

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**HB-1256**  
**Background Information**

Each renewal period, the State Board Office receives requests from engineer and land surveyor registrants to be placed on an "inactive" or *retired* status. At present only two registrant categories exist; "current" or "lapsed". There are about seventy-five of these requests each renewal period. SECTION ONE of HB-1256 would provide for an official *retired* status. A *retired* registrant, under HB-1256 would be able to continue to call himself a professional land surveyor or registered land surveyor but could not sign and seal any plans, specifications or surveys as the case may be. The *retired* registrant would be exempt from any continuing education requirements while in a *retired* status but would be subject to continuing education requirements only if he decided to return to current status. Upon fulfilling the necessary continuing education requirements that would be determined by the Continuing Education Plan, he could again sign and seal plans, specifications or surveys whatever is applicable. It is expected that the biennial renewal fee for a *retired* registrant would be approximately \$30.00 to \$40.00 which would cover the costs of mailings and other communications from the State Board.

Present regulations allow an individual who does not possess an engineering baccalaureate degree to become registered as a professional engineer in North Dakota. Engineering is the only profession remaining in North Dakota where professional registration is possible to achieve without professional educational preparation. Only five other states allow professional engineering registration under those same educational circumstances. South Dakota is one of those five states and professional engineer registration in South Dakota without an engineering degree will be impossible after July 1, 2004. All other surrounding and nearby states such as Minnesota, Montana, Wyoming, Iowa and Nebraska require an engineering degree for professional engineer registration. SECTION TWO would require an engineering degree for professional engineer registration in North Dakota. Section Two would however allow those individuals who hold a valid engineer-in-training certificate, dated no later than July 1, 2004, to continue to earn engineering experience and become registered after gaining twenty years of engineering experience and passing an engineering practice examination.

SECTION THREE is for the purposes of housekeeping. It removes the term "engineering related" from its present location in the engineering regulations and places it with the newly created language which is being proposed in Section 4 of the bill. The change in terminology will be valuable in preventing confusion amongst future applicants.

SECTION FOUR of HB-1256 proposes the establishment of registration requirements for an individual who possesses an engineering-related degree. The State Board acknowledges the relevance of certain degrees which contain a great deal of engineering subjects and the suitability of these degrees for certain positions within the engineering community. The holder of this type of a degree would have to gain six years of engineering experience

39 **HB-1256**  
40 **Background Information**

Page Two

42 before taking the Fundamentals of Engineering (FE) examination and becoming an engineer-in-training and a total of  
43 twelve years of experience before being approved to take the Principles & Practice of Engineering (PE) examination  
44 which is usually the final step in the professional engineer registration process. This will provide an opportunity for  
45 professional registration for a number of engineers employed by various agencies in state government.

46  
47 SECTION FIVE of HB-1256 provides for the State Board of Registration to develop a program of required  
48 continuing education (CE) for professional engineers and land surveyors. The State Board of Registration is  
49 planning to develop the plan through the Administrative Hearing process with substantial input from the state's  
50 engineers and surveyors. CE is not a new concept; thirty-eight boards across the nation have mandatory CE  
51 programs and other states with voluntary CE are looking at making it mandatory. All of the states surrounding  
52 North Dakota (South Dakota, Minnesota, Montana, Wyoming, Nebraska and Iowa) have CE programs. North  
53 Dakota has approximately 2,300 engineers. Of that number, 725 list North Dakota as their state of residence. A  
54 survey of approximately one fourth of the engineers with North Dakota addresses indicates that 60% of them already  
55 have a continuing education requirement by virtue of their registration in another state. North Dakota has two  
56 hundred and sixteen registered land surveyors of which 110 or 51% carry North Dakota addresses. Based on the  
57 same survey, approximately 70% already have a continuing education requirement by virtue of registration in  
58 another state. Of the approximate 1550 engineers with out of state addresses, 600 reside in South Dakota,  
59 Minnesota, Montana, Wyoming, Nebraska and Iowa; these individuals already have a continuing education  
60 requirement. For land surveyors the similar numbers are 106 surveyors with out of state addresses of whom 59  
61 already have a continuing education by virtue of their residence in the six states listed above.

62 The State Board of Registration is a member of the National Council of Examiners for Engineers and  
63 Surveyors (NCEES). It develops national standardized registration examinations for engineers and surveyors.  
64 NCEES has also developed a model CE plan which the State Board of Registration would use as a beginning model  
65 in its development of a CE plan for North Dakota. The State Board of Registration would also look to the CE  
66 programs in other states, especially those CE programs in South Dakota, Montana, Minnesota, Montana, Wyoming,  
67 Nebraska and Iowa as these states are where the most of North Dakota-based engineers' secondary registrations are  
68 located. The CE plan will be developed by the State Board of Registration through its own study of these and other  
69 states' plans. In addition it will rely heavily upon input from engineer and surveyor registrants. The State Board's  
70 objective is to identify those areas of commonality in the various plans and incorporate those features into the plan  
71 developed by the State Board of Registration. The following are some considerations which must be addressed to  
72 assure a CE plan that will be compatible with other PE plans:

- 73 Definition of a professional development hour (PDH)  
74 Definition of a Continuing Education Unit (CEU)  
75 Conversion of PDH's into CEU's  
76 PDH/CEU Requirement/Biennium for Engineers and Surveyors  
77 PDH/CEU Carryover From One Biennium to Next

EP

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**HB-1256**  
**Background Information**

**Page Three**

Number of PDH/CEU Technical vs. Non-Technical Subjects  
Pre-Approval (or Not) for CE Classes  
Grace Period for Non-Compliance With Required PDH/CEU

If the North Dakota CE Plan for Engineers and Surveyors is in concert with other CE plans on these important points, it will not be difficult for registrants to meet CE requirements in a manner that will satisfy not only their ND CE requirements but their requirements in other states where they may be registered.

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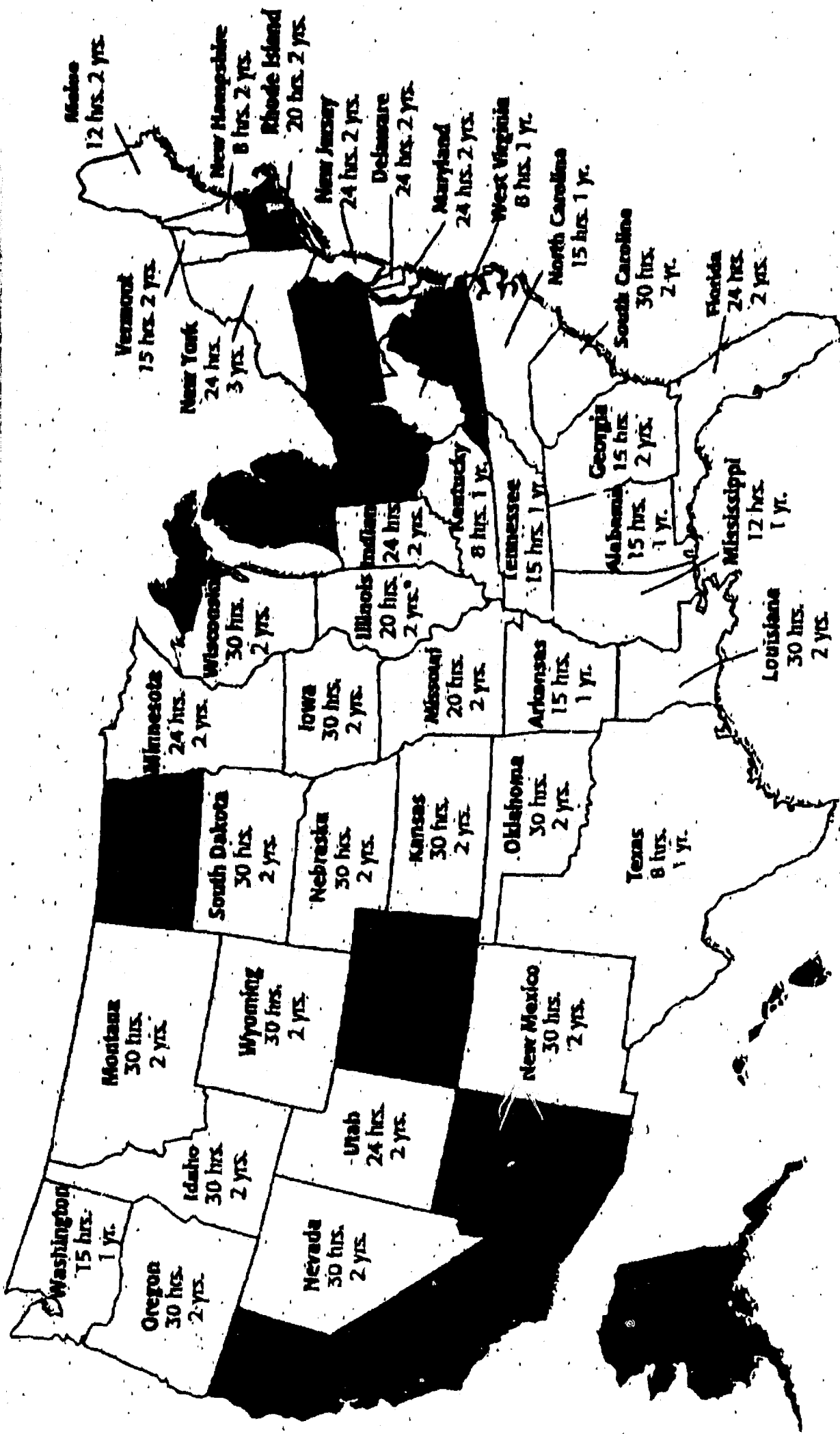
**HB 1256**  
**Continuing Education Program Comparisons**

	<b>SD</b>	<b>MN</b>	<b>IA</b>
<b>Length of Professional Development Hour (PDH)</b>	50 minutes	50 minutes	50 minutes
<b>Continuing Education Unit Measure (CEU)</b>	1 CEU for every 10 PDH's	1 CEU for every 10 PDH's	1 CEU for every 10 PDH's
<b>Biannual PDH requirements for Engineers and Land Surveyors</b>	30 PDH's or 3 CEU's	24 PDH's or 2.4 CEU's	30 PDH's or 3 CEU's
<b>Maximum PDH carryover from period to period</b>	15 PDH's	12 PDH's	15 PDH's
<b>Exemptions allowed for Military Service or illness</b>	Yes	Yes	Yes
<b>Detailed CE Plan in Administrative Rules</b>	Yes	Yes	Yes
<b>Accept CE Reporting Form from Other States</b>	Yes	Yes	Yes
<b>Random Audits to Insure Compliance</b>	Yes	Yes	Yes

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☒ Not Required

☐ Required

\* Required as of the 2004 renewal period.

# Continuing Education Across the U.S.

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## South Dakota Board of Technical Professions Continuing Professional Development

All persons licensed in South Dakota by this office must acquire 30 continuing Professional Development Hours (PDH) every two years before renewing their license. At least 20 PDH must be in technical subjects which directly safeguard the public's health, safety and welfare. A maximum of 10 PDH may be in professional management subjects such as total quality process or ethics or computer classes other than CADD. All licensed persons will be required to submit a list of activities they attended and sign a statement that they have met this requirement before renewing. If the licensee is audited, they will be asked to submit proof of attendance at these activities.

**PURPOSE** of this requirement is to reinforce the need for lifelong learning in order to stay more current with changing technology, equipment, procedures, processes, tools and established standards. Qualifying activities must have a clear purpose and objective which will maintain, improve or expand the skills and knowledge relevant to the licensee's field of practice. The licensee is given flexibility in selecting among a broad range of subjects that are intended to strengthen or maintain competency in technical, managerial (business) or ethical fields. Licensees are encouraged to select meaningful activities which will be of benefit in the pursuit of their chosen fields.

**PROFESSIONAL DEVELOPMENT HOUR** is defined as one contact hour of instruction or presentation. It is the common denominator for the other units of credit. The maximum PDH for a seminar that starts at 8 a.m. and ends at 5 p.m. with an hour lunch is eight (8) PDH. Short breaks are permissible as long as a minimum of 50 minutes of presentation/participation per hour is undertaken. If there are no breaks, or there are breaks of less than 10 minutes per hour, no additional time may be claimed. Seminar presenters may attempt to take the number of elapsed minutes (such as 8 hours times 60 minutes) and then divide by 50 to arrive at the PDH for which the seminar is advertised. This would result in over nine PDH in an eight-hour period which is not permitted. PDH cannot exceed the actual contact clock hours.

**ROUND off** PDH to the nearest half hour. No activity under a half hour will be accepted for credit. For example, a qualifying activity of 30 to 49 minutes would be reported as 0.5 PDH and an activity of 50 to 60 minutes would be reported as 1.0 PDH.

**CARRY OVERS** of a maximum of 15 qualifying PDH may be forwarded to the subsequent renewal period.

**CONTINUING EDUCATION UNITS (CEU)** is a nationally recognized and uniform unit of measure for continuing education and training. Since one CEU is awarded for each 10 contact hours of instruction, it logically follows that one CEU is equivalent to 10 PDH. When a sponsor of PDH activities fully follows the requirements of the International Association for Continuing Education and Training (IACET) in awarding CEU's, 10 PDH will be credited for 1 CEU. However, licensees should be aware that some organizations may advertise CEU credit without having met the requirements of the IACET. In addition, some organizations report 1 CEU of credit for each contact hour of instruction. One contact hour equals one PDH.

**DUAL LICENSEES** must earn a minimum of 1/3, or 10 PDH, in each profession with a total of 30 PDH every two years. A dual licensee is not required to obtain more than 30 PDH because

of dual licenses.

**COMITY** for continuing professional development is allowed if the licensee is currently licensed in a jurisdiction/state which requires mandatory continuing professional development. You may certify on the renewal form that all requirements have been met in that jurisdiction within 13 months of this renewal period.

**RECORD KEEPING** is the responsibility of the licensee. Adequate records must be maintained for a minimum of three years for auditing purposes. Examples of records required include, but are not limited to:

1. A log showing the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name, and PDH credits earned. This permits the proper completion of PDH activities at renewal time. Specific information on each activity is required. Simply stating "attending education activities at ABC Company" is not acceptable. See example.
2. Attendance verification records in the form of certificates or other documents supporting evidence of attendance. All activities of over an hour should have verification. On occasion, short activities such as a meeting with a 30 minute speaker may not provide verification such as a certificate. This should be an unlikely exception. The general rule is that the licensee must have sufficient verification for credits claimed.
3. Records as maintained by a professional registry, such as the Professional Development Registry for Engineers and Surveyors (PDRES), the Council of Landscape Architectural Registration Board (CLARB), or the American Institute of Architects (AIA). Participants can furnish information to the registry and have those courses recorded and stored on their behalf. Often there are fees associated with the recording and for receiving a summary form. Records maintained by such a registry does not necessarily mean approval of these courses by this Board.

**COLLEGE/UNIT SEMESTER/QUARTER HOUR CREDIT FOR COLLEGE COURSES.** To qualify for this credit, a course must be regularly offered and participants tested with a passing grade required. One semester hour generally consists of 15 class meetings of 50 to 55 minutes duration. It is assumed that twice as much study time is required as class contact time, thus equating to 45 PDH. Similarly, a quarter hour qualifying course meets 10 times and thus 30 PDH are allowed. Monitoring courses does not require a test, and therefore only the actual class contact hours are allowed. On occasion, educational institutions may offer a one-day seminar and award fractional quarter hour credit such as 1/2 of a quarter hour. These courses do not qualify on the quarter hour basis since they are not part of the regular curriculum of the education institution, do not require testing, and have no provision for additional out-of-class requirements. For courses such as this, only actual contact time will be allowed for PDH credit.

**INTERACTIVE ACTIVITIES** - Other qualifying courses, seminars, corporation sponsored educational activities, programs and activities are allowed one PDH credit for each contact hour. None of these courses or activities may be undertaken in private, such as a videotaped program in one's home, but rather must be conducted in a group. A correspondence course must require the participant to show evidence of achievement with a final graded test.

**TEACHING CREDITS** for the instructor are twice that of the participants in qualifying courses and seminars. However, it is not intended that repetitive teaching of the same course will earn



any credit. This credit does not apply for teaching if the licensee is a full-time faculty member.

**PUBLISHED PAPER, ARTICLE OR BOOK** must be a serious effort to qualify. For example, a "news" article in a technical or professional bulletin is not considered a published paper. Although it is recognized that often many more hours are spent in being an author of a publication, only a maximum of 10 PDH is allowed.

**ACTIVE PARTICIPATION IN PROFESSIONAL AND TECHNICAL SOCIETIES** is to encourage licensees to participate fully in appropriate technical and professional societies. Contact with one's peers at such meetings is considered one way to stay abreast of current topics, issues, technical developments, ethical situations, and learning opportunities. Two PDH can be earned for each organization with a maximum of 6 PDH allowed. All technical and professional societies are included, but this does not include civic or trade organizations.

**PATENTS** are allowed 10 PDH after a patent is issued and the inventor submits details to the Board. The invention must be related to the licensee's profession.

**DETERMINATION OF QUALIFYING ACTIVITIES** must be made by the licensee. The Board does not pre-approve courses or activities and can only distribute information on what is and is not acceptable. With the broad range of opportunities to earn PDH, it is up to the licensee to determine whether the activity qualifies under this Board's requirements. For example, programs presented on topics that are not relevant to your profession or by presenters that are not well prepared should not be claimed for PDH credit. The Board has final approval of PDH credit.

**AUDITS** can be made for three years after renewal is submitted to insure compliance with requirements. If selected for audit, you will be contacted to provide necessary documentation.

**EXEMPTIONS** are for those serving on temporary active duty in the armed forces of the United State for a period of time exceeding 120 consecutive days in a year and those who have experienced serious illness or injury during the past two years of a nature and duration which has prohibited completion of PDH requirements. If you are exempt, complete the renewal form, submit the renewal fee and send supporting documentation for the exemption.

**REINSTATEMENTS** must be made within three years of the expiration date of a license by submitting a reinstatement application, certifying completion of 30 PDH within the preceding two years, satisfying current requirements which may require additional exams such as an exam over South Dakota requirements, and a fee of \$170.

#### Typical Qualifying Activities

- Completing or attending courses, seminars, instruction, in-house programs or training which relates to the licensee's professional practice.
- Attending technical or professional society meetings when a topic related to the licensee's professional practice is presented as a principal part of the program.
- Teaching a course for the first time or if substantial time has been spent in updating material if previously taught.
- Attending satellite down-link video courses where attendance is verified and material meets requirements.
- Computer software instructional courses which relate to the improvement of the

licensee's technical profession, such as CADD.

- Language course which relates to the improvement of one's business or profession.
- Management or ethical courses which relate to the improvement of one's business or profession.
- Correspondence courses on topics related to licensee's professional practice where lessons are prepared, returned for correction and/or grading and testing at the end of the course is required.

#### Typical Non-qualifying Activities

- Regular employment
- Real Estate licensing courses
- Personal, estate or financial planning
- Self study
- Computer software courses such as MS Office
- Personal self improvement
- Service club meeting or activities
- Equipment demonstrations or trade show displays
- Topics not relevant to licensee's profession
- Enrollment without attendance at courses, seminars, etc.
- Repetitive attendance or teaching of the same course
- Attending committee meetings or general business meetings of any organization
- Conversational language courses for personal use
- Tours of buildings, structures, schools, museums and such unless there is a clear objective to maintain and strengthen competency in technical field

#### CONVERSION TO PDH

1. One college semester hour..... 45 PDH
2. One college quarter hour..... 30 PDH
3. One continuing education unit (CEU)..... 10 PDH
4. One contact hour of professional development in course work, seminars or professional or technical presentations made at meetings, conventions or conferences..... 1 PDH
5. One contact hour of teaching for first time (this does not apply to full time faculty)..... 2 PDH
6. Each published paper, article or book..... 10 PDH
7. Each patent..... 10 PDH
8. Active participation in each professional organization or technical society..... 2 PDH (each renewal period, up to a maximum of 6 PDH)

#### EXAMPLE

##### PDH Log:

	Date(s)	Sponsor Name/Location	Title/Description	PDH
Wrong:	March 1995 Date must be	Big Time Professional Co.	Basic Supervision Insufficient description, too	6.5

	more specific.	Location is not provided.	general.	
Right:	3/20/95	Big Time Professional Co. Hometown, State	"Supervising Staff" In-house seminar; T. W. Jones, Ph.D.	6.5
Wrong:	2/15/95 to 6/30/95 Date must be more specific	Local Professional Society Your Town, State	6 presentations at meetings Activities grouped; not adequately described	4.3 Hours not rounded
Right:	2/15/95	Local Professional Society Your Town, State	"Earthquake Proof" Dr. Ron Smith, P.E. Acme Construction Co.	0.5
Right:	6/10/95	National Land Surveyor Society Big City, State	Workshop on Total Station Operation; John Straightline, L.S., Line Surveying Co.	2.5

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1/12/2002

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Date

## STATE OF MINNESOTA



Phone: (651) 296-2388  
FAX: (651) 297-5310  
TTY: 800-627-3529

85 EAST 7TH PLACE, SUITE #160  
SAINT PAUL, MINNESOTA 55101  
[www.aelslagid.state.mn.us](http://www.aelslagid.state.mn.us)

BOARD OF ARCHITECTURE, ENGINEERING,  
LAND SURVEYING, LANDSCAPE ARCHITECTURE, GEOSCIENCE AND  
INTERIOR DESIGN

April 2000

Dear Licensee or Certificate Holder:

In the 1999 Legislative session, Minnesota Statute 326.107 was passed requiring continuing education for those holding licenses and certificates issued by the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design (AELSLAGID). This statute became effective August 1, 1999 and continuing education credits may be accrued from that date through June 30, 2002. The first submittal of continuing education documentation will be required with the renewal of a license or certificate in June, 2002. **DO NOT** send any documentation until requested by the Board. The statute requires all professionals licensed or certified by the Board to obtain 24 professional development hours (PDH) during each two year period of licensure or certification. Information available on the Board's web site ([www.aelslagid.state.mn.us](http://www.aelslagid.state.mn.us)), or by request from the Board's office, provides further information on the continuing education requirements.

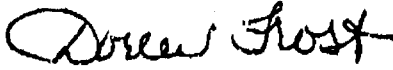
A sample of the form which licensees and certificate holders will be asked to complete and submit with their June 2002 renewal is available at our web site. Each item listed on the form will be compared to the continuing education requirements for compliance. If you have questions about whether a specific effort meets the requirements, the Board's web site includes a form that allows for self-assessment, or you can call the Board office to obtain a copy of the self-assessment form. Do not call the Board office for approval of courses. No pre-approval for courses will be given for individuals or course sponsors.

The following information is available on the Board's web site or by request.

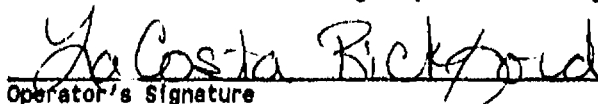
- Self-assessment form
- Sample form for submittal of continuing education
- Instructions for completion of forms
- Continuing education programs and activities
- Summary of continuing education requirement

The 1999 Legislative session modified MN Statutes 326.02 - 326.15 and we strongly urge you to take the time to keep current on the statutes and rules under which you are licensed and/or certified.

Sincerely,

  
Doreen Frost  
Executive Director

An Equal Opportunity Employer

  
Operator's Signature

10/3/03  
Date



## Continuing Education

(Board of AELSLAGID)

### ● Frequently Asked Questions

### ● Forms

- You will need Adobe reader to access the forms. Click here to download the latest version from the Adobe web site. (It's fast, easy, and free.)
- Continuing Education Form - helps determine which programs and activities will satisfy the requirements.
- Sample Form for Submittal in June 2002

### ● Continuing Education Statute (Please click on 326.107).

## CONTINUING EDUCATION REQUIREMENTS

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design successfully obtained continuing education requirements in the 1999 Legislative Session. This statute will be effective August 1, 1999. The Board requires architects, professional engineers, land surveyors, landscape architects, geoscientists, and interior designers licensed or certified by this board must obtain 24 professional development hours during each two-year period of licensure or certification identified in section 326.105. Professional development hours means contact hours consisting of not less than 50 minutes each of instruction or presentation meeting the continuing education courses and activities criteria. The 24 professional development hours must be satisfied during the two-year period prior to biennial renewal except for a carryover permitted from the previous renewal period, which must not exceed 50 percent of the biennial requirement of professional development hours.

Dual license or certificate holders who have obtained a license or certificate for two professions must earn professional development hours required by the license or certificate requiring the greatest number of professional development hours and must obtain in each profession a minimum of one-third of the total professional development hours required. The remaining one-third requirement may be obtained in either profession at the sole discretion of the licensee or certificate holder.

## PROGRAMS AND ACTIVITIES

Continuing education must consist of learning experiences which enhance and expand the

<http://www.aelslagid.state.mn.us/conted.html>

05/12/2000

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Operator's Signature

10/2/02  
Date

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skills, knowledge, and abilities of practicing professionals to remain current and render competent professional services to the public. Practitioners may pursue technical, nontechnical, regulatory, ethical, and business practice needs for a well-rounded education provided the education directly benefits the health, safety, or welfare of the public. Continuing education activities which satisfy the professional development requirement include, but are not limited to, the following:

- (1) completing or auditing college-sponsored courses;
- (2) completing self-study college or noncollege sponsored courses, presented by correspondence, Internet, television, video, or audio, ending with examination or other verification processes;
- (3) participation in seminars, tutorials, televised or videotaped courses, or short courses;
- (4) attending self-sponsored and prepared in-house educational programs;
- (5) completing a study tour with a structured program resulting in a written or visual presentation by the licensee or certificate holder;
- (6) presenting or instructing qualifying courses or seminars. Professional development hours may be earned for preparation time for the initial presentation;
- (7) authoring published papers, articles, or books. Professional development hours earned may equal preparation time spent, may be claimed only following publication, and shall be given for authorship or presentation, but not for both;
- (8) participating in professional examination grading or writing. A maximum of five professional development hours per biennium may be applied from this source;
- (9) providing professional service to the public which draws upon the licensee's or certificate holder's professional expertise on boards, commissions, and committees such as planning commissions, building code advisory boards, urban renewal boards, or non-work-related volunteer service. A maximum of ten professional development hours per biennium may be applied from this source; and
- (10) patents, after they are granted, for a credit of ten professional development hours.

### CRITERIA

Continuing education courses and activities must meet the following criteria:

- (1) There must be a clear purpose and objective for each activity which will maintain, improve, or expand skills and knowledge obtained prior to initial licensure or certification or develop new and relevant skills and knowledge.
- (2) The content of each presentation must be well organized and presented in a sequential manner.
- (3) There must be evidence of preplanning which must include the opportunity for input by the target group to be served.
- (4) The presentation must be made by persons who are well qualified by education or experience.
- (5) There must be a provision for documentation of the individual's participation in the activity, including information required for recordkeeping and reporting.

### EXEMPTIONS

A licensee or certificate holder is exempt from the continuing education requirements for one of the reasons listed below:

- (1) A new licensee or certificate holder is exempt for the individual's first biennial renewal.
- (2) A licensee or certificate holder who has experienced during the biennial renewal a serious

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Operator's Signature

10/3/03  
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illness, injury, or other extenuating circumstances as reviewed and approved by the board is exempt. Supporting documentation must be furnished to the board prior to the end of the biennial renewal period.

- (3) A licensee or certificate holder is exempt who, for a period of time exceeding 120 consecutive days, serves honorably on active duty in the military services where such activity restricts participation in a continuing education program.

### COMITY

Continuing education requirements may be met without completing the entire renewal form if an individual is licensed or certified in another state, province, or district which is listed by the Minnesota board as having continuing education requirements acceptable to the Minnesota board and the licensee or certificate holder certifies in the appropriate section that all continuing education and licensing or certification requirements for that state, province, or district have been met. The licensee or certificate holder must still maintain complete records.

### FORMS

A renewal application must include a completed continuing education form as specified by the board outlining professional development hours claimed. The licensee or certificate holder must supply sufficient detail on the form to permit audit verification, must sign the continuing education form certifying completion of the requirements, and must submit the form with the renewal application and fee in section 326.105.

### REPORTS AND RECORDS

The licensee or certificate holder shall maintain a file in which records of courses and activities are kept, including dates, subjects, duration of programs, sponsoring organization, professional development hours earned, registration receipts where appropriate, and other pertinent documentation, for a period of two years after submission to the board. This information may be required to be produced by licensees or certificate holders. The board may require a licensee or certificate holder to produce this information in connection with verification of a renewal application, a random audit conducted by the board, or upon receipt of a complaint alleging noncompliance on the part of a licensee or certificate holder.

### NONCOMPLIANCE

A licensee or certificate holder who does not satisfy the continuing education requirements for licensure or certification renewal shall be placed on probationary status and shall be promptly notified of that fact. The licensee or certificate holder has 180 days after notification to substantiate the original claim or to earn other 6.5 professional development hours to meet the minimum requirement. If the deficiencies are not made up within the specified period of time, the individual's licensure or certification shall be suspended. Professional development hours earned within the probation period and applied to current renewal may not be applied to the requirements for the following biennial renewal. An individual who applies for license or certification renewal after the biennial renewal period has lapsed and has not satisfied the continuing education requirements shall be notified of that fact. The licensee or certificate holder shall have 180 days after notification to substantiate the original claim or to earn other professional development hours to meet the minimum requirement. If the deficiencies are not

<http://www.aelslagid.state.mn.us/conted.html>

05/12/2000

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10/3/03  
Date

made up within the specified period of time, the individual's licensure or certification shall be suspended.

### **REINSTATEMENT**

A person who wishes to reinstate a lapsed license or certificate of one year or more must satisfy one-half the biennium requirement multiplied by the number of years of lapsed status. The minimum continuing education requirement is one-half the biennium requirement. The maximum continuing education requirement is equal to the biennium requirement. The requirement shall be satisfied with continuing education acquired within the period of the lapse, not to exceed four years, prior to reinstatement.

About the Board Board Members Staff Members Licensing Applications/Exam Dates Meetings The Communicator Statutes Rules Enforcement/Complaints Roster of Licensees Continuing Education Professional Societies National Councils State Boards

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MINNESOTA

## Continuing Education Assessment Form

Program/Activity: \_\_\_\_\_

Date: \_\_\_\_\_ Professional Development Hours: \_\_\_\_\_

This worksheet is intended for use by individuals and sponsors of continuing education courses. The Board of AELSLAGID does NOT pre-approve courses. This form is intended for self-examination to determine if PDHs may be claimed for an activity. A copy of this form, completed by the course sponsor, may be provided to participants should the sponsor desire to do so.

1. Does this activity provide information that directly benefits the health, safety, and welfare of the public? How so? \_\_\_\_\_

2. Is there a clear purpose and objective that will maintain, improve, or expand your skills and knowledge obtained prior to initial licensure or certification or develop new and relevant skills and knowledge? What is it? \_\_\_\_\_

3. Is the content of the presentation well organized and presented in a sequential manner? Explain. \_\_\_\_\_

4. Is there evidence of pre-planning and is there an opportunity for input from the target audience? Explain. \_\_\_\_\_

5. Is the presentation made by persons who are well qualified? Who is the presenter? How are they qualified (education/experience, etc.)? \_\_\_\_\_

6. Is there documentation of your participation in the activity? What is it? (Keep for your records). \_\_\_\_\_

You must accurately answer all of the above questions. If your answer to any of the questions is no, this activity may not qualify for professional development hours.

\* Keep this form for your records. DO NOT submit it to the Board of AELSLAGID.

Rev. 8/2000

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**Detailed Listing of Activities - Professional Development Hours earned from August 1, 1999 - June 30, 2002.**

**Please fill out and return this form. DO NOT send any additional documentation of continuing education activities at this time. If supporting documentation is required, you will be contacted by mail.**

[illegible]

**Program Codes:**

1. Completing or auditing college-sponsored courses;
2. Completing self-study college or non-college sponsored courses presented by correspondence, Internet, television, video or audio, ending with examination or other verification processes;
3. Participation in seminars, tutorials, televised or videotaped courses, or short courses;
4. Attending self-sponsored and prepared in-house educational programs;
5. Completing a study tour with a structured program resulting in a written or visual presentation by the licensee or certificate holder;
6. Presenting or instructing qualifying courses or seminars. PDHs may be earned for preparation time for the initial presentation.

TOTAL PDH:

7. Authoring published papers, articles, or books. PDHs earned may equal preparation time spent, may be claimed only following publication, and shall be given for authorship or presentation, but not for both;
8. Participating in professional examination grading or writing. A maximum of 5 PDH per biennium may be applied from this source;
9. Providing professional service to the public which draws upon the licensee's or certificate holder's professional expertise on boards, commissions, and committees such as planning commissions, building code advisory boards, urban renewal boards, or non-work-related volunteer service. A maximum of 10 PDH per biennium may be applied from this source; and
10. Patents, after they are granted, for a credit of 10 PDH.

**I, the undersigned, acknowledge that this information is true and correct.**

**\*\* Professional Development Hour (PDH) = 50 minute contact hour**  
**\*\* Copy and attach page for additional activities.**

**Original signature required**

Date completed

License/Certificate Number

Operator's Signature

La Costa Rickford  
Operator's Signature

Date \_\_\_\_\_

## Continuing Education Record Checklist

According to MN Statute 326.107 Subdivision 7, licensees and certificate holders shall maintain a file in which records of courses and activities are kept. The record for each activity should include the following information:

- \_\_\_ Dates
- \_\_\_ Subjects
- \_\_\_ Duration of programs
- \_\_\_ Sponsoring organization
- \_\_\_ Professional development hours earned
- \_\_\_ Registration receipts (where appropriate)
- \_\_\_ Other pertinent documentation (agendas, handouts, etc.)

This information shall be kept for a period of two years after submission to the Board and may be requested of individual licensees or certificate holders in connection with verification of a renewal application, a random audit conducted by the Board, or upon receipt of a complaint alleging noncompliance on the part of a licensee or certificate holder.

If you have any questions about continuing education documentation, please contact the Board office at 651-296-2388.

Rev. 8/2000

31.

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Operator's Signature

Lu Costa Rickford

Date

10/3/03

**REQUEST FOR CONTINUING EDUCATION EXEMPTION**

According to MN Statute §326.107 Subd. 4, a licensee or certificate holder who, for a period of time exceeding 120 consecutive days, serves honorably on active duty in the military services where such activity restricts participation in a continuing education program; or who has experienced during the biennial renewal a serious illness, injury, or other extenuating circumstances as reviewed and approved by the Board is exempt from the continuing education requirements.

Please attach any supporting documentation to your request to aid the Board in its decision. Requests must be received prior to the end of the biennial renewal period.

A new licensee or certificate holder is exempt for the individual's first biennial renewal and need NOT submit this form.

Name \_\_\_\_\_ Date of Request \_\_\_\_\_

License or Certificate Number \_\_\_\_\_

Reason for exemption request \_\_\_\_\_

(FOR BOARD USE ONLY)

\_\_\_ Approved \_\_\_ Denied Date: \_\_\_\_\_

Reason: \_\_\_\_\_

Rev. 12/00

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Operator's Signature

*Lu Costa Rickford*

Date

*10/3/03*

IOWA

## New 193C IAC Chapter 7 – Effective January 1, 2002

### CHAPTER 7 PROFESSIONAL DEVELOPMENT

**193C - 7.1(542B, 272C) General statement.** Each licensee is required to meet the continuing education requirements of this chapter for professional development as a condition of licensure renewal.

**193C - 7.2(542B, 272C) Definitions.** As used in these rules, the following definitions apply:

"College or unit semester or quarter hour" means the unit of credit given for advanced technical and graduate courses from universities with programs accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc. or other related college course qualified in accordance with this chapter.

"Continuing education" means education obtained by a licensee in order to maintain, improve, or expand skills and knowledge obtained prior to initial licensure or to develop new and relevant skills and knowledge.

"Continuing education unit (CEU)" means the unit of credit customarily granted for continuing education courses. One continuing education unit is given for ten hours of class in an approved continuing education course.

"Course or activity" means any qualifying course or activity with a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee's field of practice.

"Professional development hour (PDH)" means a contact hour of instruction or presentation and is the common denominator for other units of credit.

**193C - 7.3(542B, 272C) Professional development hours.**

**7.3(1) PDH conversion.** The following chart illustrates the conversion from other units to PDH:

1 College or unit semester hour Credit for qualifying college or community college courses will be based upon course credit established by the college.	45 PDH
1 College or unit quarter hour Credit for qualifying college or community college courses will be based upon course credit established by the college.	30 PDH
1 Continuing Education Unit	10 PDH
1 Hour attendance in a class, course, seminar, or professional or technical presentation made at a meeting, convention or conference. Credit for qualifying seminars and workshops will be based on one PDH unit for each hour of attendance. Attendance at qualifying programs presented at professional or technical society meetings will earn PDH units for the actual time of each program.	1 PDH per hour
Teaching of a class, course, seminar, or a professional or technical presentation	2 PDH per hour
a. Teaching credit is valid for teaching a course or seminar for the first time only. b. Teaching credit does not apply to full-time faculty.	
Each published paper, article, or book Credit for published material is earned in the biennium of publication.	10 PDH
Active participation in a professional or technical society. Credit for active participation in professional and technical societies is limited to 2 PDH per renewal per organization and requires that a licensee serve as an officer or actively participate in a committee of the organization. PDH credits are earned for a minimum of one year's service.	2 PDH per organization per renewal period
Each patent Credit for patents is earned in the biennium the patent is issued.	10 PDH

**7.3(2) Determination of credit.** The board has final authority with respect to approval of courses, credit, PDH value for courses, and other methods of earning credit.

**193C – 7.4(542B, 272C) Professional development guidelines.** Continuing education activities that satisfy the professional development criteria are those that relate to engineering or land surveying practice or management. It is recognized that an engineer's specialized skills must have as their foundation a fundamental knowledge of chemistry, physics, mathematics, graphics, computations, communication, and humanities and social sciences. However, continuing education in the fundamentals alone will not be sufficient to maintain, improve, or expand engineering skills and knowledge. For that reason, licensees will be limited in their use of fundamental courses in proportion to ABET criteria for accreditation of engineering curricula. Continuing education activities are classified as:

**7.4(1) Group 1 activities.** Group 1 activities are intended to maintain, improve, or expand skills and knowledge obtained prior to initial licensure. The following chart illustrates the maximum PDH allowable per renewal period for Group 1 activities:

Type of course/activity	Number of PDH allowed per renewal period
Mathematics and basic sciences Math beyond Trigonometry Basic sciences: Chemistry, Physics, Life sciences, Earth sciences	10 PDH
Engineering sciences Mechanics, Thermodynamics, Electrical and electrical circuits, Materials science, *Computer science *Courses in computer science will generally be considered a part of the Engineering Sciences category in the ABET criterion and, therefore, limited to a maximum of 10 PDH per renewal period.	10 PDH
Humanities and social sciences Philosophy, Religion, History, Literature, Fine arts, Sociology, Psychology, Political science, Anthropology, Economics, Foreign languages, Professional ethics, Social responsibility	5 PDH
Engineering curriculum courses Accounting, Industrial management, Finance, Personnel administration, Engineering economy, English, Speech, *Computer applications *Courses in CAD and fundamental computer applications will generally not be applicable in either Group 1 or Group 2 activities. The computer is viewed as a tool available to the engineer or land surveyor, much as a pencil or hand-held calculator is a tool. Only computer courses that have the solution of engineering or land surveying problems as a purpose will be considered acceptable. An example of this might be a course that trains an engineer in the utilization of a specific software package to perform structural analysis. The concept of the computer as a tool does not apply to a computer engineer.	10 PDH

**7.4(2) Group 2 activities.** Group 2 activities are intended to develop new and relevant skills and knowledge. Credit for participation in activities in the group is unlimited, subject to maximum carryover. Typical areas include postgraduate level engineering science or design, new technology, environmental regulation and courses in management of engineering or land surveying activity (regular work duties do not qualify).

**7.4(3) Independent Study.** Independent study with no real time interaction between the provider and the licensee may be accepted by the board when:

- A written evaluation process is completed by the independent study provider; and
- A certificate of satisfactory completion is issued by the provider; and
- Evaluation assessment is issued to the licensee by the provider; and
- Documentation supporting such independent studies is maintained by the licensee and provided to the board as required by subrule 7.8(2).

A maximum of six professional development hours of independent study activity will be allowed per biennium per licensee.

**7.4(4) Exclusions.** Types of continuing education activities which will be excluded from allowable continuing education are those in which it is not evident that the activity relates directly to the licensee's practice of professional engineering or land surveying or the management of the business concerns of the licensee's practice, or which do not comply with the board's administrative rules. Activities that do not qualify as continuing education are as follows:

- Regular employment;
- Toastmasters club meetings;
- Service club meetings or activities;
- Personal estate planning;
- Banquet speeches unrelated to engineering;
- Professional society business meeting portions of technical seminars;
- Financial planning/Investment seminars;
- Foreign travel not related to engineering study abroad;
- Personal self-improvement courses;
- Real estate licensing courses;
- Stress management;
- Trade shows;
- Peer review;
- Accreditation review.

**193C - 7.5(542B, 272C) Biennial requirement.** The biennial requirement must be satisfied during the biennium prior to licensure renewal except for the carryover permitted.

**7.5(1)** The continuing education requirement for biennial licensure renewal is 30 professional development hours for an active licensee in engineering or land surveying. The number of professional development hours that may be carried forward into the next biennium shall not exceed 15.

**7.5(2)** Inactive licensees are exempt from the continuing education requirements.

**7.5(3)** Continuing education requirements for licensure in more than one engineering branch are the same as for licensure in a single branch of engineering.

**7.5(4)** The continuing education requirement for biennial licensure renewal for an individual who is active in both engineering and land surveying is 20 professional development hours in engineering and 20 professional development hours in land surveying. The number of professional development hours that may be carried forward into the next biennium shall not exceed 10 hours for each profession.

**7.5(5)** A licensee who is active in one profession and inactive in another shall meet the continuing education requirements for licensure in the profession in which active licensure is maintained.

**7.5(6)** A new licensee shall satisfy one-half the biennial continuing education requirement at the first renewal following initial licensure.

**193C - 7.6(542B, 272C) Exemptions.** The continuing education requirements may be reduced in proportion to the following:

1. Periods of time exceeding 120 consecutive days that the licensee serves honorably on active duty in the military services.
2. Periods of time that the licensee is licensed in another state or district having continuing education requirements for professional engineering or land surveying equal to or more stringent than the requirements of these rules and meets all requirements of that state or district for practice therein.



3. Periods of time exceeding 120 consecutive days that the licensee is an employee working as a professional engineer or land surveyor and assigned to duty outside the United States of America.

**193C - 7.7(542B, 272C) Hardships or extenuating circumstances.** The board may, in individual cases involving hardship or extenuating circumstances, grant waivers of the continuing education requirements for a period of time not to exceed one year. No waiver or extension of time shall be granted unless the licensee makes a written request to the board for such action.

**193C - 7.8(542B, 272C) Reports, records, and compliance review.** At the time of application for license renewal, each licensee shall report, on a form provided by the board, the number of professional development hours achieved during the preceding biennium.

**7.8(1) Record keeping.** Maintaining records to be used to support professional development hours claimed is the responsibility of the licensee. It is recommended that each licensee keep a log showing the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name, and PDH credits earned.

**7.8(2) Compliance Review.** The board may select licensees for review of compliance with continuing education requirements on a random basis or upon receiving information regarding noncompliance and shall review compliance with continuing education requirements for reinstatement of lapsed or inactive licenses. For each professional development hour claimed, licensees chosen for compliance review shall furnish:

- a. Proof of attendance. Attendance verification records in the form of completion certificates, or other documents supporting evidence of attendance;
- b. Verification of the hours claimed; and
- c. Information about the course content.

**7.8(3) Compliance Review Sanctions.** Any discrepancy between the number of PDHs reported and the number of PDHs actually supported by documentation may result in a disciplinary review.

**7.8(4) Out-of-state residents.** A person licensed to practice engineering or land surveying in Iowa shall be deemed to have complied with the continuing education requirement of this state during the periods that the person is a resident of another state or district which has a continuing education requirement for engineers or land surveyors and the individual meets all requirements of that state or district for practice therein. However, if selected for compliance review, such individuals must provide documentation as specified in 7.8(2).

These rules are intended to implement Iowa Code sections 272C.2, 272C.3, 542B.6, and 542B.18.

✓

Previously reported	PDH
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*Texas*

Operator's Signature La Costa Rickford

10/3/03  
Date

## Review Information

Bill Number 1256  
 LC Number 30500.0100  
 Click for Bill Text  
 Agency Engineers and Land Surveyors State Board of  
 Registration for Professional  
 Authorized Editors

## FISCAL NOTE

Requested by Legislative Council  
 01/14/2003

Bill/Resolution No.: HB 1256  
 Amendment to:

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$42,307	\$0	\$42,307
Expenditures	\$0	\$0	\$0	\$45,307	\$0	\$45,307
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Any fiscal impact due to HB 1256 will affect only the North Dakota State Board of Registration for Professional Engineers and Land Surveyors. The ND State Board of

Registration operates on revenues collected from registered professional engineers and registered land surveyors and does not receive any General Fund monies.

Section 1. of HB 1256, which is a proposal to create a new subsection allowing for a retired status of licensure, will result in a decrease in expected revenues. It is anticipated that the registration fee for a retired status of license will be significantly less than an active license. However, this will impact on a small number of license holders and the overall effect on the total Board revenues will be minimal.

Section 2. of HB 1256, which is an amendment to the existing engineering registration laws, will have no fiscal impact.

Section 3. of HB 1256, which is a new subsection to the existing engineering registration laws, will have no fiscal impact.

Section 4. of HB 1256, which is a new subsection to the existing engineering registration laws, will have no fiscal impact.

Section 5. of HB 1256, which is a new section to the engineering registration laws, will have a fiscal impact on both revenues and expenditures. The Board is anticipating that a fee appropriate only to cover costs will be assessed.

Therefore, the overall effect on the Board's current operating funds will be minimal.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Section 1. of HB 1256 will affect approximately 75 registrants each biennium. The Board is anticipating a retired status registration fee of \$40.00 per biennium, or \$20.00 a year. This will affect revenues by an approximate reduction of \$3,000.00 per biennium.

Section 5. of HB 1256 will have both expenditures and revenues associated with it. The Board anticipates the cost to develop forms, administer, and audit continuing education for its 2,589 registrants will be approximately \$15.00 to \$20.00 per registrant per biennium. This figure is based on costs currently incurred by licensing boards both in North Dakota and in other jurisdictions who administer continuing education programs. Because the Board will assess only its direct costs, the revenues and costs will be the same. The total fiscal impact for both revenues and expenditures will be \$38,835.00 to \$51,780.00 per biennium.

The above revenues and expenditures affect only the North Dakota State Board of Registration for Professional Engineers and Land Surveyors and will not affect the General Fund and none of these amounts are included in the executive budget.

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Section 5. of HB 1256 will have estimated expenditures of \$38,835.00 to \$51,780.00 per biennium. These expenditures affect only the North Dakota State Board of Registration for Professional Engineers and Land Surveyors. No FTE positions will be affected.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The State Board of Registration does not receive any general fund monies nor is its budget contained in the executive budget.

**Name:** Candle Robinson      **Agency:** North Dakota State Board of Registration for Professional Engineers and Land Surveyors  
**Phone Number:** 701-258-0786      **Date Prepared:** 01/16/2003

**ATTACHMENTS**

<https://nodak04.state.nd.us/ndlc/lrfnotes.nsf/FNWeb/F4DA02231E4E676E86256CAE003> 1/16/2003

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LaCosta Rickford  
Operator's Signature

10/3/03  
Date



## North Dakota State Board of Registration for Professional Engineers and Land Surveyors

721 West Memorial Highway • P.O. Box 1357 • Bismarck, ND 58502  
701-258-0786 • FAX 701-258-7471

### Proposed Revision to the North Dakota Century Code Chapter 43-19.1

#### Engineer Registration Changes

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is planning to have legislation introduced during the 58<sup>th</sup> session of the North Dakota Legislature to add a new method of registration for professional engineers and to delete one of the existing professional engineer registration methods. The new registration requirement would apply to individuals who possess an engineering related baccalaureate degree and establish new experience requirements for the new category. The legislation would delete the registration method by which an individual who does not possess an engineering or engineering related baccalaureate degree could become registered. A grandfather clause would be created to allow individuals who made application with the State Board of Registration and are in the process of taking the necessary examinations.

#### Pertaining to the current statute:

- Engineering registration is based on three areas of competency: education, engineering experience and examination. These proposed changes are in the area of engineering education requirements.
- Under existing requirements, an individual who has an engineering related baccalaureate degree has the same experience requirement as an individual who does not possess a similar degree. North Dakota is one of six states that continue to allow non engineering degree holders to become registered as professional engineers.
- Of the states surrounding North Dakota, only South Dakota has a provision which allows an individual who does not possess an engineering or engineering related baccalaureate degree to become registered as a professional engineer. However this will change in 2004 at which time an engineering degree will be required for professional engineer registration in South Dakota.

#### Pertaining to the proposed changes:

- Nationally, there is a strong trend toward increased educational requirements for engineers.
- This legislation would establish a minimum educational requirement through elimination of the no degree registration method.
- A mechanism would be created for those non-degree holder individuals, who are presently working toward professional engineer registration, to register with the State Board of Registration.
- This legislation allows for a more equitable treatment of individuals who possess an engineering related baccalaureate degree such as construction management and engineering technology degrees. Under the proposed changes these degrees would allow the individual to take the Fundamentals of Engineering (FE) examination after gaining six years of experience make them eligible to take the Principles & Practice of Engineering (PE) examination after twelve years of engineering experience.
- This legislation would reduce this individual's total experience + education time from twenty-four years to sixteen years before becoming registered.
- Individuals who do not hold a four-year degree will have until July 1, 2004 to obtain an engineer-in-training certificate. After that, they will be able to complete the required experience to take the PE exam.

The proposed registration requirement changes would result in raising the minimum educational requirements for professional engineer registration and support a national trend of increased engineering educational requirements. It will make engineer education requirements more consistent with other professions in North Dakota which have adopted formal educational requirements and eliminated non-degree professional qualifications and registrations. The proposed legislation would not "shut the door" on any non engineering degree individual who does not possess an engineering or engineering related degree to become registered as a professional engineer as long as would inform the State Board of his intention.

November 26, 2002

La Costa Rickford  
Operator's Signature

10/2/03  
Date



## North Dakota State Board of Registration for Professional Engineers and Land Surveyors

721 West Memorial Highway • P.O. Box 1357 • Bismarck, ND 58502  
701-258-0786 • FAX 701-258-7471

### Proposed Revision to the North Dakota Century Code Chapter 43-19.1

#### Continuing Education

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is planning to have legislation introduced during the 58<sup>th</sup> session of the North Dakota Legislature *to enable the State Board of Registration to implement a plan for continuing education requirements for professional engineers and registered land surveyors*. The plan will be developed by the State Board through consultation and input from engineers and land surveyors and from their respective professional societies. In accordance with Administrative Rules promulgation procedures, public hearings will be scheduled where testimony and suggestions for the plans will be collected. This information will be used by the State Board in formulating the plan. In addition to publicly mandated hearings, the State Board will endeavor to hold frequent meetings with professional societies for the collection of information and comments. The State Board will also review continuing education plans from other states and jurisdictions.

- Continuing professional education is necessary to remain technically proficient with new technology and information.
- It encourages the registrant to pursue a program of life-long learning and professional development
- In North Dakota, continuing education is required of lawyers, doctors and members of other technical professions.
- Continuing education is necessary to stay abreast of past, present and future advancements in the engineering and surveying fields
- Continuing education promotes the exchange of new ideas and better ways of doing business.
- Continuing education allows engineers and surveyors the opportunity to broaden their resource base when problems or questions arise
- Continuing education gives our public the assurance that engineers and surveyors are the best trained and are current with present technologies and business practices
- Over half of the states have mandatory continuing education requirements for engineers and land surveyors.
- The states of Montana, Minnesota and South Dakota have mandatory continuing education programs for engineers and land surveyors.
- A majority of the engineers and land surveyors registered in North Dakota with North Dakota addresses are registered in other states, especially those states which surround North Dakota and are likely to already have a continuing education requirement.
- In-state resources and Internet sources are available for the registrant seeking continuing education credits and will help to keep continuing education costs at a low level.
- The State Board's continuing education plan will be similar to engineer/surveyor continuing education plans in other states to allow for ease of compliance, reporting and uniform recognition of credits.

The North Dakota Board of Registration believes that a continuing education program based upon realistic and relevant professional development subject matter and unobtrusive registrant compliance requirements will result in the strengthening of the engineering and land surveying professions and increase registrant technical knowledge which has as its ultimate result - quality service to the public.

November 26, 2002

Lu Costa Rickford  
Operator's Signature

10/2/03  
Date



## North Dakota State Board of Registration for Professional Engineers and Land Surveyors

721 West Memorial Highway • P.O. Box 1357 • Bismarck, ND 58502  
701-258-0786 • FAX 701-258-7471

### Proposed Revision to the North Dakota Century Code Chapter 43-19.1

#### Retired Status Licensure

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is seeking to have legislation introduced during the 58<sup>th</sup> session of the North Dakota Legislature to *create a retired status of professional licensure*. Current status of licensure is limited to active or lapsed. The Board's basis for this action is:

- Professional Engineers and Professional Land Surveyors have earned their respective titles through long years of education, testing, and diligent practice.
- Current licensure laws allow the use of these titles only for active practice.
- A retired-status license would allow for the use of the earned titles, Professional Engineer and/or Professional Land Surveyor, and acknowledges long years of service to the profession.
- A retired-status license can be reinstated to active practice if desired.
- Implementing a retired status of licensure brings North Dakota law more in line with current national norms.
- Retired status does not allow any active practice.
- Active status allows a registrant to earn income to cover license costs but retired status does not, therefore retired status licensure fees will be reduced.
- Continuing education requirements (if enacted) will be waived while on retired status.

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors believes this bill will correct a current inequity in North Dakota's registration laws. Please lend this proposed bill your full consideration.

November 26, 2002

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10/2/03  
Date



Attachment 2

1256

January 27, 2008

Representative George J. Keiser Chairman  
Business and Labor Committee  
Members of the Committee, Ladies and Gentlemen.

Thank you for revisiting the topic of Continued Education for Engineers and Land surveyors. I thank you for your recommendations of Do-Not-Pass two years ago.

Today I would request that you look favorably on this proposed legislation. I do so because this proposed legislation embodies those principals that will enable the Registration Board to professionally address Continuing Education by adoption, through the Administrative Rules Process. This process is well defined by administrative procedures and should adequately assure the public that meaningful regulation will result.

Two years ago the proposed legislation embodied items that were inconsistent, non-determinant or failed to provide meaningful protection to the public.

1. That proposal continued to make available registration for candidates without a formal education in Engineering. This proposal sunsets the non-degree applicant for Engineer registration.
2. The former legislation did not in my opinion include a commitment by the State Board to monitor course content to assure appropriate standards for the program.
3. Availability of courses is much improved and their costs are much more reasonable today. We recognize that minimizing costs that must be born by the user of Engineering Services is an important consideration.

HB-1256 addresses Engineers and Land Surveyors I would restrict my remarks to the Engineering references within the proposed legislation.

**Current Proposal:**

1. Provides for a sunset for non-degreed Engineering applicants which is consistent philosophically with the proposal for continued education.
2. Provides a process for senior Engineers to select "Retired Status" and return to active practice if desired.

Lu Costa Rickford  
Operator's Signature

10/3/03  
Date

Page 2

3. Section Five provides direction to the Board to administer an effective "continuing Education program". This is reassuring to me as I witnessed the early attempts at development of this process throughout the nation. During my travels with the National Council From Alaska to Puerto Rico and from Main to Guam during 1987 to 1989 it was abundantly obvious that:

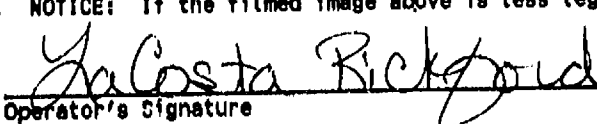
- a. A small number of Engineers (mostly retired) were looking at Continued Education as a lucrative source of income mandated by state law.
- b. That many Continued Education Courses were very expensive.
- c. Fulfilled requirements for Continued Education but were not applicable to the actual practice discipline of the Engineer.
- d. The public was not being protected.

Mr. Chairman, Members of the Committee, I ask for your concurrence on HB-1256

Respectfully Submitted

  
Dennis F. Meyer PE

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10/3/03  
Date

Attachment 3

3831 Kingston Drive  
Bismarck, ND 58503-8286

January 20, 2003

RE: H.B. 1256

Industry, Business and Labor Committee  
North Dakota House of Representatives  
Bismarck, North Dakota

Dear Chairman Keiser and Committee Members:

Before you, for your consideration, is a bill that will help the North Dakota Board of Registration for Professional Engineers and Land Surveyors (the Board) protect the public health, safety and welfare. My name is Kevin Nelson. I am a Professional Engineer and Land Surveyor Intern. I am in favor of this bill and I urge you to support it.

This bill addresses three issues pertaining to licensing and professional practice. First, it establishes a retired licensure status. Second, it simplifies the education and professional experience requirements for some individuals without an engineering degree. Third, it enables the Board to establish a continuing education plan.

By proving their competence and qualifications through education, experience and testing, Professional Engineers and Professional Land Surveyors have worked hard to earn their professional titles. Use of these titles confers prestige and pride. Current licensing law only allows use of the titles with paying full registration fees to maintain an "active" status. It does not allow retired professionals to retain their titles at reduced fees. In retirement, these professionals are not earning income from their licenses. Although they are not actively practicing their respective professions, they ought to be able to retain the use of their titles, for a reduced fee. With a "Retired Status," requirements for maintaining an "active" license would be waived unless and until the retired registrant decided to return to active practice. This legislation will have a positive impact on dozens of current registrants and on many more professionals in the future. This legislation does not harm the profession and does not compromise the health, safety and welfare of the public.

North Dakota is one of a diminishing number of states that allow individuals without an engineering degree to become licensed as professional engineers. Currently, individuals with less than a high school education can seek licensure as a Professional Engineer by working 20 years and passing the two engineering exams. Experience, regardless of duration, cannot replace the knowledge gained from a technical college education. Ironically, individuals with baccalaureate degrees in technical, engineering-related fields (such as NDSU's construction management program) have the same experience requirements as individuals with high school diplomas or less. This is an inequity that unfairly treats these technically educated people the same as high school graduates that have no college education. This legislation improves the protection of the health, safety and welfare of the public by raising the minimum education requirements. It does this by eliminating the vehicle by which individuals with no formal, technical college education can get licensed as Professional Engineers. At the same time it simplifies the process by which individuals with formal college education in a technical, engineering-related field can get licensed, benefiting many people in North Dakota.

Engineering has been around about as long as civilization itself. While the basic principles of engineering are tried and true and remain basically unchanged, the body of knowledge that comprises the practice of those basic engineering principles is dynamic and ever changing. This body of knowledge is changing and growing at an increasing rate; a rate that was previously inconceivable. The engineering profession is undergoing significant, rapid, and revolutionary changes that continually increase the body of knowledge required of individuals in the profession. These changes include the following:

Kevin Nelson  
Operator's Signature

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January 24, 2003

- ✓ Information technology has made, and continues to make, more information available; however, the analysis and application of this information is becoming more challenging.
- ✓ The diversity of society in general is challenging our traditional views and our traditional people skills, requiring new ways of solving traditional and non-traditional problems.
- ✓ New technologies in engineering are emerging at an accelerating rate, not just in the tools used to solve the problems but also in the generation and creation of the problems.
- ✓ Infrastructure systems within the state and within the country are rapidly changing from decades of development and operation to the renewal, maintenance and improvement of these systems.

These changes have created a market requiring engineers to have simultaneously greater breadth of capability and specialized technical competence than that required of previous generations. In order to stay current in this body of knowledge, engineers and land surveyors must dedicate themselves to a commitment of life-long learning that includes a regular continuing education program. Only through continuing our education can we, as today's professionals, uphold the high standards of professional competence established by our predecessors. Whereas the physics, science and math of engineering is, for the most part, the same as it was a century ago, the application of many of those principles is not that same as it was even forty years ago; the advent of stronger plastics, new metal alloys, digital technology, the information age, space travel, nanotechnology, "intelligent" fabrics, "smart" transportation systems, robotic aircraft, heightened security since 9-11, and the list goes on. Do not let anyone fool you - engineering has changed. Engineering is changing. To not keep current on new technologies, new practices and the dynamic profession of engineering means that one is, perhaps, not competent to practice engineering.

Not only has engineering changed, but clients' needs and expectations have changed. More often than ever, clients are looking for ways to rely less on non-renewable resources, and disregarding environmental impacts of projects. This is compounded by problems stemming from a growing global population; obtaining resources, using resources, handling waste from the use of the resources, and disposing of by-products of using the resources.

I agree with the premise that twenty years ago, when I was in college, I needed education to become an engineer. However, to think that my baccalaureate degree was or is sufficient to get me through my life without any further training our learning would have been, and would still be, very short sighted and unrealistic. To suggest that twenty years ago I needed education but today I do not would be very self-serving, egotistical and naïve. That technical education was only the beginning. My college education taught me how to become an engineer, not how to be a competent, professional engineer.

Competence is not only a measure of how well a professional knows the technical aspects of the profession; it is also a measure of how well a professional knows how to apply that technical knowledge. It comes in many forms and can be measured in a variety of ways. It can be technical competence or professional competence. No matter what form it takes, competence is the main ingredient for protecting the public health, safety and welfare. Competent practice of professional engineering requires the following three core areas:

- ✓ Obtaining a body of specialized knowledge - a four-year engineering or engineering-related college degree,
- ✓ Practical technical and professional experience,
- ✓ Continued technical and professional growth through practice and education.

As can be seen by the above list, continuing education is one method of maintaining competence. Compliance with continuing education is one process to measure competence. Other methods exist, such as peer review. These other methods are not without their flaws, though, but perhaps they could

LuCosta Rickford  
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be incorporated in conjunction with continuing education. That, however, is outside the scope of this bill.

As licensed professional engineers and land surveyors in North Dakota, we have all taken an oath to "place service before profit, the honor and standing of the profession before personal advantage, and the public welfare above all other considerations." This is a tall order for individuals who do not continue their education and, therefore, do not maintain their competence. Good, competent and truly professional engineers and land surveyors are already committed to a continuing education program, whether required to do so or not. This legislation is not intended to adversely affect their professional lives. It will, however, require the marginal and the sub-marginal registrants to work at improving their professional and technical competence through continuing education. It is, after all, the marginal and sub-marginal registrants that create the greatest concern about jeopardizing the health, safety and welfare of the public we serve.

In discussing the topic of continuing education with colleagues, the most common statement expressed by individuals who are opposed to this proposed legislation is that they are not opposed to continuing education; they just do not want it to be mandatory. This statement begs several questions:

- ✓ Why does making it "mandatory" somehow change the importance of continuing education?
- ✓ Why are they so reluctant to have continuing education required to maintain their licenses? Might it actually be that these registrants are, in fact, not continuing their education?
- ✓ If they are truly participating in continuing education, why are they reluctant to provide documentation about it? What are they worried about?

In fact, many of the opponents to this bill stated that they believe most engineers and surveyors are already doing continuing education. If this claim is true, then this bill will merely have the effect of requiring them to submit documentation about their continuing education. Again, the only registrants that this will truly burden are the marginal and sub-marginal ones. Is that bad? Is it undesirable to improve the competence of these individuals? Is it objectionable to raise the level of competent professional practice in our state?

Another frequent comment made by opponents to continuing education is that continuing education opportunities do not exist in North Dakota. This is simply not true. Part of the confusion stems from a too narrow view of "continuing education." Many of these opponents apparently think that continuing education has to be in their technical field of practice. Actually, most jurisdictions accept the following professional topics as continuing education:

- ✓ Ethics and ethics-related issues,
- ✓ Project management,
- ✓ Professional communications,
- ✓ Risk management,
- ✓ Leadership training,
- ✓ Etc.

Each of these topics, and more, have been offered here in North Dakota recently, requiring minimal travel, minimal expense and utilizing North Dakota talent. Other, nontraditional opportunities also exist. These include online training, video training and the like. In addition, other opportunities are currently being investigated and developed here in state.

Lu Costa Rickford  
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In summary, establishing a retired status have no negative effect on the professions of engineering and land surveying and will not jeopardize the health, safety and welfare of the people of North Dakota. Changing the registration requirements for individuals without an engineering degree, by raising the minimum education requirements will not only benefit dozens of technically educated and trained citizens of North Dakota, it will also help to improve the protection of the health safety and welfare of the public we serve. In the least, enabling the Board of Registration for Professional Engineers and Land Surveyors to establish a continuing education plan will not be detrimental to the professions of engineering and land surveying and will not degrade the protection of the health, safety and welfare of people of North Dakota. At best, it will improve the level of competence in our two professions, thereby improving the protection of the health, safety and welfare of our public.

Thank you for considering my testimony on House Bill 1256. I strongly encourage you to give the bill a "Do Pass" recommendation.

Sincerely,

*Kevin G. Nelson*

Er. Kevin G. Nelson, P.E./L.S.I.

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*Lu Costa Rickford*  
Operator's Signature

*10/3/03*  
Date



## North Dakota Society of Professional Engineers

A State Society of the  
National Society of Professional Engineers

Er. Kevin G. Nelson, P.E./L.S.I.  
Secretary/Treasurer

### NDSPE Resolution No. 02-01

#### Whereas:

The object of the North Dakota Society of Professional Engineers "... shall be the advancement of the profession of engineering in the State of North Dakota ... This shall be deemed to include the following:

- a. Protection of the public welfare by encouraging all qualified engineers to seek legal status through registration.
- b. Uniting all professional engineers of the state in one organization.
- c. Advancement of the professional, social, and economic interests of the professional engineer.
- d. Advancement and protection of the interests of the engineer intern.
- e. Promotion of high standards of engineering education.
- f. Representation for the professional engineer in legislative matters affecting the profession..."

and,

#### Whereas:

The North Dakota Society of Professional Engineers is a duly authorized, affiliated society of the National Society of Professional Engineers, whose policies are to serve as policies for the affiliated state societies, and,

#### Whereas:

In January 1994, the National Society of Professional Engineers Board of Directors revised the Society's professional policy on Continuing Professional Competency (continuing education) to recommend the mandatory demonstration of Continuing Professional Competency for engineers and land surveyors, and,

#### Whereas:

Professional Engineers licensed in the state of North Dakota have sworn to, and are bound by a Code of Ethics (Administrative Code Title 28-03.1-01) which includes "... safeguard[ing] the life, health, property, and public welfare of the citizens of North Dakota ...," (Title 28-03.-01-01) and,

#### Whereas:

The North Dakota Society of Professional Engineers recognizes the importance of continuing education for Professional Engineers and Land Surveyors (NDSPE Resolution 00-01) licensed in North Dakota to effectively protect the life, health, property, safety, and public welfare of the citizens of North Dakota, and,

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web: www.NDSPE.org

Jo Costa Rickford  
Operator's Signature

10/2/03  
Date

**NDSPE Resolution 02-01**

**Whereas:**

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is proposing to introduce legislation that would enable the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to adopt continuing education requirements.

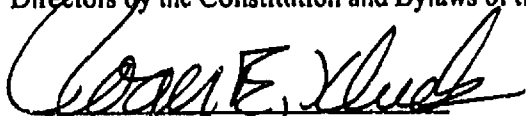
**Now, therefore, let it be resolved that:**

The Board of Directors for the North Dakota Society of Professional Engineers supports the North Dakota State Board of Registration for Professional Engineers and Land Surveyors with introducing legislation that will enable the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to adopt continuing education requirements for Professional Engineers and Land Surveyors licensed in North Dakota, and,


**Be it finally resolved that:**

The Board of Directors for the North Dakota Society of Professional Engineers encourages the four chapters of the Society to adopt similar resolutions in support of proposed "enabling" legislation pertaining to continuing education.

This resolution is signed by the Society President, who is acting on behalf of, with the permission of and at the direction of the Board of Directors for the North Dakota Society of Professional Engineers, which is acting in the interests of the Society membership, within the powers vested in the Board of Directors by the Constitution and Bylaws of the North Dakota Society of Professional Engineers.

  
NDSPE President

11-17-02  
Date

  
Operator's Signature

10/3/03  
Date





## North Dakota Society of Professional Engineers

A State Society of the  
National Society of Professional Engineers

Er. Kevin G. Nelson, P.E./L.S.I.  
Secretary/Treasurer

### NDSPE Resolution No. 02-02

#### Whereas:

The object of the North Dakota Society of Professional Engineers "... shall be the advancement of the profession of engineering in the State of North Dakota ... This shall be deemed to include the following:

- a. Protection of the public welfare by encouraging all qualified engineers to seek legal status through registration.
- b. Uniting all professional engineers of the state in one organization.
- c. Advancement of the professional, social, and economic interests of the professional engineer ...
- f. Representation for the professional engineer in legislative matters affecting the profession ..."

and,

#### Whereas:

The North Dakota Society of Professional Engineers is a duly authorized, affiliated society of the National Society of Professional Engineers, whose policies are to serve as policies for the affiliated state societies, and,

#### Whereas:

The National Society of Professional Engineers seeks to preserve and protect the right of competent and qualified professionals to be licensed, and to maintain licensure, and,

#### Whereas:

Professional Engineers licensed in the state of North Dakota have demonstrated their qualifications and competency to obtain and maintain their licenses, and,

#### Whereas:

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is proposing to introduce legislation that would provide a "Retired Status" of professional licensure so that retired Professional Engineers and Land Surveyors, licensed in North Dakota can retain their licenses, titles and professional stature.

#### Now, therefore, let it be resolved that:

The Board of Directors for the North Dakota Society of Professional Engineers recognizes the importance of allowing retired professional engineers to retain the dignity and honor they have earned by becoming licensed professional engineers in North Dakota, and,

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Date

**NDSPE Resolution 02-02**

**Be it further resolved that:**

The Board of Directors for the North Dakota Society of Professional Engineers recognizes the importance of establishing a "Retired Status" of professional licensure for those professional engineers who have earned the dignity, honor and respect of colleagues through professional licensure and who have retired from active practice of engineering in North Dakota, and,

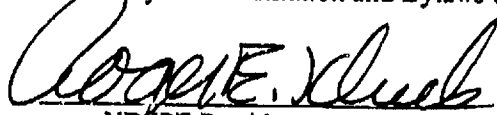
**Be it further resolved that:**

The Board of Directors for the North Dakota Society of Professional Engineers supports the North Dakota State Board of Registration for Professional Engineers and Land Surveyors with introducing legislation that will provide a "Retired Status" for Professional Engineers and Land Surveyors, licensed in North Dakota, and,

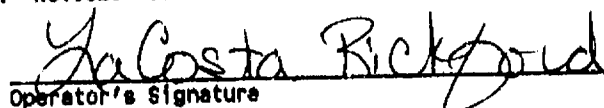
**Be it finally resolved that:**

The Board of Directors for the North Dakota Society of Professional Engineers encourages the four chapters of the Society to adopt similar resolutions in support of proposed establishing a "Retired Status" of professional licensure.

This resolution is signed by the Society President, who is acting on behalf of, with the permission of and at the direction of the Board of Directors for the North Dakota Society of Professional Engineers, which is acting in the interests of the Society membership, within the powers vested in the Board of Directors by the Constitution and Bylaws of the North Dakota Society of Professional Engineers.

  
NDSPE President

11-17-02  
Date

  
Operator's Signature

10/3/03  
Date



## North Dakota Society of Professional Engineers

A State Society of the  
National Society of Professional Engineers

Er. Kevin G. Nelson, P.E./L.S.I.  
Secretary/Treasurer

### NDSPE Resolution No. 02-03

#### Whereas:

The object of the North Dakota Society of Professional Engineers "... shall be the advancement of the profession of engineering in the State of North Dakota ... This shall be deemed to include the following:

- a. Protection of the public welfare by encouraging all qualified engineers to seek legal status through registration.
- b. Uniting all professional engineers of the state in one organization.
- c. Advancement of the professional, social, and economic interests of the professional engineer ...
- d. Representation for the professional engineer in legislative matters affecting the profession ... "

and,

#### Whereas:

The North Dakota Society of Professional Engineers is a duly authorized, affiliated society of the National Society of Professional Engineers, whose policies are to serve as policies for the affiliated state societies, and,

#### Whereas:

The National Society of Professional Engineers seeks to promote mobility of licensed engineers between states and foreign countries through common and unified licensure laws and requirements, and qualifications for practice, and,

#### Whereas:

The trend in engineering licensure in most states is to implement new rules governing licensing of individuals who have not received post-secondary education, and,

#### Whereas:

Comity/reciprocity and the flexibility of getting licensed in other states and foreign countries depends on North Dakota licensing requirements being similar to or more stringent than requirements of other jurisdictions, and,

#### Whereas:

The North Dakota Society of Professional Engineers acknowledges that a path of licensure currently exists in North Dakota licensure laws that allows individuals with no formal engineering education to become licensed, thereby potentially jeopardizing the life, health, property, safety, and public welfare of the citizens of North Dakota, and,

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**NDSPE Resolution 02-03**

**Who As:**

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is proposing to introduce legislation that would implement new rules governing the licensure track for individuals who have not earned a bachelors degree in an engineering or engineering equivalent program.

**Now, therefore, let it be resolved that:**

The North Dakota Society of Professional Engineers acknowledges herewith the importance of limiting licensure to only qualified professionals who have duly demonstrated their competent ability to effectively protect the life, health, property, safety, and public welfare of the citizens of North Dakota through a combination of education and experience, and,

**Be it further resolved that:**

The Board of Directors for the North Dakota Society of Professional Engineers recognizes the importance of possessing, as a minimum, a bachelors degree in engineering or related curriculum to effectively protect life, health, property, safety, and public welfare of the citizens of North Dakota, and,

**Be it further resolved that:**

The Board of Directors for the North Dakota Society of Professional Engineers supports the North Dakota State Board of Registration for Professional Engineers and Land Surveyors with introducing legislation that will allow licensure of engineers who have, as a minimum, a bachelors degree in a technical field other than engineering, with the following proviso's:

1. the degree is in a technical field, obtained from a program with a curriculum that is "substantially engineering,"
2. a sunset clause is attached to the legislation to implement new rules governing this licensure track after a fair and reasonable length of time,

and,

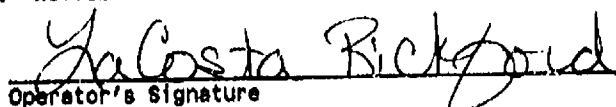
**Be it fully resolved that:**

The Board of Directors for the North Dakota Society of Professional Engineers encourages the four chapters of the Society to adopt similar resolutions in support of proposed legislation that will allow licensure of engineers who have, as a minimum, a bachelors degree in engineering or related curriculum.

This resolution is signed by the Society President, who is acting on behalf of, with the permission of and in the direction of the Board of Directors for the North Dakota Society of Professional Engineers, which is acting in the interests of the Society membership, within the powers vested in the Board of Directors by the Constitution and Bylaws of the North Dakota Society of Professional Engineers.

  
NDSPE President

11-17-02  
Date

  
Operator's Signature

10/2/02  
Date



## North Dakota Society of Professional Engineers

A State Society of the  
National Society of Professional Engineers

Er. Kevin G. Nelson, P.E./L.S.L.  
Secretary/Treasurer

### CHAPTER 2 NDSPE Resolution No. 02-01

#### Whereas:

The object of the North Dakota Society of Professional Engineers "... shall be the advancement of the profession of engineering in the State of North Dakota ... This shall be deemed to include the following:

- a. Protection of the public welfare by encouraging all qualified engineers to seek legal status through registration.
- b. Uniting all professional engineers of the state in one organization.
- c. Advancement of the professional, social, and economic interests of the professional engineer.
- d. Advancement and protection of the interests of the engineer intern.
- e. Promotion of high standards of engineering education.
- f. Representation for the professional engineer in legislative matters affecting the profession...

and,

#### Whereas:

Chapter 2 of the North Dakota Society of Professional Engineers is a duly authorized, affiliated society of the National Society of Professional Engineers, whose policies are to serve as policies for the affiliated state societies, and,

#### Whereas:

In January 1994, the National Society of Professional Engineers Board of Directors revised the Society's professional policy on Continuing Professional Competency (continuing education) to recommend the mandatory demonstration of Continuing Professional Competency for engineers and land surveyors, and,

#### Whereas:

Professional Engineers licensed in the state of North Dakota have sworn to, and are bound by a Code of Ethics (Administrative Code Title 28-03.1-01) which includes "... safeguard[ing] the life, health, property, and public welfare of the citizens of North Dakota ...," (Title 28-03.-01-01) and,

#### Whereas:

Chapter 2 of the North Dakota Society of Professional Engineers recognizes the importance of continuing education for Professional Engineers and Land Surveyors (Chapter 2 NDSPE Resolution 00-01) licensed in North Dakota to effectively protect the life, health, property, safety, and public welfare of the citizens of North Dakota, and,

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*Ja Costa Rickford*  
Operator's Signature

10/3/03  
Date

**NDSPE Resolution 02-01****Whereas:**

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is proposing to introduce legislation that would enable the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to adopt continuing education requirements.

**Now, therefore, let it be resolved that:**

Chapter 2 of the North Dakota Society of Professional Engineers supports the North Dakota State Board of Registration for Professional Engineers and Land Surveyors with introducing legislation that will enable the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to adopt continuing education requirements for Professional Engineers and Land Surveyors licensed in North Dakota, and,

**Be it finally resolved that:**

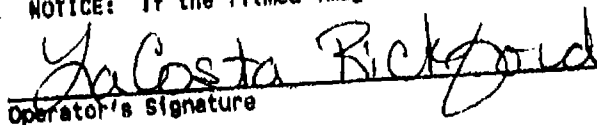
This resolution is signed by the Chapter 2 President, who is acting on behalf of, with the permission of and at the direction of the Board of Directors for Chapter 2 of the North Dakota Society of Professional Engineers, which is acting in the interests of the Society membership, within the powers vested in the Board of Directors by the Constitution and Bylaws of the North Dakota Society of Professional Engineers.

  
Chapter 2 President

1-26-03  
Date

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## North Dakota Society of Professional Engineers

A State Society of the  
National Society of Professional Engineers

Er. Kevin G. Nelson, P.E./L.S.I.  
Secretary/Treasurer

### CHAPTER 2 NDSPE Resolution No. 02-02

#### Whereas:

The object of the North Dakota Society of Professional Engineers "... shall be the advancement of the profession of engineering in the State of North Dakota ... This shall be deemed to include the following:

- a. Protection of the public welfare by encouraging all qualified engineers to seek legal status through registration.
- b. Uniting all professional engineers of the state in one organization.
- c. Advancement of the professional, social, and economic interests of the professional engineer ...
- f. Representation for the professional engineer in legislative matters affecting the profession ..."

and,

#### Whereas:

Chapter 2 of the North Dakota Society of Professional Engineers is a duly authorized, affiliated society of the National Society of Professional Engineers, whose policies are to serve as policies for the affiliated state societies, and,

#### Whereas:

The National Society of Professional Engineers seeks to preserve and protect the right of competent and qualified professionals to be licensed, and to maintain licensure, and,

#### Whereas:

Professional Engineers licensed in the state of North Dakota have demonstrated their qualifications and competency to obtain and maintain their licenses, and,

#### Whereas:

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is proposing to introduce legislation that would provide a "Retired Status" of professional licensure so that retired Professional Engineers and Land Surveyors, licensed in North Dakota can retain their licenses, titles and professional stature.

#### Now, therefore, let it be resolved that:

Chapter 2 of the North Dakota Society of Professional Engineers recognizes the importance of allowing retired professional engineers to retain the dignity and honor they have earned by becoming licensed professional engineers in North Dakota, and,

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**NDSPE Resolution 02-02****Be it further resolved that:**

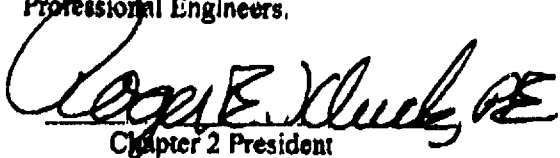
Chapter 2 of the North Dakota Society of Professional Engineers recognizes the importance of establishing a "Retired Status" of professional licensure for those professional engineers who have earned the dignity, honor and respect of colleagues through professional licensure and who have retired from active practice of engineering in North Dakota, and,

**Be it further resolved that:**

Chapter 2 of the North Dakota Society of Professional Engineers supports the North Dakota State Board of Registration for Professional Engineers and Land Surveyors with introducing legislation that will provide a "Retired Status" for Professional Engineers and Land Surveyors, licensed in North Dakota, and,

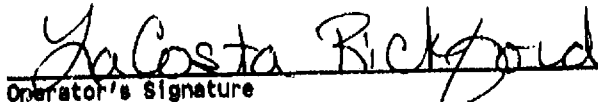
**Be it finally resolved that:**

This resolution is signed by the Chapter 2 President, who is acting on behalf of, with the permission of and at the direction of the Board of Directors of Chapter 2 of the North Dakota Society of Professional Engineers, which is acting in the interests of the Society membership, within the powers vested in the Board of Directors by the Constitution and Bylaws of the North Dakota Society of Professional Engineers.

  
Chapter 2 President

1-26-03  
Date

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Operator's Signature

10/3/03  
Date





## North Dakota Society of Professional Engineers

A State Society of the  
National Society of Professional Engineers

Er. Kevin G. Nelson, P.E./L.S.J.  
Secretary/Treasurer

### CHAPTER 2 NDSPE Resolution No. 02-03

#### Whereas:

The object of the North Dakota Society of Professional Engineers "... shall be the advancement of the profession of engineering in the State of North Dakota ... This shall be deemed to include the following:

- a. Protection of the public welfare by encouraging all qualified engineers to seek legal status through registration.
- b. Uniting all professional engineers of the state in one organization.
- c. Advancement of the professional, social, and economic interests of the professional engineer ...
- f. Representation for the professional engineer in legislative matters affecting the profession ..."

and,

#### Whereas:

Chapter 2 of the North Dakota Society of Professional Engineers is a duly authorized, affiliated society of the National Society of Professional Engineers, whose policies are to serve as policies for the affiliated state societies, and,

#### Whereas:

The National Society of Professional Engineers seeks to promote mobility of licensed engineers between states and foreign countries through common and unified licensure laws and requirements, and qualifications for practice, and,

#### Whereas:

The trend in engineering licensure in most states is to implement new rules governing licensing of individuals who have not received post-secondary education, and,

#### Whereas:

Comity/reciprocity and the flexibility of getting licensed in other states and foreign countries depends on North Dakota licensing requirements being similar to or more stringent than requirements of other jurisdictions, and,

#### Whereas:

Chapter 2 of the North Dakota Society of Professional Engineers acknowledges that a path of licensure currently exists in North Dakota licensure laws that allows individuals with no formal engineering education to become licensed, thereby potentially jeopardizing the life, health, property, safety, and public welfare of the citizens of North Dakota, and,

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web: www.NDSPE.org

La Costa Rickford  
Operator's Signature

10/3/03  
Date

**NDSPE Resolution 02-03****Whereas:**

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is proposing to introduce legislation that would implement new rules governing the licensure track for individuals who have not earned a bachelors degree in an engineering or engineering equivalent program.

**Now, therefore, let it be resolved that:**

Chapter 2 of the North Dakota Society of Professional Engineers acknowledges herewith the importance of limiting licensure to only qualified professionals who have duly demonstrated their competent ability to effectively protect the life, health, property, safety, and public welfare of the citizens of North Dakota through a combination of education and experience, and,

**Be it further resolved that:**

The Board of Directors for Chapter 2 of the North Dakota Society of Professional Engineers recognizes the importance of possessing, as a minimum, a bachelors degree in engineering or related curriculum to effectively protect life, health, property, safety, and public welfare of the citizens of North Dakota, and,

**Be it further resolved that:**

The Board of Directors Chapter 2 of the North Dakota Society of Professional Engineers supports the North Dakota State Board of Registration for Professional Engineers and Land Surveyors with introducing legislation that will allow licensure of engineers who have, as a minimum, a bachelors degree in a technical field other than engineering, with the following proviso's:

1. the degree is in a technical field, obtained from a program with a curriculum that is "substantially engineering,"
2. a sunset clause is attached to the legislation to implement new rules governing this licensure track after a fair and reasonable length of time,

and,

**Be it finally resolved that:**

The resolution is signed by the Chapter 2 President, who is acting on behalf of, with the permission of and at the direction of the Board of Directors of Chapter 2 of the North Dakota Society of Professional Engineers, which is acting in the interests of the Society membership, within the powers vested in the Board of Directors by the Constitution and Bylaws of the North Dakota Society of Professional Engineers.

*Cooper E. Klueck, PE*  
Chapter 2 President

*1-26-03*  
Date

*Ja Costa Rickford*  
Operator's Signature

*10/3/03*  
Date



## North Dakota Society of Professional Engineers

A State Society of the  
National Society of Professional Engineers

Er. Kevin G. Nelson, P.E./L.S.L.  
Secretary/Treasurer

### CHAPTER 2 NDSPE Resolution No. 02-04

#### Whereas:

The object of the North Dakota Society of Professional Engineers "... shall be the advancement of the profession of engineering in the State of North Dakota ... This shall be deemed to include the following:

f. Representation for the professional engineer in legislative matters affecting the profession ..."

and,

#### Whereas:

Chapter 2 of the North Dakota Society of Professional Engineers acknowledges herewith the necessity of licensing fees to produce needed revenue for the regular and necessary costs of the North Dakota State Board of Registration for Professional Engineers and Land Surveyors in the course of conducting its ordinary business, and,

#### Whereas:

Chapter 2 of the North Dakota Society of Professional Engineers is aware of the complications and inconveniences of having licensing fee caps in the North Dakota Century Code, and,

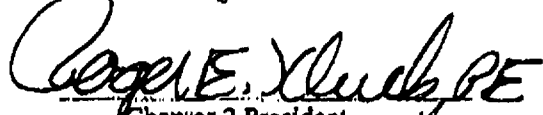
#### Whereas:

Chapter 2 of the North Dakota Society of Professional Engineers believes that these complications and inconveniences can be minimize or eliminated by not including licensing fee caps in the North Dakota Century Code.

#### Now, therefore, let it be resolved that:

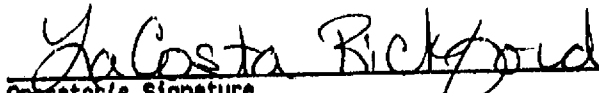
Chapter 2 of the North Dakota Society of Professional Engineers offers its support and assistance to the North Dakota State Board of Registration for Professional Engineers and Land Surveyors in its efforts to introduce legislation removing the fee caps from the North Dakota Century Code.

This resolution is signed by the Chapter 2 President, who is acting on behalf of, with the permission of and at the direction of the Board of Directors of Chapter 2 of the North Dakota Society of Professional Engineers, which is acting in the interests of the Society membership, within the powers vested in the Board of Directors by the Constitution and Bylaws of the North Dakota Society of Professional Engineers.

  
Chapter 2 President

1-26-03  
Date

3831 Kingeton Drive  
Bismarck, ND 58501  
(701) 258-2818  
email: Secretary@NDSPE.org

  
Operator's Signature

10/2/03  
Date



## North Dakota Society of Professional Engineers

A State Society of the  
National Society of Professional Engineers

Er. Kevin G. Nelson, P.E./L.S.I.  
Secretary/Treasurer

### CHAPTER 2 NDSPE Resolution No. 02-05

#### Whereas:

The object of the North Dakota Society of Professional Engineers "... shall be the advancement of the profession of engineering in the State of North Dakota ... This shall be deemed to include the following:

- f. Representation for the professional engineer in legislative matters affecting the profession ..."

and,

#### Whereas:

Chapter 2 of the North Dakota Society of Professional Engineers is aware of the powers vested in the North Dakota State Board of Registration for Professional Engineers and Land Surveyors regarding investigation of alleged violations of sections of North Dakota Century Code and sections of the Administrative Code pertaining to the practices of engineering and land surveying in the State of North Dakota, and,

#### Whereas:

Chapter 2 of the North Dakota Society of Professional Engineers is aware of the potentially large expense incurred in such investigations, and,

#### Whereas:

Chapter 2 of the North Dakota Society of Professional Engineers believes that these expenses should not necessarily be borne by the North Dakota State Board of Registration for Professional Engineers and Land Surveyors when the violator is not exonerated from the alleged violations, and,

#### Whereas:

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is proposing to introduce legislation that would allow the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to recover costs associated with investigating such cases where the violator is not exonerated.

#### Now, therefore, let it be resolved that:

Chapter 2 of the North Dakota Society of Professional Engineers offers its support and assistance to the North Dakota State Board of Registration for Professional Engineers and Land Surveyors in its efforts to introduce legislation authorizing the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to recover costs involved with investigating violations or alleged violations, provided such authority is not contrary to and does not conflict with other laws of the State of North Dakota, the United States of America federal government, or other political subdivisions having jurisdiction over these matters.

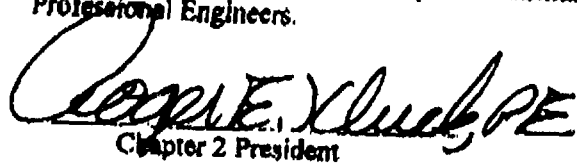
3831 Kingston Drive  
Bismarck, ND 58501  
(701) 258-2818  
email: Secretary@NDSPE.org

Lu Costa Rickford  
Operator's Signature

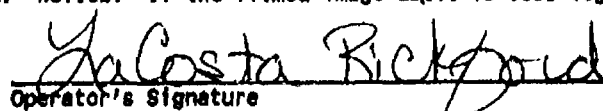
10/2/03  
Date

**NDSPE Resolution 02-06**

This resolution is signed by the Chapter 2 President, who is acting on behalf of, with the permission of and at the direction of the Board of Directors of Chapter 2 of the North Dakota Society of Professional Engineers, which is acting in the interests of the Society membership, within the powers vested in the Board of Directors by the Constitution and Bylaws of the North Dakota Society of Professional Engineers.

  
Chapter 2 President

1-26-03  
Date

  
Operator's Signature

10/3/03  
Date



## Chapter 3 Bismarck - Mandan

North Dakota Society of Professional Engineers

P.O. Box 2528 Bismarck, ND 58502-2528

### NDSPE Chapter 3 Resolution No. 02-01

#### Whereas:

The object of the North Dakota Society of Professional Engineers "... shall be the advancement of the profession of engineering in the State of North Dakota ... This shall be deemed to include the following:

- a. Protection of the public welfare by encouraging all qualified engineers to seek legal status through registration.
- b. Uniting all professional engineers of the state in one organization.
- c. Advancement of the professional, social, and economic interests of the professional engineer.
- d. Advancement and protection of the interests of the engineer intern.
- e. Promotion of high standards of engineering education.
- f. Representation for the professional engineer in legislative matters affecting the profession..."

and,

#### Whereas:

Chapter 3 of the North Dakota Society of Professional Engineers is a duly authorized, affiliated society of the National Society of Professional Engineers, whose policies are to serve as policies for the affiliated state societies, and,

#### Whereas:

In January 1994, the National Society of Professional Engineers Board of Directors revised the Society's professional policy on Continuing Professional Competency (continuing education) to recommend the mandatory demonstration of Continuing Professional Competency for engineers and land surveyors, and,

#### Whereas:

Professional Engineers licensed in the state of North Dakota have sworn to, and are bound by a Code of Ethics (Administrative Code Title 28-03.1-01) which includes "... safeguard[ing] the life, health, property, and public welfare of the citizens of North Dakota ...," (Title 28-03.-01-01) and,

#### Whereas:

Chapter 3 of the North Dakota Society of Professional Engineers recognizes the importance of continuing education for Professional Engineers and Land Surveyors (NDSPE Resolution 00-01) licensed in North Dakota to effectively protect the life, health, property, safety, and public welfare of the citizens of North Dakota, and,

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La Costa Rickford  
Operator's Signature

10/3/03  
Date

**NDSPE Chapter 3 Resolution No. 02-01**

**Whereas:**

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is proposing to introduce legislation that would enable the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to adopt continuing education requirements.

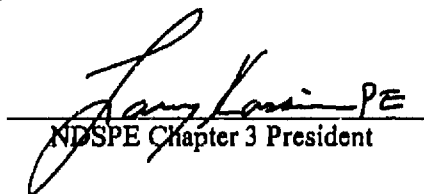
**Now, therefore, let it be resolved that:**

The Board of Directors for Chapter 3 of the North Dakota Society of Professional Engineers supports the North Dakota State Board of Registration for Professional Engineers and Land Surveyors with introducing legislation that will enable the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to adopt continuing education requirements for Professional Engineers and Land Surveyors licensed in North Dakota, and,

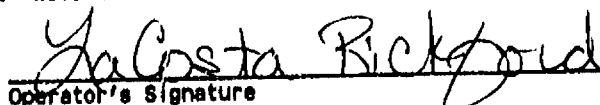
**Be it finally resolved that:**

The Board of Directors for the North Dakota Society of Professional Engineers has previously adopted similar resolutions in support of proposed "enabling" legislation pertaining to continuing education.

This resolution is signed by the Chapter President, who is acting on behalf of, with the permission of and at the direction of the Board of Directors for Chapter 3 of the North Dakota Society of Professional Engineers, which is acting in the interests of the Chapter membership, within the powers vested in the Board of Directors by the Constitution and Bylaws of the North Dakota Society of Professional Engineers.

 PE  
NDSPE Chapter 3 President

11-20-02  
Date

  
Operator's Signature

10/3/03  
Date

Attachment #4

**HOUSE INDUSTRY, BUSINESS, AND LABOR COMMITTEE**  
**January 27, 2003**

**North Dakota Department of Transportation**  
**David A. Sprynczyatyk, P.E., Director**

**HB 1256**

During the past few years, the North Dakota Department of Transportation has discussed with the Board of Registration the requirements for registration as a professional engineer in the state of North Dakota.

Our primary concern is for our many employees who hold a degree in construction management. These employees have a wide range of experience and expertise. One, for example, has more than 28 years with the department and is a registered professional engineer in our state. We have other employees who acquired their fundamentals of engineering (FE) and professional engineer registration (PE) in South Dakota but cannot be registered in North Dakota. And we have employees who are waiting until they have the 20 years of experience currently required in North Dakota.

These employees are working in the field of engineering and are valuable assets to the state as well as the department. We support the recommendations that they be allowed to take the FE exam after six years rather than the current ten years, and the PE exam after 12 years rather than the current 20 years. We strongly agree with the changes recommend in Sections 1, 2, 3, and 4 of this proposed legislation.

We also support Section 5. The department has always been a proponent of continued professional education. We believe this is one of the ways our employees can maintain strong credentials and keep current with knowledge and improvements in their field.

This concludes my testimony. I would be happy to answer any questions the committee may have.

La Costa Rickford  
Operator's Signature

10/3/03  
Date



January 24, 2003

Dave A. Sprynczynatyk, Director  
North Dakota Department of Transportation

RE: HB 1256

Industry, Business and Labor Committee  
North Dakota House of Representatives  
Bismarck North Dakota

Dear Chairman Keiser and Committee Members:

During the past few years, The North Dakota Department of Transportation has discussed with the Board of Registration the requirements for registration as a professional engineer in the state of North Dakota.

Our primary concern is for our many employees who hold a degree in a construction management. These employees have a wide range of experience and expertise. One, for example, has more than 28 years with the department and is a registered professional engineer in our state. We have other employees who acquired their fundamentals of engineering (FE) and professional engineering (PE) in South Dakota but cannot be registered in North Dakota. And we have employees who are waiting until they have 20 years of experience currently required in North Dakota.

These employees are working in the field of engineering and are valuable assets to the state as well as the department. We support the recommendations that they be allowed to take the FE exam after 6 years rather than the current 10, and the PE exam after 12 years rather than the current 20 years. We strongly agree with the changes recommended in sections 1, 2, 3, and 4 of proposed legislation.

We also support section 5. The department has always been a proponent of continued professional education. We believe this is one of the ways our employees can maintain strong credentials and keep current with knowledge and improvements in their field.

This concludes my testimony. I would be happy to answer any questions the committee may have.

Respectfully

David A. Sprynczynatyk, Director  
North Dakota Department of Transportation

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Operator's Signature

Date

10/3/03

January 23, 2003

#5  
Larry J. Smith  
2321 Harding Ave.  
Bismarck, ND  
58501-2233

**RE: H.B. 1256**

Industry, Business and Labor Committee  
North Dakota House of Representatives  
Bismarck, North Dakota

Dear Chairman Keiser and Committee Members:

I am writing to ask your support of House Bill 1256. The North Dakota Society of Professional Land Surveyors and my self are in favor of HB 1256. My name is Larry Smith; I am a principle in the consulting firm of Swenson, Hagen and Co. and Co-chairman of the Legislative Committee for NDSPLS.

I am a professional Land Surveyor in North Dakota (registered 1980) and South Dakota (registered 1987) and have been employed with Swenson Hagen and Co. since 1973. South Dakota requires continuing education for license renewal.

I strongly support continuing education for Surveyors. The reasons are outlined in the position papers submitted to the committee. I have had the opportunity to attend many educational courses and seminars since I attended my first seminar in 1979. I can honestly say that I have acquired information or learned something at each of the educational opportunities I have attended.

NDSPLS has no opinion on the on the registration requirements for Professional Engineers as this is outside of our discipline. After conferring with many engineers that I have a professional association with, I personally support the engineers' request to change the engineering registration requirements.

The proposed change to the retired status is a great compliment to the professional engineers and surveyors of North Dakota. It will allow our dedicated long term engineers and surveyors to continue to use the title they have worked long and hard for. One of the important highlights of my career is the day I became registered as a Professional Land Surveyor. I would desire to use that title after I retire from active surveying.

The North Dakota Society of Professional Land surveyors and I support the North Dakota State Board of Registration and their legislative efforts of HB 1256.

Thank You for the opportunity to provide testimony on HB 1256. I strongly encourage you to give HB 1256 a "Due Pass" recommendation.

Sincerely,

Larry J. Smith, L.S.

January 22, 2003

RE: H.B. 1256

Industry, Business and Labor Committee  
North Dakota House of Representatives  
Bismarck, North Dakota

Dear Chairman Keiser and Committee Members:

I would like to have a few minutes of your time to encourage you to pass House Bill 1256. The item of primary interest to me is the Continuing Professional Education requirements for professional engineers and surveyors.

Please consider supporting HB1256 for the following reasons:

1. **IT WILL INCREASE THE LEVEL OF PROFESSIONAL COMPETENCY OF THE ENGINEERS AND SURVEYORS IN THE STATE:** We are an engineering software company with 13 employees. Five of our staff are engineers. When continuing education is required to maintain registration, each of our engineers will be more active in continuing education. Our engineering software exports technology through out the world. The higher the level of technology demonstrated by our staff, the more successful our company will be. We currently bring in 1.5 to 2.0 million dollars into the state each year. This can be improved with engineers that are continually updating their technical expertise. Currently we are not as active as we should be with continuing education in that more immediate issues can prevail. When continuing education is mandatory, each of our staff will be better prepared to do their work, and our company will be more successful.

You may hear from engineers or surveyors that tell you mandatory continuing education is not required for me since I always do more than what is required. That is great, and I am sure that there are many engineers and surveyors that are in this situation. This proposed legislation will have no impact on them except for the few minutes every two years needed to inform the state registration board of their continuing education activities. This bill is directed to those practicing engineers and surveyors that are not diligent with their continuing education.

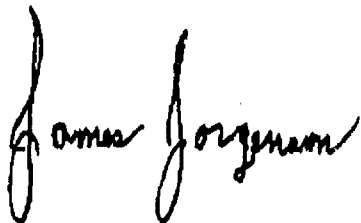
2. **THE PUBLIC WILL BE SAFER WHEN BEING SERVED BY ENGINEERS WITH A HIGHER LEVEL OF COMPETENCY:** Engineers and surveyors must reach a certain level of education and experience prior to taking registration examinations. Those who pass the exams are given a license to practice their profession. We go through these requirements to protect the public. It is only reasonable to require these same engineers and surveyors to participate in continuing education to keep their competence at a level that will better serve the

public. State statutes require continuing education for Lawyers and Doctors as a means to protect the public. As a state legislator it seems that you would feel that it is necessary to enact similar legislation for continuing education for engineers and surveyors.

3. THIS BILL PLACES NORTH DAKOTA IN LINE WITH THE PROFESSION IN THE ADJACENT STATES AND ON A NATIONAL BASIS: The bill will enable the state board of registration to implement a plan for continuing education requirements for professions engineers and land surveyors. The board will hold public hearings and consider input from the professions and the public. Our three adjacent states, as well as more than half the states in the nation, require continuing education for engineers and surveyors.

In summary, HB 1256 is a modest request that will serve the best interest of the North Dakota citizens. I thank you for your consideration and encourage your support.

Sincerely,



James Jorgenson, PE, Ph D  
President, Metal Building Software

*Land Surveying and Planning  
Construction and GPS Surveying*

## ACKERMAN SURVEYING & ASSOCIATES

6008 Highway 2 East • Minot, ND 58701

**Rolly B. Ackerman**  
Registered Land Surveyor

(701) 838-0786

Fax (701) 837-1990  
e-mail: ackerman@minot.com

**Robby L. Berard**  
Registered Land Surveyor

January 24, 2003

Re: HB 1256 Continuing Education

Dear Chairman Keiser and the Members of the IBL Committee:

My name is Rolly B. Ackerman, President of Ackerman Surveying & Associates, Inc. in Minot, North Dakota and currently act as the Vice-Chairman of the North Dakota State Board of Professional Engineers and Land Surveyors.

Our firm is based in Minot and currently employs 14 people in the summer months, consisting of Land Surveyors, Party Chiefs, Cadd Operators and Rodman for our business.

We provide Land Surveying and Construction Surveying, both Preliminary and Construction for Private and Public needs.

In the Land Surveying side, we do anything from Farmstead surveys to Residential and Commercial Developments.

On the Construction Surveying side we provide Preliminary and Construction Surveying on Rural and Urban Transportation Projects and probably are involved in 90% of the Preliminary and Construction Staking at the Minot Air Force Base.

I am writing in support of HB 1256. The ever changing field of Engineering and Land Surveying and as an employer am willing to invest in Continuing Education to keep up to the latest technical advances that the Profession has seen in the last 30+ years that I have experienced.

Member Of



Member Of



**Ackerman Surveying & Associates -- HB 1256**

**There are several ways to obtain continuing education credits across the states. Self study, active participation in state societies and more and more programs offered over the Internet is a very economic way to maintain our professional status and above all, to protect the public.**

**I know things like this are not always popular, but the overall benefit to the public in enhancing our profession, by far outweighs the negatives.**

**Thank you for your support.**

**Sincerely,**



**Rolly B. Ackerman**

**TESTIMONY IN SUPPORT OF  
HOUSE BILL #1256**

To: Representative George Keiser, Chairman  
North Dakota House of Representatives  
Industry, Business and Labor Committee

From: Gene Jackson  
Member of the North Dakota State Board of Registration for Professional  
Engineers and Land Surveyors  
and  
President, Kadrmas, Lee & Jackson Engineering

---

Mr. Chairman,

Please accept this testimony as my strong personal support for House Bill #1256. In addition, this testimony is offered to reinforce the support of the North Dakota State Board of Registration for Professional Engineers and Land Surveyors of which I am a member. Equally important, this testimony represents the support of my company, Kadrmas, Lee & Jackson Engineering; a 220 person North Dakota engineering firm that employ some 55 engineers and 18 land surveyors.

This bill modifies three requirements of NDCC 43-19.1:

In modifying 43-19.1-02, we simply intend to add a "registration status" that would allow a retired engineer or land surveyor to maintain his/her registration, but not be subject to full registration fees and continuing education. This change simply recognizes an individual's contributions as an engineer or land surveyor and allows that person to continue registration in retirement.

The second modification affects 43-19.1-14 and 43-19.1-15. This modification recognizes that there are college degrees that are not engineering, but closely related to engineering, and that these degrees should be recognized in the engineering registration process. To that end, HB #1256 would allow an individual with, for instance, a Construction Management degree from NDSU to be registered once he/she obtains twelve years of experience. Presently, that individual would need to wait twenty years.

All of our engineering societies and the North Dakota Department of Transportation are vigorously supporting this change. This bill would also eliminate the current provision in the law that allows engineering registration with no formal education.

The third item in HB #1256 would allow our State Board to implement Continuing Education requirements for engineers and land surveyors. Most states, including those surrounding North Dakota (Montana, South Dakota, Wyoming, Minnesota, Iowa, Nebraska), already require Continuing Education by engineering and land surveying registrants. It would be our aim to formulate the detail of Continuing Education in North Dakota to mirror the requirements of these adjacent states as much as possible. While many registrants already practice voluntary Continuing Education, there is a significant portion of our registrants that does not. Like the medical, legal, accounting and other professions, we think it imperative that Continuing Education be mandated for both engineers and land surveyors in order to protect the "health, safety and welfare" of the citizens of North Dakota.

This bill has received formal endorsement from the North Dakota Society of Professional Engineers, the North Dakota Consulting Engineers Council, the North Dakota Society of Professional Land Surveyors, the North Dakota Department of Transportation and many others.

Please give HB 1256 your positive consideration.

Respectfully,

Gene Jackson, P.E.



**HB 1256**  
**Written Testimony for House Industry, Business and Labor Committee Hearing**  
**January 24, 2003**

RE: H.B. 1256

Industry, Business and Labor Committee  
North Dakota House of Representatives  
Bismarck, North Dakota

Dear Chairman Keiser and Committee Members:

My Name is Lon E. Drevecky of 1615 7<sup>th</sup> St. NW Minot, and I am in favor of HB 1256.

I have been a registered professional Engineer in North Dakota for 28 years and I am President of Prairie Engineering, P.C., professional consulting engineering company. I have previously served on the ND Board of Registration for Engineers and land Surveyors for 5 years and served one year as the chairman of that board.

I am in favor of creating a "Retired Registrant" category for those professional Engineers that have retired from active practice.

I am in favor of the changes to the minimum registration requirements for professional engineers. I believe these changes will remove restrictions for some otherwise qualified individuals that currently do not allow them to become registered as a professional engineer.

I am in favor of the continuing education for Engineers and land Surveyors. I believe that the cost for each of us as professionals for continuing education is a necessary cost of doing business. In order for us to remain competitive in the market place we have to learn how to do things quicker and better. I rely on continuing education for my employees and myself to make us a more efficient company. If we didn't invest in training on a regular basis we would slowly go out of business. Today's market place dictates that you must stay current or slowly fade away into the sunset. The investment in continuing education and technology ultimately results in higher quality engineering at a lower price for the public.

The average John Q. Public does not have the information to determine which Engineer or Land surveyor is keeping current with his/her profession. Setting a minimum standard for license renewal will require each of us in the profession to do something to keep from becoming obsolete.

In my opinion, based on my 5 years as a member of the Registration Board for Engineers and Land Surveyors, the better firms are already meeting the continuing education requirements that are proposed. The problem is that those that need it most are not keeping current. There are two kinds of experience. You can have 20 years of progressive experience or you can have 20 years of the same experience over and over. I believe that the progressive experience requires continuing education.

Sincerely,

Lon E. Drevecky, P.E.

**Testimony In Favor of House Bill 1256**

January 20, 2003

DuWayne A Marthaller, P. E.  
Manager Of Civil Engineering  
Basin Electric Power Cooperative  
Bismarck, ND

RE: H.B. 1256

Industry, Business and Labor Committee  
North Dakota House of Representatives  
Bismarck, North Dakota

Dear Chairman Keiser and Committee Members:

I appreciate the opportunity to express my support for this bill. I have been registered as a Professional Engineer in North Dakota since 1981. I have BS and MS degrees in Civil Engineering from North Dakota State University and Colorado State University, respectively. My comments are brief. I will address continuing education, registration requirements, and retired status.

**Continuing Education**

A continuing education requirement raises the standard for practicing engineering, always good for the profession. The competency of practicing engineers is increased, always good for the public. Education resources are widely available at reasonable cost.

**Registration Requirements**

People with engineering-related degrees such as environmental science and construction management should be able to become registered sooner than current law allows. The education is similar and these graduates are often accepted into engineering graduate schools. Of course, the applicant still has to pass the exams. Allowing a person to become registered without a degree should be stopped because classes in humanities, communications, and business law are a necessary foundation to effectively practice engineering.

**Retired Status**

I believe the "retired registrant" provision is a show of respect to engineers that have served the public and taught younger engineers.

Respectively,

*DuWayne Marthaller*  
DuWayne Marthaller

### Continuing Education Resources

Continuing education resources are readily available through professional societies, universities, and private companies. American Society of Civil Engineers offers 200 online courses and 115 self-study courses. A typical price is \$200 for a 4-PDH self-study course. The online courses are about \$250 for the same credit class. The biennial cost for 24 PDH's would be \$1200 to \$1500. In most cases, several people can share a class.

Almost every university offers online and correspondence classes and seminars. A three semester-hour class will cost about \$900 and represents 45 PDH's.

Several private companies offer classes, usually in cooperation with a university. But, they often hire instructors and offer their own classes. The cost is similar to what the professional societies charge. However, they offer a package of several seminars that will award a total of 25 PDH's for \$600 to \$900. Two internet-based companies that offer these classes are SmartPros Engineering and RedVector.

In summary, the biennial education requirements will cost \$600 to \$1500. The cost will be much less if classes are purchased and shared.

January 20, 2003

RE: H.B. 1256

Industry, Business and Labor Committee  
North Dakota House of Representatives  
Bismarck, North Dakota

Dear Chairman Kelser and Committee Members:

I am writing you in regards to House Bill No. 1256, legislation for enacting Continuing Education for Land Surveyors and Engineers and adding a new section for retired registrants to the North Dakota Century Code. The North Dakota Society of Professional Land Surveyors and I are in favor of this bill and we would like your support on this House Bill.

My name is Michael Sansom, currently I am the president of the North Dakota Society of Professional Land Surveyors and a practicing Registered Land Surveyor for CPS, Ltd., a private engineering and land surveying firm in Grand Forks, North Dakota. I personally have been practicing land surveying since 1977 and I have been licensed since 1986 in North Dakota and also hold licenses in South Dakota and Montana.

Since 1988 in the State of South Dakota, which requires Continuing Education, I have personally been obtaining professional development hours (PDH) to maintain my license and have attended many seminars and have learned many new ideas and techniques to remain proficient with new technology and information.

We as a profession must stay abreast of these advancements in our technology and software which will give us new ideas to better our ways of doing business giving our clients (the public) the best job possible in the most economical way.

Land surveying is a profession that requires constant learning and I know it is a field that no one can say I have learned it all. I feel that obtaining Continuing Education Credits either through the Internet, college credit or seminars is very important in maintaining the necessary skills and knowledge to better protect and serve our clients in the manner they deserve.

The section of licensing of Engineers is of a nature that the North Dakota Society of Professional Land Surveyors has no opinion on.

The added section on retired status to NDCC 43-19.1-02 is something that I feel all Professional Engineers and Professional Land Surveyors have earned the right to maintain their title and not have to maintain continuing education PDH's unless they want to begin again in active practice. It is important that we recognize these professionals who have worked hard in the profession and society.

The North Dakota Society of Professional Land Surveyors strongly supports the North Dakota Board of Registration and House Bill No. 1256.

Thank you for reading my testimony on House Bill NO. 1256 and I urge you to give House Bill No. 1256 a "Do Pass" recommendation.

Sincerely,

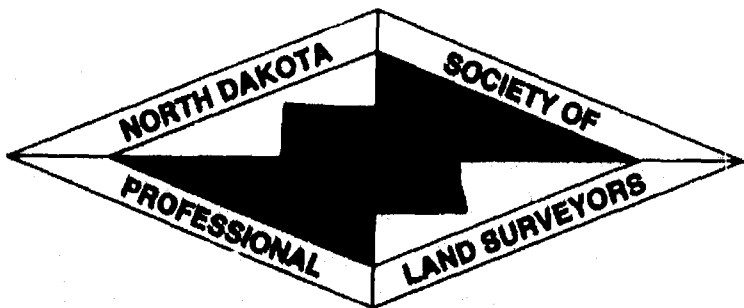
*Michael S. Sansom*

Michael S. Sansom

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*Lu Costa Rickford*  
Operator's Signature

*10/2/03*  
Date



NDSPLS ADMINISTRATIVE OFFICE  
PO BOX 475  
STEELE, ND 58482  
Phone: 701-475-0279  
Fax: 701-475-2109  
E-mail: schwab@bektel.com  
Website: www.ndspls.org

Mark Aughtman, President Elect, Co-Chair Legislation & Bylaws  
North Dakota Society of Professional Land Surveyors  
856 8<sup>th</sup> Ave East  
Dickinson, ND. 58601

January 20, 2003

RE: H.B. 1256

Industry, Business and Labor Committee  
North Dakota House of Representatives  
Bismarck, North Dakota

Dear Chairman Keiser and Committee Members:

I am writing to you in regards to House Bill 1256 legislation for Continuing Education for Engineers and Land Surveyors and adding a Retired registrant status to the North Dakota Century Code. The North Dakota Society Professional Land Surveyors and I are in favor of this bill and we urge you to support it.

My name is Mark Aughtman and I am currently employed as a Land Surveyor with the U.S. Forest Service and also serve as President Elect and Co-chair of the Legislation and Bylaws committee for the North Dakota Society of Professional Land Surveyors.

I am a Professional Land Surveyor in the states of North Dakota (3801), South Dakota (6085) and Montana (12821). The states of South Dakota and Montana currently require continuing education.

Continuing Education

- Continuing professional education is necessary to remain technically proficient with new technology and information.
- It encourages the registrant to pursue a program of life-long learning and professional development.
- In North Dakota, continuing education is required of lawyers, doctors and members of other professional and technical professions.
- Continuing education is necessary to stay abreast of past, present and future advancements in the engineering and surveying fields.
- Continuing education promotes the exchange of new ideas and better ways of doing business.
- Continuing education allows engineers and surveyors the opportunity to broaden their resource base when problems or questions arise.
- Continuing education gives our public the assurance that engineers and surveyors are the best trained and most current with present technologies and business practices.
- Over half of the states have mandatory continuing education requirements for engineers and land surveyors.
- The states of Montana, Minnesota and South Dakota have mandatory continuing education programs for engineers and land surveyors.
- In-state resources and Internet sources are available for the registrant seeking continuing education credits and will help to keep continuing education costs at a low level.

AFFILIATE OF AMERICAN CONGRESS ON SURVEYING AND MAPPING

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La Costa Rickford  
Operator's Signature

10/2/03  
Date

Licensing of Engineers

The North Dakota Society of Professional Land Surveyors has no opinion on registration requirements for Professional Engineers.

Retired Status

- Professional Engineers and Professional Land Surveyors have earned their respective titles through long years of education, testing, and diligent practice.
- Current licensure laws allow the use of these titles only for active practice.
- A retired-status license would allow for the use of the earned titles, Professional Engineer and/or Professional Land Surveyor, and acknowledges long years of service to the profession.
- A retired-status license can be reinstated to active practice if desired.
- Implementing a retired status of licensure brings North Dakota law more in line with current national norms.
- Retired status does not allow any active practice.
- Active status allows a registrant to earn income to cover license costs but retired status does not, therefore retired status licensure fees will be reduced.
- Continuing education requirements (if enacted) will be waived while on retired status.

The North Dakota Society of Professional Land Surveyors strongly supports the efforts of the North Dakota Board of Registration and their legislative effort of HB 1256.

Thank you for considering my testimony on House Bill 1256. I strongly encourage you to give House Bill 1256 a "Do Pass" recommendation.

Sincerely



Mark Aughtman  
NDSPLS President Elect

## TESTIMONY FOR HOUSE BILL NO. 1256

To Chairman George Keiser and Committee Members:

This testimony letter is written in support of House Bill 1256, which addresses legislation to enact Continuing Education for Land Surveyors and Engineers and to add a new section for retired Land Surveyors and Engineers to the North Dakota Century code.

My name is Alan Erickson, I am a Registered Land Surveyor, employed by Ulteig Engineers in Bismarck, North Dakota. I began my career in land surveying in 1966 after serving in the US Army. I received my advanced education at the North Dakota State College of Science under the GI bill. I was tested and obtained my Professional Registration in North Dakota in 1977, South Dakota in 1980, Montana in 1993, and Wyoming in 2000.

My 37 year career has been one in which I learn something new nearly every day, whether it is from interaction with my peers, reading, college classes or attending technical seminars. If there is one thing I truly understand, it is the fact that in my profession, an individual must make an effort to continue their quest in advancing their knowledge.

I believe that without the benefit of pursuing continuing education I would not have passed the testing requirements of our neighboring states.

The basic theory and law of land surveying may not change very much but the knowledge and experience of others can open our minds to a wider view of a particular surveying problem that requires a judgmental decision.

Thank you for accepting and reading this testimony on House Bill 1256 and I urge you to give this bill a "Do Pass" recommendation.

Sincerely

*Alan W. Erickson*

01/24/03

Alan W. Erickson

TESTIMONY REGARDING HOUSE BILL NO. 1256

To Chairman George Keiser and Committee Members:

I am writing in support of House Bill 1256. This Bill will enact legislation for Continuing Education for Professional Land Surveyors. It will also add a new section for retired Land Surveyors and Engineers to the North Dakota Century Code.

My name is John G. Lindvig, I am a Professional Land Surveyor in North Dakota.

Ours is a profession, like any other, which is in a continual state of change. This is largely due to our dependence upon technological advances to remain competitive. It is also due in part to legislative changes as well as other factors.

I have found it necessary to attend continuing education courses to keep up with these changes and I would hope that my peers would do the same. Unfortunately in many professions this is not the case.

We owe this service to our clients and the Public. I therefore urge you to give House Bill 1256 a "Do Pass" recommendation.

Sincerely

*John G. Lindvig*  
John G. Lindvig

1/24/03

*La Costa Rickford*  
Operator's Signature

10/3/03  
Date



**ROBERT J. WALKER**

**Professional Engineer**

The Guaranty Building  
120 South Olive Avenue  
Suite 402  
West Palm Beach, FL 33401

November 18, 2002

North Dakota State Board of Registration for  
Professional Engineers and Land Surveyors  
P. O. Box 1357  
Bismarck, ND 58502-1357

Re: Continuing Education

Members of the Board:

Your November Registration News, Dr. Woodbury's article, asked for comments on continuing education.

I think you need to institute continuing education for engineers and land surveyors in North Dakota. This will be a representation to the public that we are a responsible profession that is continually looking for ways to improve and maintain the quality of our service to the public.

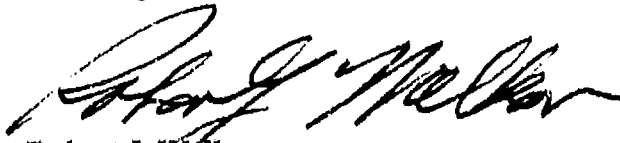
I have been practicing engineering in Florida for 18 years, and they recently instituted continuing education as a requirement for biennial renewal of the license. For your information, I am enclosing some information on the Florida requirements. I have find these requirements to be reasonable and beneficial.

You might want to take particular note of the requirement that four hours of the continuing education relate to the statutes and rules of the Board. To fulfill this requirement, many of us attended a Board meeting when they presided over disciplinary matters. It was very informative.

Also, the Board seems to be doing a good job of reviewing and approving continuing education providers.

Good luck.

Sincerely,



Robert J. Walker  
North Dakota PE No. 890

**Civil Engineer • Consultation**

Fax (561) 835-3852

Telephone (561) 832-3998

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*Lu Costa Rickford*  
Operator's Signature

10/2/02  
Date

# ACEC

American Council of Engineering Companies

*North Dakota*

Jerold R. Backes, PE  
President  
Location: P.O. Box 1077  
Bismarck, ND 58502-1077

e-mail: jerry.backes@bartwest.com  
phone: (701) 258-1110  
cell---: (701) 226-1382  
fax---: (701) 258-1111

Web Site: www.acecnd.org

## RESOLUTION

### WHEREAS:

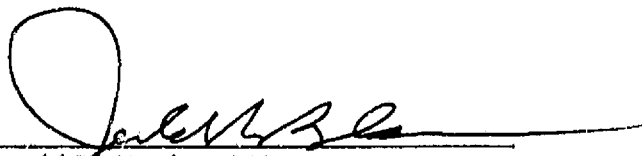
- 1.) ...the North Dakota Board Of Registration For Engineers and Land Surveyors ("Board") conducted a seminar and discussion of continuing education and other registration issues at the annual meeting of the American Council of Engineering Companies of North Dakota (ACEC/ND) at their Annual Meeting on September 17, 2002 held in Bismarck, North Dakota.
- 2.) ...the Board presented four specific items that were planned for introduction to the next North Dakota legislative session in January 2003. These items were:
  - a.) Registration and qualifications to satisfy requirements to be examined as recommended by the Board.
  - b.) Retirement clause to our Registration Laws as recommended by the Board.
  - c.) Continuing Education for on-going registration per changes recommended by the Board.
  - d.) Restructuring of Fees presently in place, as recommended by the Board.

AS A RESULT OF AND FOLLOWING IN-DEPTH DISCUSSION WITHIN AN OPEN FORUM BY ALL MEMBERS ATTENDING THIS ANNUAL MEETING:

### BE IT THEREFORE RESOLVED THAT:

ACEC/ND via motion, second and approval, accepts and supports and endorses the above mentioned items.

Dated: September 19, 2002

  
Jerold R. Backes, PE  
President  
ACEC/ND

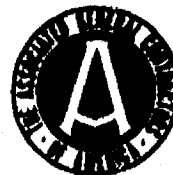
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*La Costa Rickford*  
Operator's Signature

*10/2/03*  
Date

Curt Peterson  
Executive Vice President

## Associated General Contractors of North Dakota



422 North 2nd Street, Box 1624, Bismarck, North Dakota 58502 • Phone: 701-223-2770 • FAX: 701-223-6719

Mr. Gary Arman  
State Board of Registration for Professional Engineers and Land Surveyors  
PO Box 1357  
Bismarck, North Dakota 58502

Re: House Bills 1236 & 1256

Dear Gary,

The Associated General Contractors of North Dakota would like to express its support for House Bill No. 1236 and 1256; which deal with registration fees and recovery of litigation costs in disciplinary matters and to provide for retired status and continuing education requirements, respectively.

We see the bills contents as reasonable and will offer no objection to their passage.

Should you have any questions please don't hesitate to contact us.

Sincerely,  
AGC of North Dakota

Mark Dougherty  
Membership Services Director

**BUILD WITH THE BEST**

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*La Costa Rickford*  
Operator's Signature

10/3/03  
Date



## North Dakota State Board of Registration for Professional Engineers and Land Surveyors

721 West Memorial Highway • P.O. Box 1357 • Bismarck, ND 58502  
701-258-0786 • FAX 701-258-7471

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## **Chapter 4 F-M Engineers**

### **North Dakota Society of Professional Engineers**

#### **NDSPE Chapter 4 FM Engineers Resolution No. 02-01**

**Whereas:**

The object of the North Dakota Society of Professional Engineers "... shall be the advancement of the profession of engineering in the State of North Dakota ... This shall be deemed to include the following:

- a. Protection of the public welfare by encouraging all qualified engineers to seek legal status through registration.
- b. Uniting all professional engineers of the state in one organization.
- c. Advancement of the professional, social, and economic interests of the professional engineer.
- d. Advancement and protection of the interests of the engineer intern.
- e. Promotion of high standards of engineering education.
- f. Representation for the professional engineer in legislative matters affecting the profession..."

and,

**Whereas:**

Chapter 4 is a duly authorized chapter of the North Dakota Society of Professional Engineers. The North Dakota Society of Professional Engineers is a duly authorized, affiliated society of the National Society of Professional Engineers, whose policies are to serve as policies for the affiliated state societies, and,

**Whereas:**

In January 1994, the National Society of Professional Engineers Board of Directors revised the Society's professional policy on Continuing Professional Competency (continuing education) to recommend the mandatory demonstration of Continuing Professional Competency for engineers and land surveyors, and,

**Whereas:**

Professional Engineers licensed in the state of North Dakota have sworn to, and are bound by a Code of Ethics (Administrative Code Title 28-03.1-01) which includes "... safeguard[ing] the life, health, property, and public welfare of the citizens of North Dakota ...," (Title 28-03.-01-01) and,

**Whereas:**

Chapter 4 of the North Dakota Society of Professional Engineers recognizes the importance of continuing education for Professional Engineers and Land Surveyors (NDSPE Resolution 00-01) licensed in North Dakota to effectively protect the life, health, property, safety, and public welfare of the citizens of North Dakota, and,

**Whereas:**

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is proposing to introduce legislation that would enable the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to adopt continuing education requirements.

**Now, therefore, let it be resolved that:**

Chapter 4 of the North Dakota Society of Professional Engineers supports the North Dakota State Board of Registration for Professional Engineers and Land Surveyors with introducing legislation that will enable the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to adopt continuing education requirements for Professional Engineers and Land Surveyors licensed in North Dakota, and,

**NDSPE Chapter 4 FM Engineers Resolution No. 02-01**

This resolution is signed by the Chapter President, who is acting on behalf of, with the permission of and at the direction of the members of Chapter 4 of the North Dakota Society of Professional Engineers.

C. [Signature]  
Chapter 4 FM Engineers President

12/13/02  
Date

Page 2 of 2

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[Signature]  
Operator's Signature

10/3/03  
Date



## **Chapter 4 F-M Engineers**

### **North Dakota Society of Professional Engineers**

#### **NDSPE Chapter 4 FM Engineers Resolution No. 02-02**

**Whereas:**

The object of the North Dakota Society of Professional Engineers "... shall be the advancement of the profession of engineering in the State of North Dakota ... This shall be deemed to include the following:

- a. Protection of the public welfare by encouraging all qualified engineers to seek legal status through registration.
- b. Uniting all professional engineers of the state in one organization.
- c. Advancement of the professional, social, and economic interests of the professional engineer ...
- d. Representation for the professional engineer in legislative matters affecting the profession ... "

and,

**Whereas:**

Chapter 4 is a duly authorized chapter of the North Dakota Society of Professional Engineers. The North Dakota Society of Professional Engineers is a duly authorized, affiliated society of the National Society of Professional Engineers, whose policies are to serve as policies for the affiliated state societies, and,

**Whereas:**

The National Society of Professional Engineers seeks to preserve and protect the right of competent and qualified professionals to be licensed, and to maintain licensure, and,

**Whereas:**

Professional Engineers licensed in the state of North Dakota have demonstrated their qualifications and competency to obtain and maintain their licenses, and,

**Whereas:**

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is proposing to introduce legislation that would provide a "Retired Status" of professional licensure so that retired Professional Engineers and Land Surveyors, licensed in North Dakota can retain their licenses, titles and professional stature.

**Now, therefore, let it be resolved that:**

Chapter 4 of the North Dakota Society of Professional Engineers recognizes the importance of allowing retired professional engineers to retain the dignity and honor they have earned by becoming licensed professional engineers in North Dakota, and,

**Be it further resolved that:**

Chapter 4 of the North Dakota Society of Professional Engineers recognizes the importance of establishing a "Retired Status" of professional licensure for those professional engineers who have earned the dignity, honor and respect of colleagues through professional licensure and who have retired from active practice of engineering in North Dakota, and,

**NDSPE Chapter 4 FM Engineers Resolution No. 02-02**

**Be it further resolved that:**

Chapter 4 of the North Dakota Society of Professional Engineers supports the North Dakota State Board of Registration for Professional Engineers and Land Surveyors with introducing legislation that will provide a "Retired Status" for Professional Engineers and Land Surveyors, licensed in North Dakota, and,

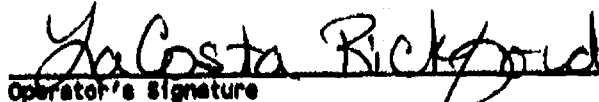
This resolution is signed by the Chapter President, who is acting on behalf of, with the permission of and at the direction of the members of Chapter 4 of the North Dakota Society of Professional Engineers.

  
Chapter 4 FM Engineers President

12/13/02  
Date

Page 2 of 2

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Operator's Signature

10/3/03  
Date





## **Chapter 4 F-M Engineers**

### **North Dakota Society of Professional Engineers**

#### **NDSPE Chapter 4 FM Engineers Resolution No. 02-03**

**Whereas:**

The object of the North Dakota Society of Professional Engineers "... shall be the advancement of the profession of engineering in the State of North Dakota ... This shall be deemed to include the following:

- a. Protection of the public welfare by encouraging all qualified engineers to seek legal status through registration.
- b. Uniting all professional engineers of the state in one organization.
- c. Advancement of the professional, social, and economic interests of the professional engineer ...
- f. Representation for the professional engineer in legislative matters affecting the profession ... "

and,

**Whereas:**

Chapter 4 is a duly authorized chapter of the North Dakota Society of Professional Engineers. The North Dakota Society of Professional Engineers is a duly authorized, affiliated society of the National Society of Professional Engineers, whose policies are to serve as policies for the affiliated state societies, and,

**Whereas:**

The National Society of Professional Engineers seeks to promote mobility of licensed engineers between states and foreign countries through common and unified licensure laws and requirements, and qualifications for practice, and,

**Whereas:**

The trend in engineering licensure in most states is to implement new rules governing licensing of individuals who have not received post-secondary education, and,

**Whereas:**

Comity/reciprocity and the flexibility of getting licensed in other states and foreign countries depends on North Dakota licensing requirements being similar to or more stringent than requirements of other jurisdictions, and,

**Whereas:**

Chapter 4 of the North Dakota Society of Professional Engineers acknowledges that a path of licensure currently exists in North Dakota licensure laws that allows individuals with no formal engineering education to become licensed, thereby potentially jeopardizing the life, health, property, safety, and public welfare of the citizens of North Dakota, and,

**Whereas:**

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is proposing to introduce legislation that would implement new rules governing the licensure track for individuals who have not earned a bachelors degree in an engineering or engineering equivalent program.

**NDSPE Chapter 4 FM Engineers Resolution No. 02-03**

**Now, therefore, let it be resolved that:**

Chapter 4 of the North Dakota Society of Professional Engineers acknowledges herewith the importance of limiting licensure to only qualified professionals who have duly demonstrated their competent ability to effectively protect the life, health, property, safety, and public welfare of the citizens of North Dakota through a combination of education and experience, and,

**Be it further resolved that:**

Chapter 4 of the North Dakota Society of Professional Engineers recognizes the importance of possessing, as a minimum, a bachelors degree in engineering or related curriculum to effectively protect life, health, property, safety, and public welfare of the citizens of North Dakota, and,

**Be it finally resolved that:**

Chapter 4 of the North Dakota Society of Professional Engineers supports the North Dakota State Board of Registration for Professional Engineers and Land Surveyors with introducing legislation that will allow licensure of engineers who have, as a minimum, a bachelors degree in a technical field other than engineering, with the following proviso's:

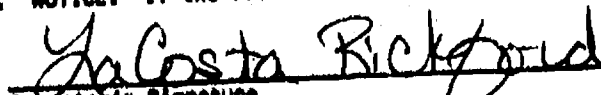
1. the degree is in a technical field, obtained from a program with a curriculum that is "substantially engineering,"
2. a sunset clause is attached to the legislation to implement new rules governing this licensure track after a fair and reasonable length of time,

and,

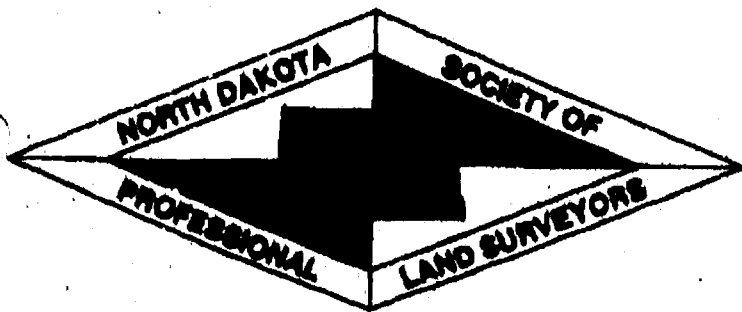
This resolution is signed by the Chapter President, who is acting on behalf of, with the permission of and at the direction of the members of Chapter 4 of the North Dakota Society of Professional Engineers.

  
Chapter 4 FM Engineers President

12/13/02  
Date

  
Operator's Signature

10/13/03  
Date



NDSPLS ADMINISTRATIVE OFFICE  
PO BOX 475  
STEELE, ND 58482  
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Website: www.ndspls.org

## NDSPLS Resolution No. 00-01

### 2002 OFFICERS

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**Past President**  
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Minot, ND 58702-1816  
(701) 882-0338 (o)  
mweeks@ndst.net

### Whereas:

The object of the North Dakota Society of Professional Land Surveyors "... shall be the advancement of the profession of land surveying in the State of North Dakota ... This shall be deemed to include the following:

- To unite all the registered land surveyors in the state of North Dakota.
- To elevate the standards of the surveying profession in the state of North Dakota.
- To establish basic minimum requirements for surveys.
- To assist in promoting legislation and educational programs to improve the professional status of the land surveyor.
- To work in cooperation with local, county, state, and federal governments in our field of endeavor.
- To uphold a rigid Code of Ethics.
- To strive to improve our relations with our clients and the public by doing our work with precision and integrity.
- To maintain a good relationship between land surveyors and engineers."

and,

### Whereas:

The North Dakota Society of Professional Land Surveyors is a duly authorized, affiliated society of the National Society of Professional Surveyors, and the American Congress on Surveying and Mapping, whose policies are to serve as policies for the affiliated state societies, and,

### Whereas:

The North Dakota Society of Professional Land Surveyors is proposing to introduce legislation that would enable the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to adopt continuing education requirements, which reads as follows:

#### House/Senate Bill \_ \_ \_

A BILL for an Act to create and enact a new subsection to section 43-19.1-08 of the North Dakota Century Code, relating to continuing education requirements for professional engineers and land surveyors.

AFFILIATE OF AMERICAN CONGRESS ON SURVEYING AND MAPPING

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Operator's Signature

*Ja Costa Rickford*

Date

10/3/03

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

*Section 1. A new subsection to section 43-19.1-08 of the North Dakota Century Code is created and enacted as follows:*

*To enable the Board to adopt continuing education requirements for professional engineers and land surveyors registered under this chapter.*

**Now, therefore, let it be resolved that:**

The Board of Directors for the North Dakota Society of Professional Land Surveyors recognizes the importance of continuing education for professional engineers and land surveyors, and.

**Be it further resolved that:**

The Board of Directors for the North Dakota Society of Professional Land Surveyors will support the proposed legislation provided that the verblage does not change substantially from that contained in this resolution without the majority consent of the Board of Directors for the North Dakota Society of Professional Land Surveyors.

This resolution is signed by the Society President who is acting on behalf of the North Dakota Society of Professional Land Surveyors.

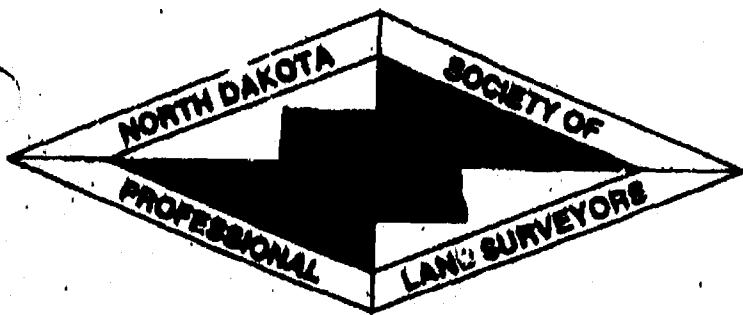
Michael A. Samson  
NDSPLS President

Oct. 3, 2002  
Date

(76)

La Costa Rickford  
Operator's Signature

10/3/02  
Date



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**Great Plains Chapter**  
Gary Ness  
5516 18<sup>th</sup> Street S  
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gness@vutisg.com

**Missouri Breaks Chapter**  
Alvin Lambert  
222 Airport Road  
Williston, ND 58801-2976

**Missouri River Chapter**  
Kenneth J. Link  
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Boulay, ND 58623-9475  
ken.link@ndcslu.com

**NMNSPS Delegate**  
Art Glasco  
638 32<sup>nd</sup> Street East  
Dickinson, ND 58601-3135  
cglasco@fs.fed.us

**NDSPLS Resolution No. 00-01****Whereas:**

The object of the North Dakota Society of Professional Land Surveyors "... shall be the advancement of the profession of land surveying in the State of North Dakota ... This shall be deemed to include the following:

- a. To unite all the registered land surveyors in the state of North Dakota.
- b. To elevate the standards of the surveying profession in the state of North Dakota.
- c. To establish basic minimum requirements for surveys.
- d. To assist in promoting legislation and educational programs to improve the professional status of the land surveyor.
- e. To work in cooperation with local, county, state, and federal governments in our field of endeavor.
- f. To uphold a rigid Code of Ethics.
- g. To strive to improve our relations with our clients and the public by doing our work with precision and integrity.
- h. To maintain a good relationship between land surveyors and engineers."

and,

**Whereas:**

The North Dakota Society of Professional Land Surveyors is a duly authorized, affiliated society of the National Society of Professional Surveyors, and the American Congress on Surveying and Mapping, whose policies are to serve as policies for the affiliated state societies, and,

**Whereas:**

The North Dakota Society of Professional Land Surveyors is proposing to introduce legislation that would enable the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to adopt continuing education requirements, which reads as follows:

**House/Senate Bill**

A BILL for an Act to create and enact a new subsection to section 43-19.1-08 of the North Dakota Century Code, relating to continuing education requirements for professional engineers and land surveyors.

AFFILIATE OF AMERICAN CONGRESS ON SURVEYING AND MAPPING

(77)

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

*Section 1. A new subsection to section 43-19.1-08 of the North Dakota Century Code is created and enacted as follows:*

*To enable the Board to adopt continuing education requirements for professional engineers and land surveyors registered under this chapter.*

**Now, therefore, let it be resolved that:**

The Board of Directors for the North Dakota Society of Professional Land Surveyors recognizes the importance of continuing education for professional engineers and land surveyors, and,

**Be it further resolved that:**

The Board of Directors for the North Dakota Society of Professional Land Surveyors will support the proposed legislation provided that the verbiage does not change substantially from that contained in this resolution without the majority consent of the Board of Directors for the North Dakota Society of Professional Land Surveyors.

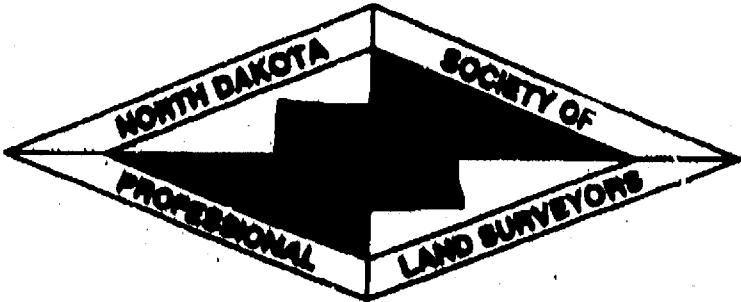
This resolution is signed by the Chapter President who is acting on behalf of the Flatlander's Chapter for the North Dakota Society of Professional Land Surveyors.

*Patrick M. Krua*  
Flatlander's Chapter President

10-14-02  
Date

*Lu Costa Rickford*  
Operator's Signature

10/3/03  
Date



NDSPLS ADMINISTRATIVE OFFICE  
PO BOX 478  
STEELE, ND 58482  
Phone: 701-475-0279  
Fax: 701-475-2109  
E-mail: schwab@bektel.com  
Website: www.ndspls.org

## NDSPLS Resolution No. 00-01

### 2002 OFFICERS

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308 2<sup>nd</sup> Avenue North  
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**ACSMNSPS Delegate**  
Curt Gleason  
1836 32<sup>nd</sup> Street East  
Dickinson, ND 58601-3136  
cgleason@fs.fed.us

### Whereas:

The object of the North Dakota Society of Professional Land Surveyors "... shall be the advancement of the profession of land surveying in the State of North Dakota ... This shall be deemed to include the following:

- To unite all the registered land surveyors in the state of North Dakota.
- To elevate the standards of the surveying profession in the state of North Dakota.
- To establish basic minimum requirements for surveys.
- To assist in promoting legislation and educational programs to improve the professional status of the land surveyor.
- To work in cooperation with local, county, state, and federal governments in our field of endeavor.
- To uphold a rigid Code of Ethics.
- To strive to improve our relations with our clients and the public by doing our work with precision and integrity.
- To maintain a good relationship between land surveyors and engineers."

and,

### Whereas:

The North Dakota Society of Professional Land Surveyors is a duly authorized, affiliated society of the National Society of Professional Surveyors, and the American Congress on Surveying and Mapping, whose policies are to serve as policies for the affiliated state societies, and,

### Whereas:

The North Dakota Society of Professional Land Surveyors is proposing to introduce legislation that would enable the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to adopt continuing education requirements, which reads as follows:

House/Senate Bill \_\_\_\_\_

*A BILL for an Act to create and enact a new subsection to section 43-19.1-08 of the North Dakota Century Code, relating to continuing education requirements for professional engineers and land surveyors.*

AFFILIATE OF AMERICAN CONGRESS ON SURVEYING AND MAPPING

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*La Costa Rickford*  
Operator's Signature

*10/3/03*  
Date

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

*Section 1. A new subsection to section 43-19.1-08 of the North Dakota Century Code is created and enacted as follows:*

*To enable the Board to adopt continuing education requirements for professional engineers and land surveyors registered under this chapter.*

**Now, therefore, let it be resolved that:**

The Board of Directors for the North Dakota Society of Professional Land Surveyors recognizes the importance of continuing education for professional engineers and land surveyors, and,

**Be it further resolved that:**

The Board of Directors for the North Dakota Society of Professional Land Surveyors will support the proposed legislation provided that the verbiage does not change substantially from that contained in this resolution without the majority consent of the Board of Directors for the North Dakota Society of Professional Land Surveyors.

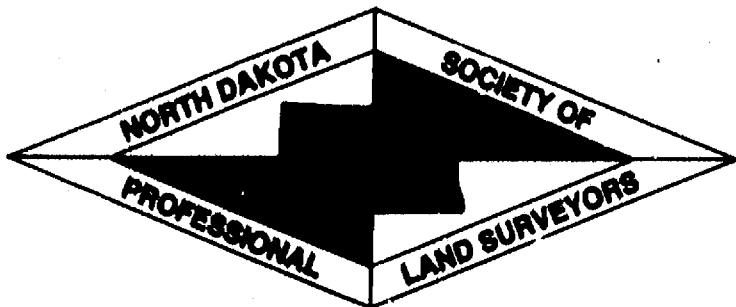
This resolution is signed by the Chapter President who is acting on behalf of the Badlands Chapter for the North Dakota Society of Professional Land Surveyors.

*Ewan Cleary*  
Badlands Chapter President

*10/7/02*  
Date

*La Costa Rickford* *10/3/03*  
Operator's Signature Date





NDSPLS ADMINISTRATIVE OFFICE  
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#### 2002 OFFICERS

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**Past President**  
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Curt Glasoe  
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Dickinson, ND 58601-3135  
cglasoe@fs.fed.us

### NDSPLS Resolution No. 00-01

#### Whereas:

The object of the North Dakota Society of Professional Land Surveyors "... shall be the advancement of the profession of land surveying in the State of North Dakota ... This shall be deemed to include the following:

- a. To unite all the registered land surveyors in the state of North Dakota.
- b. To elevate the standards of the surveying profession in the state of North Dakota.
- c. To establish basic minimum requirements for surveys.
- d. To assist in promoting legislation and educational programs to improve the professional status of the land surveyor.
- e. To work in cooperation with local, county, state, and federal governments in our field of endeavor.
- f. To uphold a rigid Code of Ethics.
- g. To strive to improve our relations with our clients and the public by doing our work with precision and integrity.
- h. To maintain a good relationship between land surveyors and engineers."

and,

#### Whereas:

The North Dakota Society of Professional Land Surveyors is a duly authorized, affiliated society of the National Society of Professional Surveyors, and the American Congress on Surveying and Mapping, whose policies are to serve as policies for the affiliated state societies, and,

#### Whereas:

The North Dakota Society of Professional Land Surveyors is proposing to introduce legislation that would enable the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to adopt continuing education requirements, which reads as follows:

House/Senate Bill \_\_\_\_\_

A BILL for an Act to create and enact a new subsection to section 43-19.1-08 of the North Dakota Century Code, relating to continuing education requirements for professional engineers and land surveyors.

AFFILIATE OF AMERICAN CONGRESS ON SURVEYING AND MAPPING

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*La Costa Rickford*  
Operator's Signature

10/3/03  
Date

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

*Section 1. A new subsection to section 43-19.1-08 of the North Dakota Century Code is created and enacted as follows:*

*To enable the Board to adopt continuing education requirements for professional engineers and land surveyors registered under this chapter.*

**Now, therefore, let it be resolved that:**

The Board of Directors for the North Dakota Society of Professional Land Surveyors recognizes the importance of continuing education for professional engineers and land surveyors, and,

**Be it further resolved that:**

The Board of Directors for the North Dakota Society of Professional Land Surveyors will support the proposed legislation provided that the verbiage does not change substantially from that contained in this resolution without the majority consent of the Board of Directors for the North Dakota Society of Professional Land Surveyors.

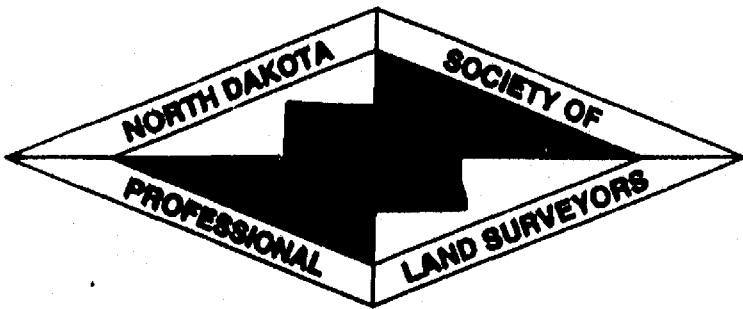
This resolution is signed by the Chapter President who is acting on behalf of the Missouri River Chapter for the North Dakota Society of Professional Land Surveyors.

Kenneth J. Lieb  
Missouri River Chapter President

10-31-2002  
Date

La Costa Rickford  
Operator's Signature

10/3/03  
Date



NDSPLS ADMINISTRATIVE OFFICE  
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Website: www.ndspls.org

## NDSPLS Resolution No. 00-01

### 2002 OFFICERS

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**Vice President**  
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**Treasurer**  
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**Past President**  
Matt Weeks  
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### 2002 DIRECTORS

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**Missouri River Chapter**  
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ken.link@coteau.com

**ICSM/NSPS Delegate**  
Curt Glasoe  
1638 32<sup>nd</sup> Street East  
Dickinson, ND 58601-3135  
cglasoe@fs.fed.us

### Whereas:

The object of the North Dakota Society of Professional Land Surveyors "... shall be the advancement of the profession of land surveying in the State of North Dakota ... This shall be deemed to include the following:

- To unite all the registered land surveyors in the state of North Dakota.
- To elevate the standards of the surveying profession in the state of North Dakota.
- To establish basic minimum requirements for surveys.
- To assist in promoting legislation and educational programs to improve the professional status of the land surveyor.
- To work in cooperation with local, county, state, and federal governments in our field of endeavor.
- To uphold a rigid Code of Ethics.
- To strive to improve our relations with our clients and the public by doing our work with precision and integrity.
- To maintain a good relationship between land surveyors and engineers."

and,

### Whereas:

The North Dakota Society of Professional Land Surveyors is a duly authorized, affiliated society of the National Society of Professional Surveyors, and the American Congress on Surveying and Mapping, whose policies are to serve as policies for the affiliated state societies, and,

### Whereas:

The North Dakota Society of Professional Land Surveyors is proposing to introduce legislation that would enable the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to adopt continuing education requirements, which reads as follows:

House/Senate Bill \_\_\_\_\_

A BILL for an Act to create and enact a new subsection to section 43-19.1-08 of the North Dakota Century Code, relating to continuing education requirements for professional engineers and land surveyors.

AFFILIATE OF AMERICAN CONGRESS ON SURVEYING AND MAPPING

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*La Costa Rickford*  
Operator's Signature

10/3/03  
Date

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

*Section 1. A new subsection to section 43-19.1-08 of the North Dakota Century Code is created and enacted as follows:*

*To enable the Board to adopt continuing education requirements for professional engineers and land surveyors registered under this chapter.*

**Now, therefore, let it be resolved that:**

The Board of Directors for the North Dakota Society of Professional Land Surveyors recognizes the importance of continuing education for professional engineers and land surveyors, and,

**Be it further resolved that:**

The Board of Directors for the North Dakota Society of Professional Land Surveyors will support the proposed legislation provided that the verbiage does not change substantially from that contained in this resolution without the majority consent of the Board of Directors for the North Dakota Society of Professional Land Surveyors.

This resolution is signed by the Chapter President who is acting on behalf of the Great Plains Chapter for the North Dakota Society of Professional Land Surveyors.

*Dan A. Kers*  
Great Plains Chapter President

*10/9/02*  
Date

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*La Costa Rickford*  
Operator's Signature

*10/3/03*  
Date



## Chapter 3 Bismarck - Mandan

North Dakota Society of Professional Engineers

P.O. Box 2528 Bismarck, ND 58502-2528

### NDSPE Chapter 3 Resolution No. 02-01

#### Whereas:

The object of the North Dakota Society of Professional Engineers "... shall be the advancement of the profession of engineering in the State of North Dakota ... This shall be deemed to include the following:

- a. Protection of the public welfare by encouraging all qualified engineers to seek legal status through registration.
- b. Uniting all professional engineers of the state in one organization.
- c. Advancement of the professional, social, and economic interests of the professional engineer.
- d. Advancement and protection of the interests of the engineer intern.
- e. Promotion of high standards of engineering education.
- f. Representation for the professional engineer in legislative matters affecting the profession...

and,

#### Whereas:

Chapter 3 of the North Dakota Society of Professional Engineers is a duly authorized, affiliated society of the National Society of Professional Engineers, whose policies are to serve as policies for the affiliated state societies, and,

#### Whereas:

In January 1994, the National Society of Professional Engineers Board of Directors revised the Society's professional policy on Continuing Professional Competency (continuing education) to recommend the mandatory demonstration of Continuing Professional Competency for engineers and land surveyors, and,

#### Whereas:

Professional Engineers licensed in the state of North Dakota have sworn to, and are bound by a Code of Ethics (Administrative Code Title 28-03.1-01) which includes "... safeguard[ing] the life, health, property, and public welfare of the citizens of North Dakota ...," (Title 28-03.-01-01) and,

#### Whereas:

Chapter 3 of the North Dakota Society of Professional Engineers recognizes the importance of continuing education for Professional Engineers and Land Surveyors (NDSPE Resolution 00-01) licensed in North Dakota to effectively protect the life, health, property, safety, and public welfare of the citizens of North Dakota, and,

**NDSPE Chapter 3 Resolution No. 02-01**

**Whereas:**

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is proposing to introduce legislation that would enable the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to adopt continuing education requirements.

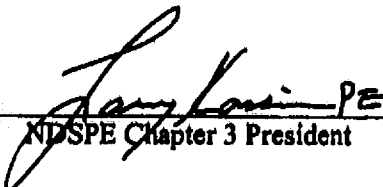
**Now, therefore, let it be resolved that:**

The Board of Directors for Chapter 3 of the North Dakota Society of Professional Engineers supports the North Dakota State Board of Registration for Professional Engineers and Land Surveyors with introducing legislation that will enable the North Dakota State Board of Registration for Professional Engineers and Land Surveyors to adopt continuing education requirements for Professional Engineers and Land Surveyors licensed in North Dakota, and,

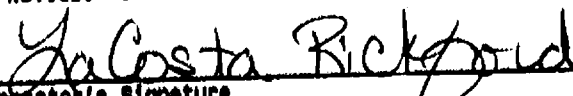
**Be it finally resolved that:**

The Board of Directors for the North Dakota Society of Professional Engineers has previously adopted similar resolutions in support of proposed "enabling" legislation pertaining to continuing education.

This resolution is signed by the Chapter President, who is acting on behalf of, with the permission of and at the direction of the Board of Directors for Chapter 3 of the North Dakota Society of Professional Engineers, which is acting in the interests of the Chapter membership, within the powers vested in the Board of Directors by the Constitution and Bylaws of the North Dakota Society of Professional Engineers.

  
NDSPE Chapter 3 President

11-20-02  
Date

  
Operator's Signature

10/3/03  
Date



## Chapter 3 Bismarck - Mandan

North Dakota Society of Professional Engineers

P.O. Box 2528 Bismarck, ND 58502-2528

### NDSPE Chapter 3 Resolution No. 02-02

#### Whereas:

The object of the North Dakota Society of Professional Engineers "... shall be the advancement of the profession of engineering in the State of North Dakota ... This shall be deemed to include the following:

- a. Protection of the public welfare by encouraging all qualified engineers to seek legal status through registration.
- b. Uniting all professional engineers of the state in one organization.
- c. Advancement of the professional, social, and economic interests of the professional engineer ...
- f. Representation for the professional engineer in legislative matters affecting the profession ..."

and,

#### Whereas:

Chapter 3 of the North Dakota Society of Professional Engineers is a duly authorized, affiliated society of the National Society of Professional Engineers, whose policies are to serve as policies for the affiliated state societies, and,

#### Whereas:

The National Society of Professional Engineers seeks to preserve and protect the right of competent and qualified professionals to be licensed, and to maintain licensure, and,

#### Whereas:

Professional Engineers licensed in the state of North Dakota have demonstrated their qualifications and competency to obtain and maintain their licenses, and,

#### Whereas:

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is proposing to introduce legislation that would provide a "Retired Status" of professional licensure so that retired Professional Engineers and Land Surveyors, licensed in North Dakota can retain their licenses, titles and professional stature.

#### Now, therefore, let it be resolved that:

The Board of Directors for Chapter 3 of the North Dakota Society of Professional Engineers recognizes the importance of allowing retired professional engineers to retain the dignity and honor they have earned by becoming licensed professional engineers in North Dakota, and,

#### Be it further resolved that:

The Board of Directors for Chapter 3 of the North Dakota Society of Professional Engineers recognizes the importance of establishing a "Retired Status" of professional licensure for those professional engineers who have earned the dignity, honor and respect of colleagues through professional licensure and who have retired from active practice of engineering in North Dakota, and,

**NDSPE Chapter 3 Resolution No. 02-02**

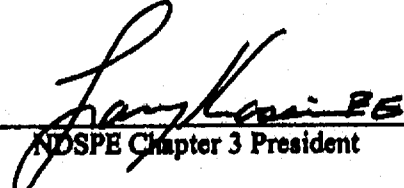
**Be it further resolved that:**

The Board of Directors for Chapter 3 of the North Dakota Society of Professional Engineers supports the North Dakota State Board of Registration for Professional Engineers and Land Surveyors with introducing legislation that will provide a "Retired Status" for Professional Engineers and Land Surveyors, licensed in North Dakota, and,

**Be it finally resolved that:**

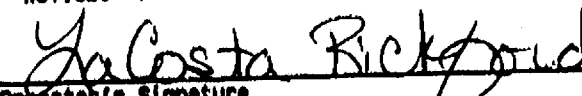
The Board of Directors for the North Dakota Society of Professional Engineers has previously adopted similar resolutions in support of proposed establishing a "Retired Status" of professional licensure.

This resolution is signed by the Chapter President, who is acting on behalf of, with the permission of and at the direction of the Board of Directors for Chapter 3 of the North Dakota Society of Professional Engineers, which is acting in the interests of the Chapter membership, within the powers vested in the Board of Directors by the Constitution and Bylaws of the North Dakota Society of Professional Engineers.

  
NDSPE Chapter 3 President

11-20-02  
Date

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Operator's Signature

10/2/02  
Date





## Chapter 3 Bismarck - Mandan

North Dakota Society of Professional Engineers

P.O. Box 2528 Bismarck, ND 58502-2528

### NDSPE Chapter 3 Resolution No. 02-03

#### Whereas:

The object of the North Dakota Society of Professional Engineers "... shall be the advancement of the profession of engineering in the State of North Dakota ... This shall be deemed to include the following:

- a. Protection of the public welfare by encouraging all qualified engineers to seek legal status through registration.
  - b. Uniting all professional engineers of the state in one organization.
  - c. Advancement of the professional, social, and economic interests of the professional engineer ...
  - f. Representation for the professional engineer in legislative matters affecting the profession ..."
- and,

#### Whereas:

Chapter 3 of the North Dakota Society of Professional Engineers is a duly authorized, affiliated society of the National Society of Professional Engineers, whose policies are to serve as policies for the affiliated state societies, and,

#### Whereas:

The National Society of Professional Engineers seeks to promote mobility of licensed engineers between states and foreign countries through common and unified licensure laws and requirements, and qualifications for practice, and,

#### Whereas:

The trend in engineering licensure in most states is to implement new rules governing licensing of individuals who have not received post-secondary education, and,

#### Whereas:

Comity/reciprocity and the flexibility of getting licensed in other states and foreign countries depends on North Dakota licensing requirements being similar to or more stringent than requirements of other jurisdictions, and,

#### Whereas:

Chapter 3 of the North Dakota Society of Professional Engineers acknowledges that a path of licensure currently exists in North Dakota licensure laws that allows individuals with no formal engineering education to become licensed, thereby potentially jeopardizing the life, health, property, safety, and public welfare of the citizens of North Dakota, and,

#### Whereas:

The North Dakota State Board of Registration for Professional Engineers and Land Surveyors is proposing to introduce legislation that would implement new rules governing the licensure track for individuals who have not earned a bachelors degree in an engineering or engineering equivalent program.

La Costa Rickford  
Operator's Signature

10/3/03  
Date

**NDSPE Chapter 3 Resolution No. 02-03**

**Now, therefore, let it be resolved that:**

Chapter 3 of the North Dakota Society of Professional Engineers acknowledges herewith the importance of limiting licensure to only qualified professionals who have duly demonstrated their competent ability to effectively protect the life, health, property, safety, and public welfare of the citizens of North Dakota through a combination of education and experience, and,

**Be it further resolved that:**

The Board of Directors for Chapter 3 of the North Dakota Society of Professional Engineers recognizes the importance of possessing, as a minimum, a bachelors degree in engineering or related curriculum to effectively protect life, health, property, safety, and public welfare of the citizens of North Dakota, and,

**Be it further resolved that:**

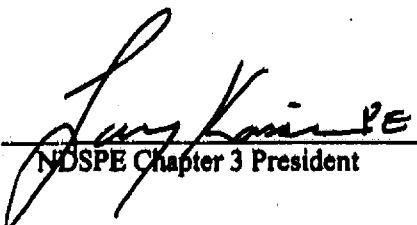
The Board of Directors for Chapter 3 of the North Dakota Society of Professional Engineers supports the North Dakota State Board of Registration for Professional Engineers and Land Surveyors with introducing legislation that will allow licensure of engineers who have, as a minimum, a bachelors degree in a technical field other than engineering, with the following proviso's:

1. the degree is in a technical field, obtained from a program with a curriculum that is "substantially engineering,"
  2. a sunset clause is attached to the legislation to implement new rules governing this licensure track after a fair and reasonable length of time,
- and,

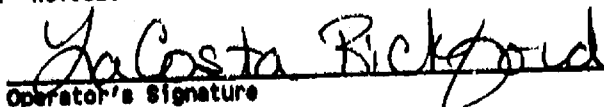
**Be it finally resolved that:**

The Board of Directors for the North Dakota Society of Professional Engineers has previously adopted similar resolutions in support of proposed legislation that will allow licensure of engineers who have, as a minimum, a bachelors degree in engineering or related curriculum.

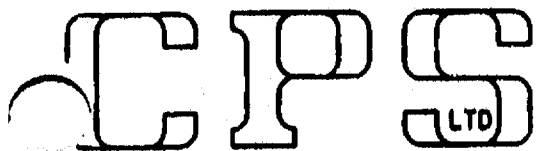
This resolution is signed by the Chapter President, who is acting on behalf of, with the permission of and at the direction of the Board of Directors for Chapter 3 of the North Dakota Society of Professional Engineers, which is acting in the interests of the Chapter membership, within the powers vested in the Board of Directors by the Constitution and Bylaws of the North Dakota Society of Professional Engineers.

  
NDSPE Chapter 3 President

11-20-02  
Date

  
Operator's Signature

10/3/03  
Date



## ENGINEERING • LAND SURVEYING • PLANNING

308 2nd AVENUE NORTH  
GRAND FORKS  
NORTH DAKOTA 58203

PHONE (701) 746-7459  
FAX (701) 746-8948

February 10, 2003

Duaine Espegard  
3649 Lynwood Circle  
Grand Forks, ND 58201

Via email despergar@state.nd.us

Dear Duaine:

The two bills I mentioned at the North Dakota Museum of Arts Dinner, which involve engineering issues are; HB 1236 and 1256 and were received by the Senate on January 31 and February 2, 2003.

HB 1236: A Bill for an Act to amend and reenact sections 43-199.1-18 and 43-19.1-25 of the North Dakota Century Code, relating to professional engineer and land surveyor registration fees and recovery of legal costs in disciplinary matter. It passed the House 78-10.

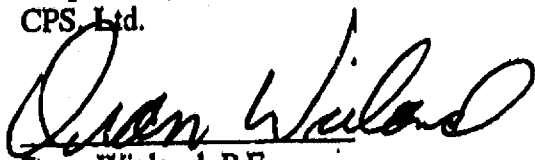
HB 1256, Which pertains to professional license "Retired Status," engineering licensing changes and continuing education, was considered by the House and passed the House 89-1.

These two Bills were sponsored by the North Dakota State Board of Professional Engineers and Land Surveyors and are strongly supported by the North Dakota Society of Professional Engineers (NDSPE). Currently I am the past President of NDSPE and during my four years as a state officer we have worked very hard with the Board of Registration, land surveyors, universities and other engineering groups to update our state registered engineering requirements, especially the continuing education provision which is now required in all adjoining states.

At our December NDSPE Board meeting, we passed five unanimous resolutions supporting the content of these bills. Also I personally strongly support both HB 1235 and 1256 and would respectfully request your support for both bills. Mike Samson, who is a Registered Land Surveyor in our office and is the Past President of the North Dakota Land Surveyors Association, will be providing written testimony in favor of the bills.

If you have any questions or need any additional information on these bills, please contact me thru email (dwieland@prodigy.net) or at 701-746-7459. Duaine, thanks for your help on this issue.

Respectfully yours,  
CPS, Ltd.

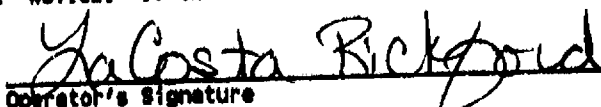


Dean Wieland, P.E.

DRW:sw

Cc: Cliff Keller - ND State Board of Professional Engineers and Land Surveyors  
Mary Nelson - North Dakota Society of Professional Engineers (NDSPE)

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Attachment #6

Comments on HB 1256

My name is Richard Hammond and I have been registered as a Professional Engineer in this State since 1976.

I object to the proposed additional powers to be given to the Board of Registration. The proposed new power to establish continuing education requirements and to monitor and document "compliance" with these requirements goes far beyond what is necessary to protect the health and safety of the citizens of the state. The practice of engineering is very diverse. Engineers engage in a wide variety of types of work. No Board or committee is qualified to define what constitutes an appropriate "continuing education requirement". Let the market place determine the qualifications necessary for each particular engineering job. When an engineer places a bid to perform work, a list of qualifications, including education and experience, is usually included in the bid proposal. No company or agency will hire an engineer for any significant project unless that engineer has a professional liability insurance policy covering his/hers work. Since the insurance company is taking the risk in these matters, they review the qualifications of any engineer related to the knowledge and skills needed for a particular job. Then, the company or

La Costa Richard  
Operator's Signature

10/2/03  
Date

agency bidding the work can make a decision based on both price, and the bidders experience and qualifications. This process can, and does, take place efficiently without the help of the State of North Dakota.

Certainly, the Board will require more money and resources to monitor compliance with these new continuing education requirements. That money will come out of my pocket in the form of increased annual registration fees. There is presently another bill (HB 1236) before this legislature to allow the Board to increase fees to double what they are now, and to do so, at the Board's own discretion. It is interesting to note that these two companion bills were separated for submission to the legislature. One bill allows additional duties, powers, and authority for the Board of Registration. The other bill (1236) allows the Board to write the check for the work that it decides it needs to perform. Had these two bills been considered at the same time as a package, it would have been much clearer to everyone involved what is really going on here. This blank check given to the Board is being written at my expense and at the expense of other engineers in the state. I have paid annual registration fees for over 25 years and have yet to receive any benefit from the "work" of the State Board of Registration.

La Costa Rickford  
Operator's Signature

10/3/03  
Date

The Board of Registration provides us with a typical example of how a government entity, initially created under the guise of health and safety, can take on a life of its own and grow and expand beyond the original intent of the legislation that created the Board. The proposals in these two bills will guarantee that the Board will continue to grow and become a self serving entity most likely influenced by inside special interests. As a minimum, these two bills (HB 1236 and HB 1256) represent unnecessary overregulation by the state. I recommend that this proposal for additional powers and authority be denied until there is a showing that there is a clear need for this legislation justified by health, safety, or the protection of the public.

January 26, 2003  
Richard Hammond  
Bismarck, ND  
701-223-5126

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10/3/03  
Date

**TESTIMONY ON HOUSE BILL 1256**

**Senate Industry, Business and Labor Committee**

**Dale L. Frink, State Engineer and Secretary to the  
State Water Commission**

**March 11, 2003**

Mr. Chairman and Members of the Senate Industry, Business and Labor Committee. I am Dale Frink, State Engineer and Secretary to the State Water Commission. I am here in support of House Bill 1256, which allows the Board to adopt rules for continuing professional education.

The need for continuing education for engineers cannot be better justified than by a review of my own 30-year career. I graduated from the North Dakota State University in 1971 when the slide rule was still the instrument of choice by all of the engineering students. The young engineering graduates today receive their education using today's latest technology, but technology changes as fast as new computers become obsolete. A very enjoyable part of my career has been learning and exploring new technology and this will continue not only for me but also for the young engineers.

Engineering, like medicine and other professions, has become highly specialized. For example, many of the engineers that designed the Southwest Pipeline Project were not just civil, mechanical and electrical engineers, but engineers that specialize in pumping plants, treatment plants, pipelines, cathodic protection, and telemetry. These engineers received a bachelor's degree in engineering, but they developed their specialty through a combination of on-the-job training and additional formal and informal education.

Many other states have required continuing education for engineers for many years. This actually makes it easier for us because there are now many opportunities for continuing education. In the water arena, universities, the American Water Works Association, the Association of State Dam Safety Officials, government agencies like the Corps of Engineers and the Federal Emergency Management Agency (FEMA), and many private companies all offer excellent courses and seminars.

The North Dakota State Water Commission has 17 registered professional engineers on staff. The majority of our engineers already take classes or attend seminars that would count toward these continuing education requirements. The State Water Commission's budget also includes limited funds for training.

I ask your favorable consideration of House Bill 1256. Thank you.

**SENATE INDUSTRY, BUSINESS, AND LABOR COMMITTEE**

**March 11, 2003**

**North Dakota Department of Transportation  
David A. Sprynczynatyk, P.E., Director**

**HB 1256**

During the past few years, the North Dakota Department of Transportation has discussed with the Board of Registration the requirements for registration as a professional engineer in the state of North Dakota.

Our primary concern is for our many employees who hold a degree in construction management. These employees have a wide range of experience and expertise. One, for example, has more than 28 years with the department and is a registered professional engineer in our state. We have other employees who acquired their fundamentals of engineering (FE) and professional engineer registration (PE) in South Dakota but cannot be registered in North Dakota. And we have employees who are waiting until they have the 20 years of experience currently required in North Dakota.

These employees are working in the field of engineering and are valuable assets to the state as well as the department. We support the recommendations that they be allowed to take the FE exam after six years rather than the current ten years, and the PE exam after 12 years rather than the current 20 years. We strongly agree with the changes recommended in Sections 1, 2, 3, and 4 of this proposed legislation.

We also support Section 5. The department has always been a proponent of continued professional education. We believe this is one of the ways our employees that are engineers can maintain strong credentials and keep current with knowledge and improvements in their field.

This concludes my testimony. I would be happy to answer any questions the committee may have.

*La Costa Rickford*  
Operator's Signature

*10/3/03*  
Date





## North Dakota State Board of Registration for Professional Engineers and Land Surveyors

721 West Memorial Highway • P.O. Box 1357 • Bismarck, ND 58502  
701-258-0786 • FAX 701-258-7471

**RE: HB 1256**

Industry, Business and Labor Committee  
North Dakota Senate  
Bismarck, ND

Dear Chairman Mutch and Committee Members:

My name is Lawrence Woodbury and I am here today to speak in support of HB 1256. I have been a registered Professional Engineer in North Dakota for twenty-eight years and am currently serving as the Secretary of the North Dakota State Board of Registration for Professional Engineers and Land Surveyors. This is my second five year term on the Board. During my first term, I served as Secretary, Vice Chairman and Chairman of the State Board.

HB 1256 is the result of countless meetings that the State Board of Registration has held with individuals from the engineering and land surveying professions, their respective professional societies, the ND Department of Transportation as well as the Deans of Engineering from UND and NDSU. In addition, numerous articles about the proposed changes contained in HB 1256 have appeared in the State Board's newsletter as well as other professional society newsletters.

The Board of Registration has compiled some background information regarding the various sections of HB 1256. That information was previously submitted to you. I would like to take this opportunity to review some of the more important facts with you, if I may.

Section One of HB 1256 deals with implementing a retired status of licensure. A retired registrant will be able to continue to use his professional title but would not be able to practice any engineering or land surveying. The Board of Registration will charge a significantly reduced fee for a retired status, basically, enough of a fee to cover mailing costs for the State Board's newsletter and other correspondence. A retired registrant will be exempt from any continuing education requirements. For those individuals who seek to revert from a retired status to a current status, reinstatement provisions already exist in NDCC 43-19.1-22 and NDAC 28-02.1-019-03.

Sections Two, Three and Four of HB 1256 deal with several changes to the existing requirements for becoming registered as a professional engineer. North Dakota is one of six states where an individual can become licensed as a professional engineer without any education, be it a high school diploma or a college degree. This licensure path requires a total of 20 years of experience. Ironically, under existing laws, an

Individual with a college degree in anything other than engineering, for example - science or physics, also needs to obtain 20 years of experience. HB 1256 proposes to remove the path to registration with no education. HB 1256 also proposes to allow less stringent experience requirements for those individuals who have obtained a college degree in an engineering related curriculum. The State Board acknowledges the fact that some individuals are currently pursuing registration via the path that has no education requirements. To accommodate these individuals, the State Board will allow them until July 1, 2004 to pass the first examination, which is the Fundamentals of Engineering and demonstrate their intent to ultimately become registered. Section Five of HB 1256 deals with continuing education. The State Board has long been aware of difficulties encountered by other jurisdictions when implementing a meaningful continuing education program. To avoid these difficulties, the State Board has done extensive research into continuing education plans in other states, especially those surrounding North Dakota. The research involved a detailed evaluation of other states' statutes and rules as well as interviews with individual registrants who must comply with those rules. Based upon the information that was gathered, the State Board was able to locate multiple sources of continuing education programs that are available at a reasonable cost and can be completed either in person or via the Internet or through in house staff training sessions. It is not necessary to travel across the country and expend large sums of money to gain continuing education opportunities; they are available here at home. Additionally, the registrants whom were questioned, indicated that it is very important that North Dakota's continuing education program be similar in scope and operation to other states. The State Board will develop this continuing education plan through the Administrative Rules process with the input of any and all interested parties.

Some professional engineers have questioned the need for a continuing education requirement for engineers who do not deal directly with the public. The fact that a professional engineer is not presently dealing with the public does not negate the fact that he/she, by virtue of his/her professional registration, could begin dealing directly with the public at any time thereby necessitating the need for continuing education and keeping up with the latest advances in engineering and/or surveying as the case may be. On a more personal side, I am employed by Houston Engineering where I serve as its president. Houston Engineering has offices in Bismarck and Fargo. We employ 23 engineers and land surveyors. As a firm and as individuals, we support HB 1256 and the changes it will bring to the engineering and surveying professions in North Dakota. I would refer you to a letter from Houston Engineering which is contained in your background information.

In closing, I want to assure you that the State Board of Registration has carefully evaluated the implications of this legislation and feels that HB 1256 will have a meaningful and positive impact on the engineering and land surveying professions employed by Houston Engineering where I serve as its President. Houston Engineering has offices in Bismarck and Fargo. We employ 23 engineers and land surveyors. As a firm and as individuals, we support HB 1256 and the changes it will bring to the

HB 1256  
Lawrence Woodbury

Page Three

engineering and surveying professions in North Dakota. I would respectfully ask for a  
DO PASS recommendation on HB 1256

Sincerely,

*Lawrence Woodbury*

Lawrence H. Woodbury, PE, PhD

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*La Costa Rickford*  
Operator's Signature

*10/3/03*  
Date

# ACKERMAN SURVEYING & ASSOCIATES

6008 Highway 2 East • Minot, ND 58701

(701) 838-0786

Fax (701) 837-1990

e-mail: ackerman@minot.com

**Rolly B. Ackerman**  
Registered Land Surveyor

**Robby L. Berard**  
Registered Land Surveyor

February 24, 2003

Re: HB 1256 Continuing Education

Dear Chairman Mutch and the Members of the IBL Committee:

My name is Rolly B. Ackerman, President of Ackerman Surveying & Associates, Inc. in Minot, North Dakota and currently act as the Vice-Chairman of the North Dakota State Board of Professional Engineers and Land Surveyors.

Our firm is based in Minot and currently employs 14 people in the summer months, consisting of Land Surveyors, Party Chiefs, Cadd Operators and Rodman for our business.

We provide Land Surveying and Construction Surveying, both Preliminary and Construction for Private and Public needs.

In the Land Surveying side, we do anything from Farmstead surveys to Residential and Commercial Developments.

On the Construction Surveying side we provide Preliminary and Construction Surveying on Rural and Urban Transportation Projects and probably are in involved in 90% of the Preliminary and Construction Staking at the Minot Air Force Base.

I am writing in support of HB 1256 and HB 1236. HB 1256 addresses the ever changing field of Engineering and Land Surveying and as an employer I am willing to invest in Continuing Education to keep up to the latest technical advances that the Profession has seen in the last 30+ years that I have experienced.

Member Of



Member Of



22

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Operator's Signature

10/2/03  
Date

**Ackerman Surveying & Associates - HB 1256**

There are several ways to obtain continuing education credits across the states. Self study, active participation in state societies and more and more programs offered over the Internet is a very economic way to maintain our professional status and above all, to protect the public.

I know things like this are not always popular, but the overall benefit to the public in enhancing our profession, by far outweighs the negatives.

HB 1236 enables the State Board of Registration for Professional Engineers and Land Surveyors to raise registration fees and recover costs from a disciplinary action. Both items in this bill are reasonable and I would encourage your support.

Thanks again for your support.

Sincerely,

  
Rolly B. Ackerman

## TESTIMONY FOR HOUSE BILL NO. 1256

To Chairman Duane Mutch and Members of the Senate IBL Committee:

This testimony letter is written in support of House Bill 1256, which addresses legislation to enact Continuing Education for Land Surveyors and Engineers and to add a new section for retired Land Surveyors and Engineers to the North Dakota Century code.

My name is Alan Erickson, I am a Registered Land Surveyor, employed by Ulteig Engineers in Bismarck, North Dakota. I began my career in land surveying in 1966 after serving in the US Army. I received my advanced education at the North Dakota State College of Science under the GI bill. I was tested and obtained my Professional Registration in North Dakota in 1977, South Dakota in 1980, Montana in 1993, and Wyoming in 2000.

My 37 year career has been one in which I learn something new nearly every day, whether it is from interaction with my peers, reading, college classes or attending technical seminars. If there is one thing I truly understand, it is the fact that in my profession, an individual must make an effort to continue their quest in advancing their knowledge.


As can be seen by the dates for my registration in surrounding states, I have had to spend a considerable amount of time in that 23 year span to prepare my knowledge base as I continue to advance my career. This fact reinforces my belief of the value for continuing education.

I believe that without the benefit of pursuing continuing education I would not have passed the testing requirements of our neighboring states.

The basic theory and law of land surveying may not change very much but the knowledge and experience of others can open our minds to a broader view of a particular surveying problem that requires a judgmental decision.

Thank you for accepting and reading this testimony on House Bill 1256 and I urge you to give this bill a "Do Pass" recommendation.

Sincerely

  
Alan W. Erickson, RLS  
10 February, 2003

(36)

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Operator's Signature

10/3/03  
Date



## **Houston Engineering, Inc.**

2505 N. University Dr., Box 5054 ■ Fargo, ND 58105-5054 ■ Ph: 701-237-5065 ■ Fax: 701-237-5101

February 14, 2003

Senator Duane Mutch, Chairman  
North Dakota State Senate  
Industry, Business and Labor Committee  
Bismarck, ND

**Subject: Written Testimony in Support of HB-1256**

Dear Chairman Mutch and Members of the IBL Committee:

My name is Lawrence H. Woodbury, President of Houston Engineering, Inc. Our firm has offices in Fargo and Bismarck, and is engaged in the professional practice of engineering and land surveying in the state of North Dakota. We have 60 employees, 23 of which are licensed engineers and land surveyors. I am a registered professional engineer and I also serve on the Board of Registration for Professional Engineers and Land Surveyors. I am currently in my second term on the Board of Registration, having already served seven years. In the past seven years I have served as secretary, vice chairman and chairman.

I am writing to you and your committee to express our firm's strong support of HB-1256. This bill provides for three specific issues that need to be addressed on current licensure and registration laws for professional engineers and land surveyors in the State of North Dakota.

Section I of HB-1256 provides for the implementation of a retired status of licensure as a professional engineer or land surveyor in a state. Our firm has three retired engineers and land surveyors who would greatly benefit this provision. An individual categorized as a retired registrant will be able to use his professional title, but not offer or practice any engineering or land surveying. In addition, retired registrant will be exempt from any continuing education requirements and will be allowed to maintain his retired status at a significantly reduced cost.

HB-1256 also contains several changes to the existing requirements of becoming registered as a professional engineer in the State of North Dakota. This section of the law allows individuals with no professional education become licensed, providing that they can demonstrate 20-years of experience and are able to pass the required examinations. This provision is antiquated and unfair to individuals who meet the prevailing national standards for licensure. Generally, national standards require the three E's: education, experience, and examination. HB-1256 brings all three of these elements back into the equation for licensure and insures some measure of equity to licensure laws. All of our firm's licensed professional engineers and land surveyors

Minneapolis Office ■ 10900 73rd Ave. N., Suite 106 ■ Maple Grove, MN 55369-5400 ■ Ph: 763-493-4522 ■ Fax: 763-493-5572  
Bismarck Office ■ 304 East Rosser Avenue, Suite 220 ■ Bismarck, ND 58501-4012 ■ Ph: 701-323-0200 ■ Fax: 701-323-0300

Equal Opportunity Employer

[www.houstonengineeringinc.com](http://www.houstonengineeringinc.com)

(27)

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*La Costa Rickford*  
Operator's Signature

10/3/03  
Date

Senator Duane Mutch, Chairman

Page 2

February 14, 2003

possess the required college degrees, meet experience requirements, and have passed the North Dakota licensure examinations.

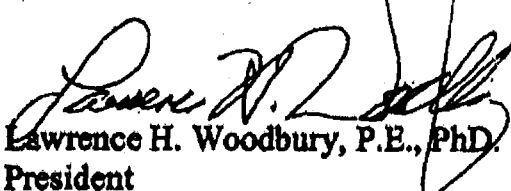
Section V of HB-1256 enables the Board of Registration to develop continuing education requirements for licensure. Continuing education is already a common element of most state professional licensure programs, including engineering and land surveying. Most of our neighboring states already require continuing education for licensure in engineering and land surveying (Montana, South Dakota, Wyoming, Minnesota, Iowa, and Nebraska). Practically all of the licensed engineers in our firm have licenses in one or more of these neighboring states. We have to do this in order to do business in these states. Therefore, continuing education is already a requirement of our engineers and land surveyors. Providing that the requirements and documentation were similar to those in our neighboring states, continuing education would not be a problem with us. Every professional engineer and land surveyor has a moral and ethical obligation to pursue continuing education opportunities in order to keep up to date on the rapidly changing technology of our profession. This provision of HB-1256 only asks that our registrants document their continuing education efforts. As a firm, we think that it is imperative for continuing education to be mandated for both engineers and land surveyors in order to protect the "health, safety, and welfare" of the citizens of North Dakota.

HB-1256 has received the formal endorsement of all North Dakota professional associations for professional engineers and land surveyors. These include the North Dakota Society of Professional Engineers, the North Dakota Council of Engineering Companies, and the North Dakota Society of Professional Land Surveyors. In addition, state agencies (North Dakota Department of Transportation, North Dakota State Water Commission) that provide employment for professional engineers and land surveyors have expressed their support on this bill.

In summary, HB-1256 corrects existing deficiencies and enhances the state's professional engineering and land surveying licensure laws, ultimately serving the best interests of North Dakota citizens. I thank you for your consideration and strongly encourage your support for a recommendation of "DO PASS" on HB-1256.

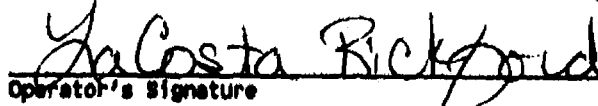
Sincerely,

HOUSTON ENGINEERING, INC.

  
Lawrence H. Woodbury, P.E., Ph.D.  
President

LHW:jo

(38)

  
Operator's Signature

10/3/03  
Date



**Kadmas  
Lee &  
Jackson**  
Engineering, Surveying  
and Planning

**TESTIMONY IN SUPPORT OF  
HOUSE BILL #1256**

**To: Senator Duane Mutch, Chairman  
Industry, Business and Labor Committee**

**From: Gene Jackson** *Gene Jackson*  
**Member of the North Dakota State Board of  
Registration for Professional Engineers and Land  
Surveyors  
and  
President, Kadmas, Lee & Jackson Engineering**

1 **Mr. Chairman,**

2 **Please accept this testimony as my strong personal support for House Bill**  
3 **#1256. In addition, this testimony is offered to reinforce the support of the North**  
4 **Dakota State Board of Registration for Professional Engineers and Land Surveyors**  
5 **of which I am a member. Equally important, this testimony represents the support**  
6 **of my company, Kadmas, Lee & Jackson Engineering; a 220 person North Dakota**  
7 **engineering firm that employ some 55 engineers and 18 land surveyors.**

8 **This bill modifies three requirements of NDCC 43-19.1:**

9 **In modifying 43-19.1-02, we simply intend to add a "registration status" that**  
10 **would allow a retired engineer or land surveyor to maintain his/her registration, but**  
11 **not be subject to full registration fees and continuing education. This change simply**  
12 **recognizes an individual's contributions as an engineer or land surveyor and allows**  
13 **that person to continue registration in retirement.**

14 **The second modification affects 43-19.1-14 and 43-19.1-15. This modification**  
15 **recognizes that there are college degrees that are not engineering, but closely related**  
16 **to engineering, and that these degrees should be recognized in the engineering**

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*Richard Costa*  
Operator's Signature

*10/3/03*  
Date

Kadman  
Lee &  
Jackson

17 registration process. To that end, HB #1256 would allow an individual with, for  
18 instance, a Construction Management degree from NDSU to be registered once  
19 he/she obtains twelve years of experience. Presently, that individual would need to  
20 wait twenty years. All of our engineering societies and the North Dakota  
21 Department of Transportation are vigorously supporting this change. This bill  
22 would also eliminate the current provision in the law that allows engineering  
23 registration with no formal education.

24 The third item in HB #1256 would allow our State Board to implement  
25 Continuing Education requirements for engineers and land surveyors. Most states,  
26 including those surrounding North Dakota (Montana, South Dakota, Wyoming,  
27 Minnesota, Iowa, Nebraska), already require Continuing Education by engineering  
28 and land surveying registrants. It would be our aim to formulate the detail of  
29 Continuing Education in North Dakota to mirror the requirements of these adjacent  
30 states as much as possible. While many registrants already practice voluntary  
31 Continuing Education, there is a significant portion of our registrants that does not.  
32 Like the medical, legal, accounting and other professions, we think it imperative  
33 that Continuing Education be mandated for both engineers and land surveyors in  
34 order to protect the "health, safety and welfare" of the citizens of North Dakota.

35 This bill has received formal endorsement from the North Dakota Society of  
36 Professional Engineers, the North Dakota Consulting Engineers Council, the North  
37 Dakota Society of Professional Land Surveyors, the North Dakota Department of  
38 Transportation and many others.

677 27<sup>th</sup> Avenue East • PO Box 290 • Dickinson, ND 58601 • 701-483-1284 • Fax: 701-483-2795

(40)

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*LaCosta Rickford*  
Operator's Signature

*10/3/03*  
Date

TESTIMONY REGARDING HOUSE BILL NO. 1256

To Chairman Mutch and members of the Senate IBL Committee:

I am writing in support of House Bill 1256. This Bill will enact legislation for Continuing Education for Professional Land Surveyors. It will also add a new section for retired Land Surveyors and Engineers to the North Dakota Century Code.

My name is John G. Lindvig, I am a Professional Land Surveyor in North Dakota.

Ours is a profession, like any other, which is in a continual state of change. This is largely due to our dependence upon technological advances to remain competitive. It is also due in part to legislative changes as well as other factors.

I have found it necessary to attend continuing education courses to keep up with these changes and I would hope that my peers would do the same. Unfortunately in many professions this is not the case.

We owe this service to our clients and the Public. I therefore urge you to give House Bill 1256 a "Do Pass" recommendation.

Sincerely

*John G. Lindvig*  
John G. Lindvig

**Testimony In Favor of House Bill 1256**

DuWayne A Marthaller, P. E.  
Manager Of Civil Engineering  
Basin Electric Power Cooperative  
Bismarck, ND

I appreciate the opportunity to express my support for this bill. I have been registered as a Professional Engineer in North Dakota since 1981. I have BS and MS degrees in Civil Engineering from North Dakota State University and Colorado State University, respectively. My comments are brief. I will address continuing education, registration requirements, and retired status.

**Continuing Education**

A continuing education requirement raises the standard for practicing engineering, always good for the profession. The competency of practicing engineers is increased, always good for the public. Education resources are widely available at reasonable cost.

**Registration Requirements**

People with engineering-related degrees such as environmental science and construction management should be able to become registered sooner than current law allows. The education is similar and these graduates are often accepted into engineering graduate schools. Of course, the applicant still has to pass the exams. Allowing a person to become registered without a degree should be stopped because classes in humanities, communications, and business law are a necessary foundation to effectively practice engineering.

**Retired Status**

I believe the "retired registrant" provision is a show of respect to engineers that have served the public and taught younger engineers.

Respectively,

(42)

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### Continuing Education Resources

Continuing education resources are readily available through professional societies, universities, and private companies. American Society of Civil Engineers offers 200 online courses and 115 self-study courses. A typical price is \$200 for a 4-PDH self-study course. The online courses are about \$250 for the same credit class. The biennial cost for 24 PDH's would be \$1200 to \$1500. In most cases, several people can share a class.

Almost every university offers online and correspondence classes and seminars. A three semester-hour class will cost about \$900 and represents 45 PDH's.

Several private companies offer classes, usually in cooperation with a university. But, they often hire instructors and offer their own classes. The cost is similar to what the professional societies charge. However, they offer a package of several seminars that will award a total of 25 PDH's for \$600 to \$900. Two Internet-based companies that offer these classes are SmartPros Engineering and RedVector.

In summary, the biennial education requirements will cost \$600 to \$1500. The cost will be much less if classes are purchased and shared.

(12)

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10/3/03  
Date



## Metal Building Software, Inc.

3270 20th St. S. • Fargo, ND 58104 • 701-293-6471 • FAX 701-239-4268 • MBSweb.com

February 4, 2003

Senator Duane Mutch,  
Chairman, Industry Business and Labor Committee

RE: HB 1256

Greetings Senator Mutch,

I would like to have a few minutes of your time to encourage you to pass House Bill 1256. The item of primary interest to me is the Continuing Professional Education requirements for professional engineers and surveyors.

Please consider supporting HB1256 for the following reasons:

1. **IT WILL INCREASE THE LEVEL OF PROFESSIONAL COMPETENCY OF THE ENGINEERS AND SURVEYORS IN THE STATE:** We are an engineering software company with 13 employees. Five of our staff are engineers. When continuing education is required to maintain registration, each of our engineers will be more active in continuing education. Our engineering software company exports technology through out the world. The higher the level of technology demonstrated by our staff, the more successful our company will be. We currently bring in 1.5 to 2.0 million dollars into the state each year. This dollar volume can be improved with engineers that are continually updating their technical expertise. Currently, we are not as active as we should be with continuing education, in that on occasion, more immediate issues can prevail. When continuing education is mandatory, each of our staff will be better prepared with the latest technology, and our company will be more successful.

You may hear from engineers or surveyors that tell you mandatory continuing education is not required for me since I always do more than what is required. That is great, and I am sure that there are many engineers and surveyors that are in this situation. This proposed legislation will have no impact on them except for the few minutes every two years needed to inform the state registration board of their continuing education activities. This bill is directed to those practicing engineers and surveyors that are not diligent with their continuing education.

2. **THE PUBLIC WILL BE SAFER WHEN BEING SERVED BY ENGINEERS WITH A HIGHER LEVEL OF COMPETENCY:** Engineers and surveyors must reach a certain level of education and experience prior to taking registration examinations. Those who pass the examinations are given a license to practice

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Operator's Signature

*La Costa Rickford*

Date

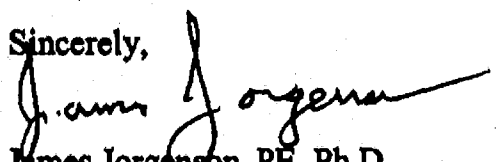
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their profession. The education, experience, and examinations are requirements to protect the public. It is only reasonable to require these same engineers and surveyors to participate in continuing education to keep their competence at a level that will continue to protect the public. State statutes require continuing education for Lawyers and Doctors as a means to protect the public. As a state legislator it seems that you would feel that it is necessary to enact similar legislation for continuing education for engineers and surveyors.

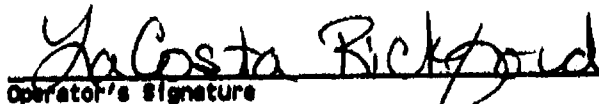
3. **THIS BILL PLACES NORTH DAKOTA IN LINE WITH THE PROFESSION IN THE ADJACENT STATES AND ON A NATIONAL BASIS:** The bill will enable the state board of registration to implement a plan for continuing education requirements for professions engineers and land surveyors. The board will hold public hearings and consider input from the professions and the public. Our three adjacent states, as well as more than half the states in the nation, require continuing education for engineers and surveyors.

In summary, HB 1256 is a modest request that will serve the best interest of the North Dakota citizens. I thank you for your consideration and encourage your support.

Sincerely,

  
James Jorgenson, PE, Ph D  
President, Metal Building Software

(45)

  
Operator's Signature

10/3/03  
Date

February 10, 2003

Senator Duane Mutch, Chairman  
Industry, Business and Labor Committee  
Members of the Committee, Ladies and Gentlemen.

Thank you for revisiting the topic of Continued Education for Engineers and Land surveyors. I thank you for your recommendations of Do-Not-Pass two years ago.

Today I would request that you look favorably on this proposed legislation. I do so because this proposed legislation embodies those principals that will enable the Registration Board to professionally address Continuing Education by adoption, through the Administrative Rules Process. This process is well defined by administrative procedures and should adequately assure the public that meaningful regulations will result.

Two years ago the proposed legislation embodied items that were inconsistent, non-determinant or failed to provide meaningful protection to the public.

1. That proposal continued to make available registration for candidates without a formal education in Engineering. This proposal sunsets the non-degree applicant for Engineer registration.
2. The former legislation did not in my opinion include a commitment by the State Board to monitor course content to assure appropriate standards for the program.
3. Availability of courses is much improved and their costs are much more reasonable today. We recognize that minimizing costs that must be born by the user of Engineering Services is an important consideration.

HB-1256 addresses Engineers and Land Surveyors I would restrict my remarks to the Engineering references within the proposed legislation.

**Current Proposal:**

1. Provides for a sunset for non-degreed Engineering applicants which is consistent philosophically with the proposal for continued education.
2. Provides a process for senior Engineers to select "Retired Status" and return to active practice if desired.

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La Costa Rickford  
Operator's Signature

10/3/03  
Date



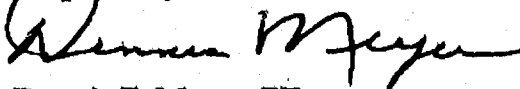
Page 2

8. Section Five provides direction to the Board to administer an effective "continuing Education program". This is reassuring to me as I witnessed the early attempts at development of this process throughout the nation. During my travels with the National Council From Alaska to Puerto Rico and from Main to Guam during 1986 to 1989 it was abundantly obvious that:

- a. A small number of Engineers (mostly retired) were looking at Continued Education as a lucrative source of income mandated by state law.
- b. That many Continued Education Courses were very expensive.
- c. Fulfilled requirements for Continued Education but were not applicable to the actual practice discipline of the Engineer.
- d. The public was not being protected.

Mr. Chairman, Members of the Committee, I ask for your concurrence on HB-1256

Respectfully Submitted



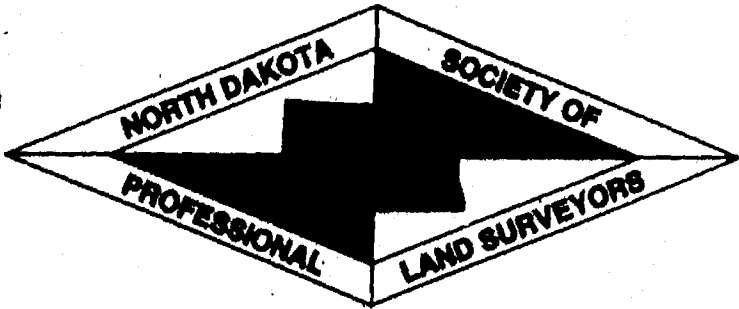
Dennis F. Meyer PE

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Date



Mark Aughtman, President, Co-Chair Legislation & Bylaws  
North Dakota Society of Professional Land Surveyors  
858 8<sup>th</sup> Ave East  
Dickinson, ND. 58601

NDSPLS ADMINISTRATIVE OFFICE  
PO BOX 475  
STEELE, ND 58482  
Phone: 701-475-0279  
Fax: 701-475-2109  
E-mail: schwab@bektel.com  
Website: www.ndspls.org

February 19, 2003

RE: H.B. 1256

Industry, Business and Labor Committee  
North Dakota Senate  
Bismarck, North Dakota

Dear Chairman Mutch and Committee Members:

I am writing to you in regards to House Bill 1256 legislation for Continuing Education for Engineers and Land Surveyors and adding a Retired registrant status to the North Dakota Century Code. The North Dakota Society Professional Land Surveyors and I are in favor of this bill and we urge you to support it.

My name is Mark Aughtman and I am currently employed as a Land Surveyor with the U.S. Forest Service and also serve as President and Co-chair of the Legislation and Bylaws committee for the North Dakota Society of Professional Land Surveyors.

I am a Professional Land Surveyor in the states of North Dakota (3801), South Dakota (6085) and Montana (12821). The states of South Dakota and Montana currently require continuing education.

Continuing Education

- Continuing professional education is necessary to remain technically proficient with new technology and information.
- It encourages the registrant to pursue a program of life-long learning and professional development.
- In North Dakota, continuing education is required of lawyers, doctors and members of other professional and technical professions.
- Continuing education is necessary to stay abreast of past, present and future advancements in the engineering and surveying fields.
- Continuing education promotes the exchange of new ideas and better ways of doing business.
- Continuing education allows engineers and surveyors the opportunity to broaden their resource base when problems or questions arise.
- Continuing education gives our public the assurance that engineers and surveyors are the best trained and most current with present technologies and business practices.
- Over half of the states have mandatory continuing education requirements for engineers and land surveyors.
- The states of Montana, Minnesota and South Dakota have mandatory continuing education programs for engineers and land surveyors.
- In-state resources and Internet sources are available for the registrant seeking continuing education credits and will help to keep continuing education costs at a low level.

AFFILIATE OF AMERICAN CONGRESS ON SURVEYING AND MAPPING

(52)

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Operator's Signature

*La Costa Rickford*

Date

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SP

### Licensing of Engineers

The North Dakota Society of Professional Land Surveyors has no opinion on registration requirements for Professional Engineers.

### Retired Status

- Professional Engineers and Professional Land Surveyors have earned their respective titles through long years of education, testing, and diligent practice.
- Current licensure laws allow the use of these titles only for active practice.
- A retired-status license would allow for the use of the earned titles, Professional Engineer and/or Professional Land Surveyor, and acknowledges long years of service to the profession.
- A retired-status license can be reinstated to active practice if desired.
- Implementing a retired status of licensure brings North Dakota law more in line with current national norms.
- Retired status does not allow any active practice.
- Active status allows a registrant to earn income to cover license costs but retired status does not, therefore retired status licensure fees will be reduced.
- Continuing education requirements (if enacted) will be waived while on retired status.

The North Dakota Society of Professional Land Surveyors strongly supports the efforts of the North Dakota Board of Registration and their legislative effort of HB 1256.

Thank you for considering my testimony on House Bill 1256. I strongly encourage you to give House Bill 1256 a "Do Pass" recommendation.

Sincerely,

/s/ Mark Aughtman

Mark Aughtman  
NDSPLS President Elect

(52)

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10/3/03  
Date

Larry J. Smith  
2321 Harding Ave.  
Bismarck, ND  
58501-2233

March 5, 2003

Re: Support of HB 1256

Chairman Mutch and Committee Members,

I am writing to ask your support of House Bill 1256, The North Dakota Society of Professional Land Surveyors and my self are in favor of HB 1256. My name is Larry Smith; I am a principle in the consulting firm of Swenson, Hagen and Co. and Co-chairman of the Legislative Committee for NDSPLS.

I am a professional Land Surveyor in North Dakota (registered 1980) and South Dakota (registered 1987) and have been employed with Swenson Hagen and Co. since 1973. South Dakota requires continuing education for license renewal.

I strongly support continuing education for Surveyors. The reasons are outlined in the position papers submitted to the committee. I have had the opportunity to attend many educational courses and seminars since I attended my first seminar in 1979. I can honestly say that I have acquired information or learned something at each of the educational opportunities I have attended.

NDSPLS has no opinion on the on the registration requirements for Professional Engineers as this is outside of our discipline. After conferring with many engineers that I have a professional association with, I personally support the engineers request to change the engineering registration requirements.

The proposed change to the retired status is a great compliment to the professional engineers and surveyors of North Dakota. It will allow our dedicated long term engineers and surveyors to continue to use the title they have worked long and hard for. One of the important highlights of my career is the day I became registered as a Professional Land Surveyor. I would desire to use that title after I retire from active surveying.

The North Dakota Society of Professional Land Surveyors and I support the North Dakota State Board of Registration and their legislative efforts of HB 1256.

Thank You for the opportunity to provide testimony on HB 1256. I strongly encourage you to give HB 1256 a "Due Pass" recommendation

Sincerely,

*Larry J. Smith*  
Larry J. Smith, L. S.

(54)

*La Costa Rickford*  
Operator's Signature

10/3/03  
Date