

Sec. 2. **Extension revoked in certain cases.**—Should the owner of said real estate fail to pay the taxes and insurance on said premises or commit waste thereon during the said period of extension, the Bureau shall have the right to revoke such order of suspension and enforce the collection of payments in pursuance with the terms of the mortgage. Upon the commencement of proceedings to foreclose any mortgage where an extension of payments has been granted, the mortgagor may petition the District Court of the county wherein the mortgaged real estate is situated for an order restraining said foreclosure, setting forth that he has lived up to the terms of the extension agreement, and should the court find and adjudge that said mortgagor has substantially lived up to the terms of the extension agreement, the court shall order the discontinuance of said foreclosure. After the filing of said verified petition and during the pendency of said cause all proceedings for the foreclosure of said mortgage shall be held in abeyance until the final determination of the court.

Sec. 3. **Payment of unpaid installments.**—The unpaid installments shall be paid either by prorating and adding the same to the installments due after such suspension period, or in installments at the end of the original period of the mortgage.

Approved April 22, 1933.

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#### CHAPTER 404—S. F. No. 261

*An act to amend Laws 1921, Chapter 523, Sections 2, 9, 12, 13 and 14, relating to the practice of architecture, professional engineering and land surveying.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Registration required.**—That Mason's Minnesota Statutes of 1927, Section 5697, Sub-Section 1 and 2, be and the same hereby is amended so as to read as follows:

“5697-1. In order to safeguard life, health and property, any person practicing or offering to practice as an architect, a professional engineer or land surveyor in this State shall hereafter be required to submit evidence that he is qualified so to practice, and shall be registered as hereinafter provided; and from and after six months after this Act becomes effective, it shall be unlawful for

any person to practice or to offer to practice in this State as an architect, a professional engineer (hereinafter called engineer) or a land surveyor except under the provisions of this Act. No person shall practice or offer to practice as an architect, engineer or land surveyor, nor accept employment for compensation, in responsible charge of the preparation of plans and specifications for building, engineering or surveying work in this State unless he shall have registered under the terms of this Act, except that the provisions of this Act shall not apply to practice with regard to any single family or two family dwelling nor to any farm dwelling or building accessory thereto, nor to any building work the total cost of which does not exceed \$7,500, nor to the erection, enlargement or alteration of any building or structure, by any person, firm or corporation, or the employees thereof, exclusively for his or its own occupancy and/or use, nor to any building or the plans or specifications therefor when such plans and specifications are prepared by an established contractor or builder in negotiating for employment as such or in detailing his proposal to or agreement with a person for whom he proposes to build as a contractor or builder or for use in obtaining a building permit in connection with such constructing or building work and that the same are signed by the authors thereof with a true statement of their relation to such construction and not as architects or engineers."

"5697-2. No person shall represent himself as, or use the title of, "Registered Architect," "Registered Professional Engineer" or "Registered Land Surveyor," unless such person is qualified by registration under this act.

No person, except an architect, engineer or land surveyor registered as provided for in this act, shall be employed in responsible charge of the preparation of plans or specifications for any public work or public improvement in this state or in responsible charge or supervision of architectural, engineering or land surveying for any public work or public improvement in this state.

No plat, map or drawing of any survey or sub-division of lands required by law to be filed or recorded with the register of deeds or registered with the registrar of titles of any county, shall be filed, recorded or registered therein unless there shall be endorsed thereon a certificate by a registered land surveyor.

The provisions hereof shall not apply to any person holding an elective office when in discharging the duties thereof such person is required to do work or perform service of the character of work or service usually done or performed by an architect, engineer or land surveyor.

Sec. 2. **Certificates of registration.**—That Mason's Minnesota Statutes of 1927, Section 5697, Sub-section 9, be and the same hereby is amended to read as follows:

"5697-9. The Board shall, on application therefor, on prescribed form and the payment of a fee of not to exceed *Ten Dollars (\$10.00)* issue a certificate of registration as an architect or an engineer, and on the payment of a fee of not to exceed *Five Dollars (\$5.00)* issue a certificate of registration as a land surveyor;

1. To any person over twenty-five (25) years of age, who is a citizen of the United States or Canada, or who has made declaration of his intention to become a citizen of the United States; who speaks and writes the English language; who is of good moral character and repute, and has been actively engaged *either as an employer or an employee for five or more years in the practice of architecture or engineering, or engaged for four or more years in surveying work. The character of such practice or work shall be equal to the standards fixed by the Board. Each year of teaching or of study satisfactorily completed, of architecture, engineering or surveying in a school of architecture or engineering of a standard recognized by the Board, shall be considered as equivalent to one year of such active engagement.*

2. To any person who holds a like unexpired certificate of registration issued to him by proper authority in the District of Columbia, in any state or territory of the United States, or in any province of Canada, in which the requirements for registration of architects, engineers or land surveyors are equal to those fixed by the board for this state, and in which similar privileges are extended to the holders of certificates of registration issued by this state.

3. To any person who prior to the passage of this act resided in this state and practiced as an architect, engineer or as a land surveyor.

*When the evidence presented by an applicant for a certificate of registration shall not be conclusive or convincing as warranting the issuance of a certificate, the Board may require further evidence to be presented, or may subject the applicant to such examination as may be deemed necessary to establish his qualifications.*

*In determining the qualifications in such cases of applicants for registration as architects, a majority vote of the architect members of the Board only shall be required; in determining the qualifications in such cases of applicants for registration as engineers a majority vote of the engineer members of the Board only, shall be required; and in determining the qualifications of applicants for registration as land surveyors the affirmative vote of the land sur-*

veyor member and of one engineer of the Board only, shall be required.

The board may make reasonable rules and regulations for classifying and registering engineers in divisions according to their qualifications to practice different classes of engineering work and shall, in such case, register qualified applicants in one or more such divisions in which they shall qualify under the terms of this act and shall, in any event, provide one such division for highway engineers.

Any person so qualified may be registered in two or all of the three professions covered by this act; but the aggregate fee for such registration shall not exceed \$15.00.

In case the Board denies the issuance of a certificate to an applicant, the registration fee deposited shall be returned by the Board to the applicant.

Certificates of registration shall expire on the last day of the calendar year for which they are issued and shall become invalid on that date unless renewed. It shall be the duty of the secretary-treasurer of the Board to notify, by mail, every person registered hereunder of the date of the expiration of his certificate and the amount of the fee required for its renewal for one year; such notice shall be mailed at least one month in advance of the date of the expiration of said certificate. Renewal may be effected at any time during the month of December by the payment of a fee of \$3.00 for an architect or any engineer, and \$1.00 for a land surveyor.

The failure on the part of any registrant to renew his certificate annually in the month of December as required above shall not deprive such person of his right of renewal thereafter, but the fees to be paid for the renewal of the certificate after the succeeding first day of January shall be *Five (\$5.00)* Dollars for an architect or an engineer, and *Two (\$2.00)* Dollars for a land surveyor. The aggregate fee for renewal of registration in two or three of the professions shall be the same as the single renewal fee for registration as an architect or an engineer.

Sec. 3. **Offenses.**—That Mason's Minnesota Statutes of 1927, Section 5697, Sub-Section 12, be and the same hereby is amended to read as follows:

"5697-12. Any person who is not authorized to practice in this State as an architect, an engineer or a land surveyor under the provisions of this Act and shall so practice or offer so to practice, and any person presenting or attempting to file as his own the certificate of registration of another, or who shall give false or forged

evidence of any kind to the Board, or to any member thereof, for the purpose of obtaining a certificate of registration, or who shall falsely impersonate any other practitioner, of like or different name, or who shall use or attempt to use an expired or revoked certificate of registration, shall be deemed guilty of a misdemeanor.

Sec. 4. **Persons exempt from registration.**—That Mason's Minnesota Statutes of 1927, Section 5697, Sub-section 13, be and the same hereby is amended as follows:

"5697-13. The following shall be exempted from the provisions of this Act:

1. Practice as an architect, an engineer or a land surveyor in this State by any person not a resident of and having no established place of business in this State, or any person resident in this State, but whose arrival in the State is recent; provided, however, such person shall have filed an application for registration as an architect, an engineer or a land surveyor and shall have paid the fee provided for in Section 9 of this Act. Such exemption shall continue for only such reasonable time as the Board requires in which to consider and grant or deny the said application for registration; and *provided such person is legally qualified to practice such profession in his own state or county in which the requirements and qualifications for obtaining a certificate of registration are not lower than those specified in this act.*

2. Practice as an architect, an engineer or a land surveyor by any person not a resident of, and having no established place of business in this State, as a consulting associate of an architect, an engineer or a land surveyor registered under the provisions of this Act; provided the non-resident is qualified for such professional service in his own State or country.

3. Practice as an architect, an engineer or a land surveyor solely as an officer or as an employe of the United States."

Sec. 5. **Corporations and partnerships.**—That Mason's Minnesota Statutes of 1927, Section 5697, sub-section 14, be and the same hereby is amended to read as follows:

"5697-14. A corporation or partnership may engage in work of an architectural or engineering character, or in land surveying, in this State, provided the person or persons connected with such corporation or partnership in responsible charge of such work is or are registered as herein required of architects, engineers and land surveyors, or is or are otherwise authorized or

*permitted to practice as an architect, engineer or land surveyor. The same exemptions shall apply to corporations and partnerships as apply to individuals under this Act."*

Sec. 6. **May appeal to district court.**—Any person aggrieved by any ruling or order of the Board made under the provisions of this act, may appeal therefrom to any district court of the state by serving written notice of such intention upon the secretary of the Board, specifying such court, within thirty days after the same is made. The secretary of the board shall thereupon file with the clerk of such court a certified copy of the order or rulings or findings of fact upon which the same are based, which shall be prima facie evidence of the facts therein stated. Thereupon the court shall summarily hear and determine the questions involved on said appeal, such ruling or order of the board shall be stayed pending the said appeal.

Sec. 7. **Effective July 1, 1933.**—This Act shall take effect and be in force from and after its passage but registrations required hereunder by persons heretofore practicing in this state may be made at any time before July 1, 1933.

Approved April 22, 1933.

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#### CHAPTER 405—H. F. No. 367

*An act raising revenues, imposing incomes taxes and franchise or privilege taxes measured by income, providing certain exemptions and exceptions from such taxes, providing for the assessment, levy and collection thereof, and the distribution of the proceeds therefrom, appropriating money for the administration thereof, providing penalties for violations thereof and defining certain crimes in connection therewith and imposing penalties therefor.*

Be it enacted by the Legislature of the State of Minnesota:

#### ARTICLE I.—General Definitions.

Section 1. **Definitions.**—When used in this Act—

(a) The term "person" shall include individuals, fiduciaries, estates and trust, and partnerships not included in the definition of corporation.

(b) The term "partnership" shall mean any partnership not of the class included in the definition of corporations.