

**ALASKA LEGISLATURE COMMITTEE FILES 1993-1994 8672**

**8409 SENATE LABOR & COMMERCE**

**SB**

**305**

Jan 10, 1981  
Senator Tim Kelly  
Alaska Senate  
State Capital  
Juneau, Alaska 99801-3100

Dear Senator Kelly:

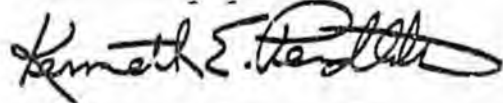
I am enclosing background materials describing the profession of landscape architecture for your information and review.

As you know, the Alaska Chapter of the American Society of Landscape Architects has sponsored a bill in support of registration of landscape architects. Our concern is that our profession does provide public and private services which relate to the public's health, safety and welfare. However, we find our services are frequently sought 'outside' from licensed professionals in Washington, Oregon and California. With 44 of the states having registration laws, including all of the western states, it is timely that Alaska take a look at registration.

We have been in direct communication with the Board of Architects, Engineers, and Land Surveyors, and will continue to work with them in developing the best possible way to incorporate landscape architectural representation on that board. The cost for administration of examinations will be born by those filing for examination, as is the case in other states holding licensing exams. We would expect registration fees to cover any additional cost for administration for the 50-100 anticipated licensees added to the Board.

I hope you will consider the materials enclosed and please discuss any questions you may have with Senator Little, who is our sponsor for this legislation. Also, please feel free to contact me at 257-2463 should you have any further questions or would like any additional information.

Sincerely yours,



Kenneth E. Pendleton, ASLA  
Trustee

CC: S. Little  
L. Cyra-Koorsgard

- LANDSCAPE ARCHITECTS:  
POSITION PAPERS -

Licensure  
of  
Landscape Architects

Position Papers

February 15, 1994

## Cost

The Registration Board activities are supported by fees collected for Registration and Exams from Engineers, Architects and Surveyors. The total collected is well in excess of the cost for board business. Adding Landscape Architects will only increase the funds brought in.

The fees collected are currently directed into the States general fund, the finance committee than allocates back to board operations significantly less than is brought in.

Landscape Architects, once represented on the registration board will help work towards a solution to this unequitable situation.

Landscape Architects propose adding two members to the board. One landscape Architect for representation and one public member to keep the board at an uneven number to alleviate a tie vote.

# CLARB

A non-profit corporation whose members are the 44 state boards that register landscape architects and the British Columbia registration authority.

The mission of CLARB is to assist our member boards in the execution of their responsibilities and to foster reciprocal registration between our member boards by promoting uniform standards for education, training and examination.

## Services and primary activities:

- Landscape Architect Registration Examination
- CLARB Certification
- Model Registration Laws
- International Relations
- Interprofessional Relations
- Publications/Communications



## CLARB Member Board Requirements Chart — September 1992

<i>General</i>	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
Minimum age for registration	21	21		NA	29	21	18		18	21	NA	NA	21	NA	NA	NA	NA	NA		18	18	18		19
<i>Education Requirement</i>																								
Degree required for registration?	Yes	Yes		Yes	Yes	No	No		No	Yes	Yes	Yes	Yes	Yes	No	Yes	No	No		Yes	No	Yes		Yes
<i>Examination</i>																								
Application deadline for new applicants	1/13	3/1		2/1	3/15	4/12	3/1		3/1	3/1	3/15	3/1	3/15	3/15	3/1	1/15	2/1	3/1		2/14	3/15	4/5		3/1
Application deadline for repeat applicants	3/12	3/1		NA	3/15	4/12	4/1		5/3	3/1	3/15	3/1	3/15	3/15	5/1	3/15	TBD	3/1		4/1	3/15	4/5		3/1
Proctor candidates from other states?	Yes	Yes		No	Yes	No	Yes		Yes	Yes	Yes	Yes	No	Yes	Yes	No	No	Yes		Yes	Yes	Yes		Yes
Allow candidates to be proctored?	Yes	Yes		No	Yes	No	Yes		Yes	Yes	Yes	Yes	TBD	Yes	Yes	No	No	Yes		Yes	Yes	Yes		Yes
Limited number of attempts to pass?	Yes	Yes		No	Yes	Yes	No		No	Yes	No	No	No	No	No	No	No	Yes		Yes	Yes	Yes		No
State exam required?	Yes	Yes		Yes	No	No	No		No	Yes	Yes	No	Yes	No	Yes	No	No	No		No	Yes	Yes		No
<i>Reciprocity</i>																								
CLARB Certificate Record accepted?	Yes	Yes		Yes	Yes	Yes	Yes		Yes	Yes	Yes	No	Yes	Yes	Yes	TBD	Yes	Yes		Yes	Yes	Yes		Yes
CLARB Certificate Record required?	No	No		No	No	No	No		No	No	Yes	No	No	No	Yes	No	No	No		No	No	No		No
Senior Exam accepted in lieu of written?	Yes	Yes		TBD	Yes	Yes	Yes		No	No	No	No	Yes	Yes	Yes	No	TBD	No		Yes	No	Yes		Yes
Personal interview required?	TBD	No		No	No	No	No		No	No	No	No	TBD	No	No	No	TBD	No		No	Yes	No		No
State law provided with application?	Yes	Yes		No	Yes	Yes	Yes		Yes	Yes	Yes	Yes	TBD	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes		Yes
<i>Practice</i>																								
Type of law (P=Practice; T=Title; SC=State Certification)	P/T	P/T		T	T	P/T	T		T	P/T	T	P/T	P/T	P/T	P/T	P/T	T	P		T	T	T		P/T
Continuing Education required?	Yes	No		Yes	Yes	No	Yes		No	No	No	No	No	No	Yes	No	No	No		No	No	No		No
Corporate Practice allowed?	No	No		No	No	Yes	Yes		Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes		Yes	No	Yes		Yes
Corporations register with state?	NA	No		Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes		Yes	No	Yes		Yes
Temporary permits allowed?	No	No		No	No	Yes	No		Yes	No	No	Yes	No	Yes	No	No	No	No		No	No	Yes		No
Type of board L=Land, Arch. C=Combined	L	L		L	L	L	L		L	C	L	L	L	L	C	C	C	L		C	L	L		L

## CLARB Member Board Requirements Chart — September 1992

	AL	AK	AZ	AR	CA	CO	CT	DE	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT
<i>Fees</i>																										
1992 examination administration fee (In addition to base cost = \$345)	75		142	50	0		40+	0	490	60	325 <sup>1</sup>	10	100	69	65	27	90	50	210	25	60	30	20	60	50	55+
Application fee for reciprocal registration	75		90	20	325		30	10	150	105 <sup>2</sup>	50	100	100	100	100	372	200	35	300	100	65	30	100	250	195	125
Annual in-state license renewal fees	100		42	60	150		80	75	225	100	90	80	100	20	87	15	100	35	60	200	50	40	29	72	95	110
Fee to complete a license verification form	0		0	0	0		0	10	25	0	0	0	20	0	0	0	0	0	0		16	15	0	0	0	0

	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY	BC
<i>Fees</i>																									
1992 examination administration fee (In addition to base cost = \$345)	25	250 <sup>3</sup>		0	65	30	55		0	75	200	29	75	50	5	75	THD	60		30	205	20		50	170 <sup>6</sup>
Application fee for reciprocal registration	50	200		80	200	270	100		THD	100	125	45	100	125	100	100	25	60		75	200	35		100	110
Annual license renewal fees	65	130		125	100	52	75		50	75 <sup>4</sup>	125	63	40	58	30	30	70 <sup>5</sup>	60		53	150	40		25	420
Fee to complete a license verification form	0	0		25	0	20	0		0	0	0	15	0	0	0	0	0	0		0	45	0		0	0

<sup>1</sup> HI: \$325.00 for entire exam.

<sup>2</sup> GA: \$25.00 application fee + \$80.00 license fee.

<sup>3</sup> NV: \$250.00 for entire exam.

<sup>4</sup> OK \$150.00 biennial fees (every two years); prorated to \$75.00 for second year of biennial period.

<sup>5</sup> TX: Non-resident renewal fee — \$100.00; Resident — \$70.00; Emeritus — \$10.00.

<sup>6</sup> BC: \$515 for entire exam; or \$85 + per section cost.

Programs in Landscape Architecture  
UNIVERSITY OF OREGON

**Undergraduate and Graduate Programs:**

Course work includes the study of the land and its processes, geology, hydrology, ecology, plants, landscape technologies and construction practices, landscape history, theory, and literature. These areas are integrated in the study of design, the process of environmental understanding, giving order and form to environmental transformations.

**Degrees:**

BLA & MLA Programs (Undergraduate 5 yr. program and Graduate program is accredited by the American Society of Landscape Architects)

**Subjects:**

The study of landscape architecture includes course selections from five professional core subject areas:

A. Landscape Architectural Technology

Courses include construction, grading, drainage, irrigation design, design of small structures, professional practice, fundamentals of architecture, materials and process construction.

B. Plant Materials, Communities, and Design

Courses include botany, plant physiology, plant identification, planting design and theory, nursery practice, forest biology, landscape maintenance.

C. Landscape Analysis and Planning

Courses include landscape planning and analysis, site analysis & design, soils genesis, geography, hydrology and water resources, environmental planning and public policy, etc.

D. History, Literature and Theory of Landscape Architecture

Courses include history of North American Landscapes, land and the landscape, the garden, national parks, contemporary American landscapes, landscape preservation.

E. Media Courses

Courses include CADD, computer technologies, and media for design development.

Programs in Landscape Architecture  
UNIVERSITY OF WASHINGTON

**Undergraduate and Graduate Programs:**

As landscape architects we *Visualize* concepts and spaces, seeing with an educated eye and mind; *Create* new patterns and forms, blending living plants with wood, stone, metal, water, and earth; *Express* aesthetics, inspiring interaction; *Evaluate* facts and ideas, learning from history and present research to make decisions.

**Degrees:**

BLA & MLA Programs (Both the Undergraduate 5 yr. program and Graduate 3 yr. programs are accredited by the American Society of Landscape Architects)

**Undergraduate Curriculum:**

Course work includes planning and design studios, history, theory, graphics, professional practice and construction and directed electives in computers, urban design and planning, ecology, environmental legislation, environmental geology, soils, landscape plant management, plant identification.

**Graduate Curriculum:**

Course work consists of a basic core including design studios, construction, graphics, history, planting design, natural processes, professional practice, plant identification, environmental geology, and soils. In addition, required graduate curriculum also includes graduate design studios, research methods, theory, thesis preparation and writing, thesis, environmental law as well as directed free electives.

Programs in Landscape Architecture  
UNIVERSITY OF MINNISOTA

**Undergraduate and Graduate Programs:**

The Landscape Architecture degree programs at the University of Minnesota emphasizes the design process and an understanding of the various facets of nature, culture, and human behavior that affect the design, planning and management of land. The programs are organized around a six year time period during which students acquire basic professional training for the practice of landscape architecture, and students are encouraged to explore the expanding areas of professional practice.

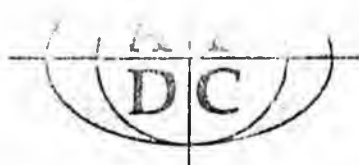
**Degrees:**

The Department of Landscape Architecture offers an undergraduate program leading to the bachelor of environmental design (B.E.D.). In conjunction with the Graduate School, the department offers accredited professional master of landscape architecture (M.L.A.) and research-oriented master of science (M.S.) degrees.

**Graduate Curriculum:**

The study of landscape architecture for a graduate degree includes requirements within five subject 'core' areas. Completion of a minimum 140 credit hours is required within the following subject areas:

- A. Design
- B. Technology
- C. History
- D. Visual & Verbal Communications
- E. Theory and Research Skills



# Alaska Designs

Volume 16, No. 11, December 1993

The Official Newsletter of the Alaska Professional Design Council

## Landscape Architects seek Professional Registration

by Dwayne Adams

Landscape architects have been an important partner in the planning and design field for 25 years in Alaska. Landscape architects have been instrumental in dramatic changes throughout the state, illustrated through urban improvements in our cities, park and playground designs from Barrow to Ketchikan, and the management of Alaska's national and state parks and wildlife refuges. The work performed by landscape architects entails an understanding of arctic engineering, accessibility design, natural resource planning, and Consumer Product Safety Council guidelines for playground design. The contribution of this profession to the health, safety and welfare of Alaskans warrants registration of the practice. Forty four of the 50 states currently recognize this need.

The State Board of Registration has raised three questions that should be discussed: 1) What should be the definition of landscape architecture? 2) Will there be a mandate for the use of landscape architects in specific circumstances, and 3) Are landscape architects in Alaska precluded from doing work that they are qualified to do? Each question deserves consideration:

First, the definition of landscape architecture (included in suggested draft changes within this newsletter) is specific with regard to those areas

in which landscape architects traditionally practice. It also parallels the definitions of our sister professions. Landscape architects do planning work, but do not seek authorization to do platting anymore than architects seek such authority as is allowed within the definition of architecture. They seek the authority to design minor site structures such as seating, information kiosks, and trails, but do not request authority to design overpasses or other significant structures any more than architects are allowed by definition to do: "...structural design of minor importance." Landscape architects wish to provide design of site rehabilitation through site contouring and revegetation but do not seek allowance to design remediation systems for environmental pollutants.

The question then is how to provide for the areas of traditional practice while being concise. The existing definitions of the other professions allow the practices to be "...by regulation of the board." Landscape architects suggest that the definition of landscape architecture be parallel to the definitions of the other areas of practice. To define "planning", "minor site structures" or "rehabilitation of disturbed lands"

See LANDSCAPE, page 2

## AELS Board to Consider Licensure for Environmental Professionals

by Carl H. Harmon, Chair  
Alaska Association of  
Environmental Professionals

It is the position of the Alaska Association of Environmental Professionals (AAEP) and the National Association of Environmental Professionals (NAEP) that the public health, safety, welfare and the environmental resources of the State of Alaska can be better protected if Environmental Professionals/Environmental Engineers are licensed.

The AAEP and NAEP believe that the environmental field is a specific and identifiable area of professional practice. To practice as an Environmental Professional requires the professional application of specialized education, knowledge, experience and training in the physical or natural sciences. It is the position of

See ENVIRONMENTAL, page 2

*The Alaska Professional Design Council is establishing a "Specialty Registrations Committee" to formulate a position on the application of Landscape Architects and Environmental Engineers for registration. If you would like to be on the committee or if you have an opinion on the merits of specialty registration please contact your APDC Board Member.*

within the statute would be voluminous and out of character with the other definitions. The board is in place to address these issues and the landscape architects suggest that the board would effectively deal with these issues.

The second concern has to do with whether there are circumstances in which landscape architectural services would be required by statute. Landscape architects do not request any such allowance or restriction. They request that they be allowed to work in those areas in which they traditionally practice. In many circumstances it is not appropriate to require landscape architectural design. Landscape architects do not seek to restrict architects or civil engineers from performing minor planting design if that meets the desires of a client. However, if a client would prefer that a landscape architect perform trail design, planting design or site grading, then the client should have that option.

The third concern has to do with whether Alaskan landscape architects are deprived of work that should be done in state. Currently, more landscape architecture work is performed by out of state landscape architectural offices than is performed by in-state offices. These out-of-state landscape architects have little or no training in arctic engineering, seldom have knowledge of local maintenance practices, and have little knowledge of local plant materials. The Alaskan landscape architects feel that the public's interest is best protected when these professionals have knowledge of Alaskan engineering practices, Alaskan maintenance practices and Alaskan plant materials.

In summary, the landscape architects request only that they be allowed to practice within their traditional areas of practice and

within the limits of their professional education and training. They do not ask that other professionals be excluded from practicing in those areas in which they work, but do ask that clients be given the option of using a landscape architect. Lastly, they ask that landscape architectural work that is performed within the state of Alaska be done by persons trained and experienced with design for Alaska. It is in the public's best interest and the interest of all of the planning and design professions that the practice of landscape architecture be regulated in the state of Alaska.

*A summary of the proposed changes to Alaska Statutes and Alaska Administrative Code to allow licensing for landscape architects is on page 5, including a definition of landscape architecture as proposed by the Alaska Chapter of the American Society of Landscape Architects.*

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#### ◦ ENVIRONMENTAL

*Continued from page 1*

the AAEP and NAEP that the skills necessary for the practice of Environmental Professionals can be determined through the administration of an exam, given to those individuals possessing the prerequisite qualifications of education and experience. The practice by Environmental Professionals should be restricted to those individuals who have qualified for licensure through examination or endorsement from an equivalent process from another state.

While other professions may practice in fields which are similar or may overlap to some extent with the practice by Environmental Professionals, it is the position of the AAEP and NAEP that licensure of Environmental Professionals will not result in the restriction of any area of practice of any currently licensed profession, including engi-

neers, geologists, surveyors or landscape architects. The licensure of Environmental Professionals will assure that the individuals responsible for the practice of professional environmental management are directly liable and responsible for the consequences of their efforts.

Ethical standards are essential for the responsible practice by Environmental Professionals. It is the position of the AAEP and NAEP that a Code of Ethics for Environmental Professionals must be a component of the regulation of the practice of professional environmental management. Identification of the fundamental canons, rules of practice and professional obligations of Environmental Professionals will provide assurance that appropriate ethical standards have been established and are being met.

There are professional organizations which review and certify the credentials of Environmental Professionals performing work in certain disciplines of environmental management. It is the position of the AAEP and NAEP that the licensing of Environmental Professionals will neither eliminate the need for, nor diminish the importance of, these certifications. Licensure and certification can provide the complementary assurance of repeated practice and peer recognition of qualifications.

The AAEP and NAEP believe that they are not alone among the organizations of Environmental Professionals in recognizing the necessity of licensure of Environmental Professionals. It is the position of the AAEP and NAEP that licensure can only be accomplished with the unified cooperation and support of the existing organizations whose members are Environmental Professionals. The AAEP and NAEP urge all groups with an interest in this issue to join together to achieve the goal of licensure of Environmental Professionals.

Continued from page 1

- Are cable utilities included?
- Are telephone utilities included?
- Can standard details be used for repetitive projects, such as line extensions or service drops, without special site specific plans?
- Can the Board legally pick an enforcement date later than statute requirements?

MLA plans to comply as soon as possible, but they must go through an extensive class specification change, including negotiations with the International Brotherhood of Electrical Workers (IBEW), before this can be implemented. Contact Dick Armstrong, 276-0521, with questions or comments.

15. *1994 Meeting Dates.* The AELS Board preliminary meeting dates are 1/27/94-1/28/94 in Juneau; 5/19/94-5/20/94 in Anchorage; 8/18/94-8/19/94 in Fairbanks and 11/17/94-11/18/94 in Anchorage.

## Proposed Changes for Landscape Architect Licensing

The Alaska Chapter of the American Society of Landscape Architects has drafted proposed statutes and regulations to allow registration of landscape architects. Changes to Alaska Statutes Chapter 48 include:

- Add the words "Landscape Architect" in Chapter title, list of professions to be registered and throughout applicable sections.
- Add two members to the Board to allow for a Landscape Architect member and another public member (to prevent tie votes).
- Allow registration by comity for

landscape architects holding certificates of registration elsewhere. Allow registration of persons holding a certificate of qualification issued by the Council of Landscape Architectural Registration Board.

- Add definitions; "landscape architect" means a professional Landscape Architect and "practice of landscape architecture" means professional service or creative work in the planning of land, the design of grading, drainage, irrigation, planting layout, minor site structures, and rehabilitation of disturbed lands, the evaluation of scenic values, the teaching of advanced landscape architectural courses in institutions of higher learning, consultation, investigation, evaluation, planning, design and professional inspection and contract administration of construction of public or private sitework, and landscape architectural review of drawings and specifications by regulatory agencies.

Alaska Administrative Code Chapter 36 would be amended as proposed below:

- Add a section defining eligibility for landscape architect registration to include successful completion of all educational requirements to obtain an undergraduate degree in a landscape architectural curriculum accredited by ASLA, as documented by the applicant's educational institution; or satisfactory evidence of equivalent education and experience.
- Add the words "Landscape Architect" throughout applicable sections.
- Require, for registration by comity, a CLARB record, completed application, verification of registration in another jurisdiction and proof of completion of Arctic Engineering.

## Directory of Sustaining Members

**Golder Associates, Inc.**  
*Geotechnical & Environmental Engineers*  
8740 Hartzell Suite 200, Anchorage, AK 99507  
Phone (907) 344-6001 Fax (907) 344-6011

**Harding Lawson Associates**  
*Engineering and Environmental Services*  
601 East 57th Place  
Anchorage, AK 99518  
Phone (907) 563-8102 Fax (907) 561-4574

**Hart Crowser Inc.**  
*Earth and Environmental Technologies*  
2550 Denali Street, Suite 705  
Anchorage, AK 99503 (907) 276-7475

**James M. Montgomery**  
*Consulting Engineers Inc.*  
*Environmental and Civil Engineering*  
4000 Credit Union Dr. Suite 600  
Anchorage, Alaska 99503 (907) 561-5829

**Kumin Associates, Inc. — Architects**  
Phone 563-8877 Fax 561-0378

**Lake & Boswell**  
*Consulting Electrical Engineers, Inc.*  
513 Third Avenue, Suite 206  
Fairbanks, AK 99701 (907) 452-1441

**Loftus & Dailey, Inc.**  
*Structural Engineering—Engineering Management*  
341 West Tudor Road, Anchorage AK 563-3066  
1028 Aurora Drive, Fairbanks, AK 456-7680

**Lounsbury & Associates, Inc.**  
*Surveyors • Engineers • Planners*  
723 West Sixth Avenue  
Anchorage, AK 99501 (907) 272-5451

**A.W. Murfit Company**  
*Engineering and Testing*  
Phone (907) 345-2737 Fax (907) 345-3264

**Peratrovich, Nottingham & Drage, Inc.**  
*Engineering Consultants*  
1506 West 36th Avenue  
Anchorage, AK 99503 (907) 561-1011  
*Offices in Anchorage, Juneau and Seattle*

**RSA Engineering, Inc.**  
*Mechanical • Electrical*  
2522 Arctic Boulevard, Suite 200  
Anchorage, AK 99503-2516 (907) 276-0521

**Technology Plus**  
*AutoCAD, ArcCAD, PC ARC/INFO*  
*LandCADD, Archibus, ArcView*  
Phone & Fax (907) 780-6211

**Tryck Nyman Hayes, Inc.**  
*Engineers • Surveyors • Landscape Architects*  
*Transportation and Community Planning*  
911 West 8th Avenue  
Anchorage, Alaska 99501  
Phone (907) 279-0543 Fax (907) 276-7679

March 29, 1994

Senator Tim Kelly  
Chairman of the Finance Committee  
Alaska State Senate  
Capitol, Room 101  
State Capital, Juneau, AK 99801-1182

RE: Fiscal Note, Title: An Act relating to licensure of landscape architects  
SB 305

*faxed 3/29/94*

The Alaska Chapter of the American Society of Landscape Architects (ASLA), subcommittee on licensing has reviewed the fiscal note prepared for the Finance Committee. We have the following comments and questions which we are unable to answer prior to the public hearing on March 31, 1994 relating to this question.

1. Approximately 4800 professionals are currently serviced by the registration board.
2. The department has one full time staff person to service the boards activities and members. It has requested an increase of one 1/2 time staff person to help with the current work load. If a full time staff person is added as suggested by the fiscal note, that increased cost should be equitably shared by the 4800 members to be served as well as the Landscape Architects (estimated to reach 50 members).
3. The Board of Registration members pay the state fees in excess of the cost of running the boards business, but the money is not appropriated out of the general fund to this Board. This lack of funding could be remedied with an appropriation equal to the fees collected, regardless if Landscape Architects are added to the board.
4. Landscape Architects have proposed adding two board members, one a landscape architect and another public member, to keep the board at an uneven number. The board has 9 positions, this would increase the number to 11. After meeting with the Board of Registration for the second time, they suggested it may be a better idea to substitute a landscape architect for one of the current positions, thereby not increasing the board size. If this amendment is made perhaps the landscape architect could take the place of the public member. At this time one has not been appointed.

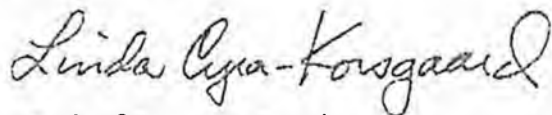
*LTR REGARDING FISCAL NOTE*

Senator Tim Kelly  
March 29, 1994  
Page 2

5. Currently one staff member travels to board meetings as support, we suggest that two staff persons traveling to board meetings is unwarranted.
6. The number of exams estimated in the fiscal note appears to far outnumber the demand of Landscape Architects that we can foresee, wishing to take the test. Our recommendation would be to offer the test(s) on a bi-yearly basis.
7. Further detailed backup of the proposed budget and fees would help us to demonstrate to the State that licensure of landscape architects will not create a hardship on the current board nor require the inequitable fees of \$870.00/ 2 yrs. (other professions pay approx. \$200.00 on a bi-yearly basis).

The Alaska Chapter of the ASLA would be happy to work with the state on a revision of the fiscal note, and we appreciate your prompt attention to this bill.

Sincerely,



Linda Cyra-Korsgaard  
Landscape Architect

cc: Barb, Div. of Occupational Licensing  
Senator Suzanne Little


LEGISLATIVE AFFAIRS BUREAU  
STATE OF ALABAMA

MEMORANDUM

March 30, 1994

**SUBJECT:** Sectional Summary of SB 305 (An Act relating to licensure of landscape architects.)

**TO:** Senator Suzanne Little

**FROM:** Terri Lauterbach  
Legislative Counsel 

This memorandum contains a brief description of SB 305. If you have questions about specific provisions of the bill, please let me know.

Secs. 1 - 29 and 32.

These sections add the terms "landscape architect" and "landscape architecture" to all of the statutes relating to the State Board of Registration for Architects, Engineers, and Land Surveyors so that landscape architects must be registered in the same manner that architects, engineers, and land surveyors are currently required to be registered. The definition of the "practice of landscape architecture" is in sec. 27 of the bill.

Secs. 30 - 31.

These sections amend laws relating to common interest ownership communities so that certain documents are valid if executed by landscape architects in the same way that those documents are valid if executed by registered engineers, architects, and land surveyors.

Secs. 33 - 34.

These sections contain transitional provisions relating to new members of the board and delaying the registration requirement for landscape architects until 60 days after the results are available for the first examination for landscape architects.

TML:pl  
94-269.plm

# STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

## DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

P.O. BOX 110806  
JUNEAU, ALASKA 99811-0806  
PHONE: (907) 465-2534

DATE: March 31, 1994

TO: Senator Kelly and Senate Labor and Commerce committee members.

FROM: George Davidson, Chairman of the Architects, Engineers & Land Surveying Board.

SUBJECT: Senate Bill No. 305

The AELS board met in November 1993, with representatives of the landscape architecture community. They informed us that they would like to work with the board toward an eventual program of requiring licensing of landscape architects. The board and the group agreed to meet over the next several months to review the role of the landscape architect in the work profession and to discuss how to handle work areas that overlap with existing regulated professions, in particular those of architecture, and civil engineering.

The AELS board left the meeting with a feeling of cooperation. The landscape architects were to gather and submit to the board background data in the form of statutes from other states and a draft version(s) of legislation for board review. The board was under the impression that the landscape architecture legislation would not be introduced until the board had an opportunity to review, discuss among ourselves and with the landscape architects, discuss with the various professional societies, then modify the bill, if required. The goal of the AELS board was to come to the Legislature jointly with the landscape architects with a bill that has general acceptance. Unfortunately that did not happen. At the last board meeting held in February, the board scheduled time to continue the process with the landscape architects and were surprised and disturbed to find out that a landscape architect bill had been introduced without the board's review and input. No one from the LSA group had a copy of the bill nor could they tell us the bill's contents, other than they were recommending an increase in the size of the board with one seat to be clearly dedicated to the landscape architectural profession. Neither had they submitted to the board the requested background data as of that date.

The board will continue to discuss this issue at our meeting in May and will continue the process outlined above until there is a resolution of the issues. At this time the board can only ask that NO action be taken on this bill until the board completes its review which will include public comment from the community and professional involvement as outlined above.

If however, the Senate does not wish to delay action on the bill, the board requests that the size of the AELS board not be increased, and further that no designated seat be created for the landscape architects. The reason is that, the AELS board currently represents all of the engineering disciplines but does not have designated members for them. For example, there are far more electrical and mechanical engineers currently licensed in Alaska than landscape architects, yet the electrical or mechanical engineers are not presently required to be represented on the board. The addition of a landscape architect member and a public member will only increase the AELS cost of operation. In addition, the board discussed the need for the registrants for landscape architecture to have a registration fee which is designed to offset any increased cost to the board as a result of adding the LSA discipline to the board.

MH/br043.mh  
033194a

## Fax

Senator Suzanne Little  
State Capitol  
Juneau, Alaska 99801  
(907) 465-2828 Phone  
(907) 465-4779 Fax

To: See list below  
From: Leslie Ridle, Aide to Sen. Little  
Date: April 5, 1994  
Pages (including cover sheet): 15

*Josh -  
please call  
me about this -  
Tnx -  
Leslie  
X7826*

Note: This is the follow-up to the fax I sent on March 31. The work meeting for SB 305, Licensure of Landscape Architects, will be on April 7 from 8:30-10:00a.m.. I have confirmation from many of you that you can make it, and will continue to try and reach everyone on the list for confirmation of attendance. I want to emphasize that this is just a work meeting for SB 305, not an actual committee hearing. The bill will be heard in the Senate Labor and Commerce Committee at 1:30 on Thursday, April 7.

Attached is a work draft of a committee substitute for SB 305 to be proposed by Senator Little at the Labor and Commerce Committee. One major difference between the two versions of the bill is that the work draft does not require that 2 new members be appointed to the board. The work draft calls for a new NON VOTING landscape architect to be placed on the board for one year. This non voting member would be recommended and funded by ASLA. The purpose of having a non-voting landscape architect on the board for a year after passage of the bill is to have a person who can give advice and assistance for writing the regulations necessary for licensing landscape architects. There will be a new fiscal note written for this version of the bill.

The other major difference between the two bills is the definition of a landscape architect on page 11 and 12 in the workdraft.

Please look over the new draft and bring any comments you have on the bill to the work meeting on April 7. Our goal is to come to a consensus on the new draft of the bill at that time if possible. If you have any questions, please call me at 465-2828.

**FAX LIST:**

George Davidson	586-3565
Phil Holdsworth	None
David Spell	474-6087
Mike Tauriainen	262-5777
Richard Armstrong	276-1751
William Mendenhall	None
Michael Schwartz	276-4366
Merle Jantz	
Dwayne Adams	276-5887
Elise Huggins	279-2618
Ken Pendelton	257-2517
Nora Laughlin	586-7843
Linda Cyra Korgsgaard	276-7679
Sharon Macklin	586-9518

Soldotna LIO	262-1881
Anchorage LIO	258-1261
Fairbanks LIO	456-3346
M at-Su LIO	376-6180
Amy Smith	451-2360
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8-LS1617J  
Lauterbach  
4/4/94

CS FOR SENATE BILL NO. 305( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATOR LITTLE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to licensure of landscape architects."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 \* Section 1. AS 08.01.010(2) is amended to read:

4 (2) State Board of Registration for Architects, Engineers, Landscape  
5 Architects, and Land Surveyors (AS 08.48.011);

6 \* Sec. 2. AS 08.03.010(c)(3) is amended to read:

7 (3) State Board of Registration for Architects, Engineers, Landscape  
8 Architects, and Land Surveyors (AS 08.48.011) - June 30, 1997;

9 \* Sec. 3. AS 08.48.011 is amended to read:

10 Sec. 08.48.011. BOARD CREATED. (a) There is created the State Board of  
11 Registration for Architects, Engineers, Landscape Architects, and Land Surveyors.  
12 The board shall administer the provisions of this chapter and comply with AS 44.62  
13 ([THE] Administrative Procedure Act [(AS 44.62)]).

14 (b) The board consists of nine voting members appointed by the governor

1 having the qualifications as set out in AS 08.48.031 and one nonvoting member  
2 appointed by the governor from persons recommended by the Alaska Chapter of  
3 the American Society of Landscape Architects and having the qualifications set  
4 out in AS 08.48.031. The voting members of the board consist [CONSISTS] of two  
5 civil engineers, one land surveyor, one mining engineer, two engineers from other  
6 branches of the profession of engineering, two architects, and one public member.

7 \* Sec. 4. AS 08.48.031 is amended to read:

8 Sec. 08.48.031. QUALIFICATIONS. Each member of the board must have  
9 been a resident in the state for three consecutive years immediately preceding  
10 appointment and, except for the public member and the nonvoting member, must be  
11 registered and have a minimum of five years of professional practice in the member's  
12 respective field.

13 \* Sec. 5. AS 08.48.061(b) is amended to read:

14 (b) Each voting member of the board is entitled to receive per diem and travel  
15 expenses as authorized by law for other boards and commissions. The nonvoting  
16 member of the board is not entitled to receive either per diem or travel expenses.

17 \* Sec. 6. AS 08.48.061(c) is amended to read:

18 (c) The board may make expenditures from appropriated funds for any purpose  
19 that is reasonably necessary for the proper performance of its duties under this chapter.  
20 This may include the expenses of the board delegates to meetings of councils of  
21 architect examiners, engineering examiners, landscape architect examiners, or land  
22 surveyor examiners, or any of their subdivisions. The total amount of warrants issued  
23 in payment of the expenses incurred under this chapter may not exceed the amount of  
24 money appropriated by the legislature.

25 \* Sec. 7. AS 08.48.071(f) is amended to read:

26 (f) The Department of Commerce and Economic Development shall assemble  
27 statistics relating to the performance of its staff and the performance of the board,  
28 including but not limited to,

29 (1) the number of architects, engineers, landscape architects, and land  
30 surveyors registered over a five-year period;

31 (2) the rate of passage of examinations administered by the board;

1 (3) the number of persons making application for registration as a  
2 professional architect, engineer, landscape architect, or land surveyor over a five-year  
3 period;

4 (4) an account of registration fees collected under AS 08.01.065;

5 (5) a measure of the correspondence workload of any licensing  
6 examiner employed by the department to carry out this chapter.

7 \* Sec. 8. AS 08.48.111 is amended to read:

8 Sec. 08.48.111. POWER TO REVOKE, SUSPEND, OR REISSUE  
9 CERTIFICATE. The board may suspend, refuse to renew, or revoke the certificate of  
10 or reprimand a registrant or corporation who is found guilty of (1) fraud or deceit in  
11 obtaining a certificate; (2) gross negligence, incompetence, or misconduct in the  
12 practice of architecture, engineering, landscape architecture, or land surveying; or (3)  
13 a violation of this chapter, a regulation adopted under this chapter, or the code of  
14 ethics or professional conduct as adopted by the board. The code of ethics or  
15 professional conduct shall be distributed in writing to every registrant and applicant  
16 for registration under this chapter. This publication and distribution of the code of  
17 ethics or professional conduct constitutes due notice to all registrants. The board may  
18 revise and amend its code and, upon doing so, shall immediately notify each registrant  
19 in writing of the revisions or amendments. The board may, upon petition of the  
20 registrant or corporation, reissue a certificate if a majority of the members of the board  
21 vote in favor of the reissuance.

22 \* Sec. 9. AS 08.48.171 is amended to read:

23 Sec. 08.48.171. GENERAL REQUIREMENTS AND QUALIFICATIONS FOR  
24 REGISTRATION. An applicant for registration as an architect, engineer, landscape  
25 architect, or land surveyor must be of good character and reputation and shall submit  
26 evidence satisfactory to the board of the applicant's education, training, and  
27 experience. However, an applicant for registration as a land surveyor may not be  
28 required to submit evidence of more than eight years of any combination of education,  
29 experience, or training.

30 \* Sec. 10. AS 08.48.181 is amended to read:

31 Sec. 08.48.181. REGISTRATION UPON EXAMINATION. Except as

1 provided in AS 08.48.191, for registration as a professional architect, professional  
2 engineer, professional landscape architect, or professional land surveyor, a person  
3 shall be examined in this state in accordance with the regulations of procedure and  
4 standards adopted by the board under AS 44.62 ( [THE] Administrative Procedure Act  
5 [(AS 44.62)]). The procedure and standards shall at least meet the requirements  
6 adopted by recognized national examining councils for these professions.

7 \* Sec. 11. AS 08.48.191 is amended by adding a new subsection to read:

8 (d) A person holding a certificate of registration authorizing the person to  
9 practice landscape architecture in a state, territory, or possession of the United States,  
10 the District of Columbia, or a foreign country, that in the opinion of the board meets  
11 the requirements of this chapter, based on verified evidence, may upon application, be  
12 registered under the regulations of the board. A person holding a certificate of  
13 qualification issued by the Council of Landscape Architectural Registration Boards  
14 may upon application be registered under regulations of the board.

15 \* Sec. 12. AS 08.48.201(a) is amended to read:

16 (a) Application for registration as a professional architect, a professional  
17 engineer, a professional landscape architect, or a professional land surveyor shall

18 (1) be on a form prescribed and furnished by the board;

19 (2) contain statements made under oath, showing the applicant's  
20 education and a detailed summary of the applicant's technical experience; and

21 (3) contain five references, three of whom must be architects for  
22 architectural registration, engineers for engineering registration, landscape architects  
23 for landscape architectural registration, and land surveyors for land surveying  
24 registration, having personal knowledge of the applicant's architectural, engineering,  
25 landscape architectural, or land surveying education, training or experience.

26 \* Sec. 13. AS 08.48.211 is amended to read:

27 Sec. 08.48.211. CERTIFICATE OF REGISTRATION. (a) An applicant who  
28 fulfills the requirements set out by the board shall be awarded a certificate of  
29 registration as a professional architect, engineer, landscape architect, or land surveyor,  
30 authorizing the holder to offer or perform architectural, engineering, landscape  
31 architectural, or land surveying services or work for the public, or to certify or sign

1 architectural, engineering, landscape architectural, or land surveying documents.  
2 Certificates of registration issued under this section shall be inscribed on their face in  
3 a manner determined by the board.

4 (b) The certificate of registration sealed by the board is prima facie evidence  
5 that the person named in it is entitled to all rights and privileges of a professional  
6 architect, professional engineer, professional landscape architect, or professional land  
7 surveyor while the certificate remains unrevoked or unexpired.

8 \* Sec. 14. AS 08.48.221 is amended to read:

9 Sec. 08.48.221. SEALS. Each registrant may obtain a seal of the design  
10 authorized by the board, bearing the registrant's name, registration number, and the  
11 legend, "Registered Professional Architect," "Registered Professional Engineer,"  
12 "Registered Professional Landscape Architect," or "Registered Professional Land  
13 Surveyor," as appropriate. Final drawings, specifications, surveys, plats, plates, reports,  
14 and other similar documents shall, when issued, be signed and stamped with the seal.  
15 The board shall adopt regulations governing the use of seals by the registrant. An  
16 architect, engineer, landscape architect, or land surveyor may not affix or permit a  
17 seal and signature to be affixed to an instrument after the expiration of a certificate or  
18 for the purpose of aiding or abetting another person to evade or attempt to evade a  
19 provision of this chapter. The registrant, by affixing the registrant's seal to final  
20 drawings, specifications, surveys, plats, plates, reports, and other similar documents,  
21 and signing them, certifies that these documents were prepared by or under the  
22 registrant's direct supervision, unless the registrant certifies on the face of the  
23 document to the extent of the registrant's responsibility.

24 \* Sec. 15. AS 08 48.241(a) is amended to read:

25 (a) This chapter does not prevent a corporation from offering architectural,  
26 engineering, landscape architectural, or land surveying services; however, the  
27 corporation shall file with the board

28 (1) an application for a certificate of authorization upon a form to be  
29 prescribed by the board and containing information required to enable the board to  
30 determine whether the corporation is qualified in accordance with the provisions of this  
31 chapter to offer to practice architecture, engineering, landscape architectural, or land

1 surveying in this state;

2 (2) a certified copy of a resolution of the board of directors of the  
3 corporation designating persons holding certificates of registration under this chapter  
4 as responsible for the practice of architecture, engineering, landscape architecture,  
5 or land surveying by the corporation in this state and providing that full authority to  
6 make all final architectural, engineering, landscape architectural, or land surveying  
7 decisions on behalf of the corporation with respect to work performed by the  
8 corporation in this state is granted by the board of directors to the persons designated  
9 in the resolution; however, the filing of this resolution does not relieve the corporation  
10 of any responsibility or liability imposed upon it by law or by contract;

11 (3) a designation in writing setting out the name of one or more  
12 persons holding certificates of registration under this chapter who are in responsible  
13 charge of each major branch of the architectural, engineering, landscape architectural,  
14 or land surveying activities in which the corporation specializes in this state; if a  
15 change is made in the person in responsible charge of a major branch of the  
16 architectural, engineering, landscape architectural, or land surveying activities, the  
17 change shall be designated in writing and filed with the board within 30 days after the  
18 effective date of the change.

19 \* Sec. 16. AS 08.48.241(b) is amended to read:

20 (b) Upon filing with the board the application for certificate of authorization,  
21 certified copy of resolution, affidavit, and designation of persons specified in this  
22 section, the board shall, subject to (c) of this section, issue to the corporation a  
23 certificate of authorization to practice architecture, engineering, landscape  
24 architecture, or land surveying in this state upon a determination by the board that

25 (1) the bylaws of the corporation contain provisions that all  
26 architectural, engineering, landscape architectural, or land surveying decisions  
27 pertaining to architectural, engineering, landscape architectural, or land surveying  
28 activities in this state will be made by the specified architect, engineer, landscape  
29 architect, or land surveyor in responsible charge, or other registered architects,  
30 engineers, landscape architects, or land surveyors under the direction or supervision  
31 of the architect, engineer, landscape architect, or land surveyor in responsible charge;

1 (2) the application for certificate of authorization states the type of  
2 architecture, engineering, landscape architecture, or land surveying practiced or to  
3 be practiced by the corporation;

4 (3) the applicant corporation has the ability to provide architectural,  
5 engineering, landscape architectural, or land surveying services;

6 (4) the application for certificate of authorization states the professional  
7 records of the designated person who is in responsible charge of each major branch of  
8 architectural, engineering, landscape architectural, or land surveying activities in  
9 which the corporation specializes;

10 (5) the application for certificate of authorization states the experience  
11 of the corporation, if any, in furnishing architectural, engineering, landscape  
12 architectural, or land surveying services during the preceding five-year period;

13 (6) the applicant corporation meets other requirements related to  
14 professional competence in the furnishing of architectural, engineering, landscape  
15 architectural, or land surveying services as may be adopted by the board in  
16 furtherance of the objectives and provisions of this chapter.

17 \* Sec. 17. AS 08.48.241(d) is amended to read:

18 (d) The certificate of authorization shall specify the major branches of  
19 architecture, engineering, landscape architectural, or land surveying of which the  
20 corporation has designated a person in responsible charge as provided in this section.  
21 The certificate of authorization shall be conspicuously displayed in the place of  
22 business of the corporation, together with the names of persons designated as being in  
23 responsible charge of the professional activities.

24 \* Sec. 18. AS 08.48.241(e) is amended to read:

25 (e) If a corporation, organized solely by either a group of architects, a group  
26 of engineers, a group of landscape architects, or a group of land surveyors, each  
27 holding a certificate of registration under this chapter, applies for a certificate of  
28 authorization, the board may, in its discretion, grant a certificate of authorization to the  
29 corporation based on a review of the professional records of the incorporators, in place  
30 of the required qualifications set out in this section. If the ownership of the  
31 corporation is altered, the corporation shall apply for a revised certificate of

1 authorization, based upon the professional records of the owners, if exclusively  
2 architects, engineers, landscape architects, or land surveyors, or otherwise under the  
3 qualifications required by (b)(1) - (4) of this section.

4 \* Sec. 19. AS 08.48.241(f) is amended to read:

5 (f) A corporation authorized to offer architectural, engineering, landscape  
6 architectural, or land surveying services under this chapter, together with its directors  
7 and officers for their own individual acts, is responsible to the same degree as the  
8 designated individual registered architect, engineer, landscape architect, or land  
9 surveyor, and shall conduct its business without misconduct or malpractice in the  
10 practice of architecture, engineering, landscape architecture, or land surveying, as  
11 defined in this chapter.

12 \* Sec. 20. AS 08.48.241(g) is amended to read:

13 (g) If the board, after a proper hearing, finds that a corporation holding a  
14 certificate of authorization has committed misconduct or malpractice, the board shall  
15 suspend or revoke the certificate of authorization. The board shall also suspend or  
16 revoke the certificate of registration of any registered individual architect, engineer,  
17 landscape architect, or land surveyor who, after a proper hearing, is found by the  
18 board to have participated in committing the misconduct or malpractice.

19 \* Sec. 21. AS 08.48.251 is amended to read:

20 Sec. 08.48.251. PARTNERSHIPS. This chapter does not prevent the practice  
21 of architecture, engineering, landscape architecture, or land surveying by partnership  
22 if all of the members of the partnership are architects, engineers, landscape architects,  
23 or land surveyors legally registered under this chapter.

24 \* Sec. 22. AS 08.48.281 is amended to read:

25 Sec. 08.48.281. PROHIBITED PRACTICE. A person may not practice or  
26 offer to practice the profession of architecture, engineering, landscape architecture,  
27 or land surveying in the state, or use in connection with the person's name or  
28 otherwise assume or advertise a title or description tending to convey the impression  
29 that the person is a registered architect, engineer, landscape architect, or land  
30 surveyor unless the person has been registered under the provisions of this chapter or  
31 is a person to whom these provisions do not apply, or, in the case of a corporation,

1 unless it has been authorized under this chapter.

2 \* Sec. 23. AS 08.48.281 is amended by adding a new subsection to read:

3 (b) Notwithstanding (a) of this section, this chapter does not prohibit the  
4 practice of landscape architecture by a person who is not registered to practice  
5 landscape architecture if the services being performed by the person are within the  
6 scope of practice authorized by another license that is held by the person.

7 \* Sec. 24. AS 08.48.291 is amended to read:

8 Sec. 08.48.291. VIOLATIONS AND PENALTIES. A person who practices  
9 or offers to practice architecture, engineering, landscape architecture, or land  
10 surveying in the state without being registered or authorized to practice in accordance  
11 with the provisions of this chapter, or a person presenting or attempting to use the  
12 certificate or the seal of another, or a person who gives false or forged evidence of any  
13 kind to the board or to a member of the board in obtaining or attempting to obtain a  
14 certificate, or a person who impersonates a registrant, or a person who uses or attempts  
15 to use an expired or revoked or nonexistent certificate, knowing of the certificate's  
16 status, or a person who falsely claims to be registered and authorized to practice under  
17 this chapter, or a person who violates any of the provisions of this chapter, is guilty  
18 of a misdemeanor and upon conviction is punishable by a fine of not more than  
19 \$10,000, or by imprisonment for not more than one year, or by both.

20 \* Sec. 25. AS 08.48.311 is amended to read:

21 Sec. 08.48.311. RIGHTS NOT TRANSFERABLE. The right to engage in the  
22 practice of architecture, engineering, landscape architecture, or land surveying is  
23 considered a personal and individual right, based on the qualifications of the individual  
24 as evidenced by the individual's certificate of registration, which is not transferable.

25 \* Sec. 26. AS 08.48.321 is amended to read:

26 Sec. 08.48.321. EVIDENCE OF PRACTICE. A person practices or offers to  
27 practice architecture, engineering, landscape architecture, or land surveying who

28 (1) practices a branch of the profession of architecture, engineering,  
29 landscape architecture, or land surveying as defined in AS 08.48.341;

30 (2) by verbal claim, sign, advertisement, letterhead, card, or other  
31 means represents to be an architect, engineer, landscape architect, or land surveyor,

1 or through the use of some other title implies that the person is an architect, engineer,  
2 landscape architect, or land surveyor;

3 (3) holds out as able to perform or who does perform an architectural,  
4 engineering, landscape architectural, or land surveying service recognized by the  
5 professions covered by this chapter, and specified in regulations of the board, as  
6 architectural, engineering, landscape architectural, or land surveying.

7 \* Sec. 27. AS 08.48.331 is amended to read:

8 Sec. 08.48.331. EXEMPTIONS. This chapter does not apply to

9 (1) a contractor performing work designed by a professional architect,  
10 landscape architect, or engineer or the supervision of the construction of the work as  
11 a supervisor or superintendent for a contractor;

12 (2) workers in building trades crafts, superintendents, supervisors, or  
13 inspectors in the performance of their customary duties;

14 (3) an officer or employee of the United States government practicing  
15 architecture, engineering, landscape architecture, or land surveying as required by the  
16 person's official capacity;

17 (4) an employee or a subordinate of a person registered under this  
18 chapter if the work or service is done under the direct supervision of a person  
19 registered under this chapter;

20 (5) associates, consultants, or specialists retained by a registered  
21 individual, a partnership of registered individuals, or a corporation authorized to  
22 practice architecture, engineering, landscape architecture, or land surveying under this  
23 chapter, in the performance of professional services if responsible charge of the work  
24 remains with the individual, the partnership, or a designated representative of the  
25 corporation;

26 (6) a person preparing drawings or specifications for

27 (A) a building for the person's own use and occupancy as a  
28 single family residence and related site work for that building;

29 (B) farm or ranch buildings, unless the public health, safety, or  
30 welfare is involved;

31 (C) a building that is intended to be used only as a residence

1 by not more than four families and that is not more than two stories high;

2 (D) a garage, workshop, or similar building that contains less  
3 than 2,000 square feet of floor space to be used for a private noncommercial  
4 purpose;

5 (7) a specialty contractor licensed under AS 08.18 while engaged in the  
6 business of construction contracting or designing systems for work within the specialty  
7 to be performed or supervised by the specialty contractor, or a contractor preparing  
8 shop or field drawings for work that the specialty contractor has contracted to perform;

9 (8) a person furnishing drawings, specifications, instruments of service,  
10 or other data for alterations or repairs to a building that do not change or affect the  
11 structural system or the safety of the building, or that do not affect the public health,  
12 safety, or welfare;

13 (9) a person who is employed by a postsecondary educational  
14 institution to teach engineering, architectural, landscape architectural, or land  
15 surveying courses; in this paragraph, "postsecondary educational institution" has the  
16 meaning given in AS 14.48.210.

17 \* Sec. 28. AS 08.48.341(2) is amended to read:

18 (2) "board" means the State Board of Registration for Architects,  
19 Engineers, Landscape Architects, and Land Surveyors;

20 \* Sec. 29. AS 08.48.341(4) is amended to read:

21 (4) "certificate of authorization" means a certificate issued by the board  
22 authorizing a corporation to provide professional services in architecture, engineering,  
23 landscape architecture, or land surveying through individuals legally registered by  
24 the board;

25 \* Sec. 30. AS 08.48.341 is amended by adding new paragraphs to read:

26 (16) "landscape architect" means a professional landscape architect;

27 (17) "practice of landscape architecture" means consultative,  
28 investigative, reconnaissance, research, planning, design, and preparation services  
29 relating to drawings and construction documents, observation of construction, and  
30 location, arrangement, and design of tangible objects and features for the purpose of

31 (A) preservation and enhancement of land uses and natural land

1 features;

2 (B) location and construction of aesthetically pleasing and  
3 functional approaches for structures, roadways, and walkways;

4 (C) establishing or maintaining trails, plantings, landscape  
5 irrigation, landscape lighting, and landscape grading; or

6 (D) generalized planning of the development of land areas in  
7 a manner that is sensitive to the area's natural and cultural resources;

8 (18) "professional landscape architect" means a person registered as a  
9 professional landscape architect by the board.

10 \* Sec. 31. AS 08.48.351 is amended to read:

11 Sec. 08.48.351. **SHORT TITLE.** This chapter may be cited as the Architects,  
12 Engineers, Landscape Architects, and Land Surveyors Registration Act.

13 \* Sec. 32. AS 14.43.310(b) is amended to read:

14 (b) To assist the administering authority in selecting eligible applicants for  
15 award of each of the memorial scholarship loans under AS 14.43.250 - 14.43.325 and  
16 in reviewing the memorial scholarship loan program, the following advisory  
17 committees are established:

18 (1) three Alaska state troopers, each one to be selected from and to  
19 represent a state trooper region of the state by the regional commander to serve for  
20 three years, for the Michael Murphy memorial scholarship;

21 (2) three members of the Governor's Commission on the  
22 Administration of Justice selected annually by the commission from among its  
23 membership, for the Carroll L. "Butch" Swartz memorial scholarship;

24 (3) three members of the state Board of Registration for Architects,  
25 Engineers, Landscape Architects, and Land Surveyors selected annually by the board  
26 from among its engineer members, for the Harvey Golub memorial scholarship; and

27 (4) three members of the state Board of Education, or of the staff of  
28 the Department of Education, or any combination of these, selected annually by the  
29 board, for the Robert L. Thomas memorial scholarship.

30 \* Sec. 33. AS 34.08.340(c) is amended to read:

31 (c) Before the transfer of control from the declarant to the association, an

1 inspection of the common areas and limited common areas subject to the association's  
2 control shall be completed by

3 (1) an independent registered engineer, architect, landscape architect,  
4 or land surveyor;

5 (2) an appraiser with the designation of senior residential appraiser,  
6 senior real property appraiser, or senior real estate analyst of the Society of Real Estate  
7 Appraisers;

8 (3) a residential member, or member of the appraisal institute, of the  
9 American Institute of Real Estate Appraisers; or

10 (4) an individual with a designation established by regulation of the  
11 Alaska Housing Finance Corporation for fee appraisers who certify the completion of  
12 construction.

13 \* Sec. 34. AS 34.08.700 is amended to read:

14 Sec. 34.08.700. SUBSTANTIAL COMPLETION OF UNITS. In the sale of  
15 a unit for which delivery of a public offering statement is required, a contract of sale  
16 may be executed, but an interest in the unit may not be conveyed until the declaration  
17 is recorded, a plat or plan that accompanies the declaration is filed and recorded, and  
18 the unit is substantially completed as evidenced by issuance of a certificate of  
19 occupancy authorized by law or by a recorded certificate of substantial completion  
20 executed by

21 (1) an independent registered engineer, architect, landscape architect,  
22 or land surveyor;

23 (2) an appraiser with the designation of senior residential appraiser,  
24 senior real property appraiser, or senior real estate analyst of the Society of Real Estate  
25 Appraisers;

26 (3) a residential member, or member of the appraisal institute, of the  
27 American Institute of Real Estate Appraisers; or

28 (4) an individual with a designation established by regulation of the  
29 Alaska Housing Finance Corporation for fee appraisers who certify the completion of  
30 construction.

31 \* Sec. 35. AS 44.62.330(a)(4) is amended to read:

1 (4) State Board of Registration for Architects, Engineers, Landscape  
2 Architects, and Land Surveyors;

3 \* Sec. 36. TERMS OF NEW MEMBERS. Notwithstanding AS 08.01.035, the initial term  
4 of the new member appointed under AS 08.48.011(b), as amended by sec. 3 of this Act, is one  
5 year.

6 \* Sec. 37. TRANSITION. Notwithstanding this Act, a person may practice landscape  
7 architecture without a certificate of registration issued under AS 08.48 until 60 days after the  
8 first examination for landscape architects under AS 08.48.181, as amended by this Act, has  
9 been graded.



# SENATOR SUZANNE LITTLE

ALASKA STATE LEGISLATURE

## Sponsor Statement SB 305 Landscape Architecture License

In the simplest terms, architecture is the design-art relative to **indoor** spaces, landscape architecture is the design-art relative to **outdoor** spaces. Like engineers and architects, landscape architects must be familiar with building codes, local ordinances and health and safety regulations. Like architects and engineers, landscape architects must successfully complete an accredited four to five year university education.

As professionals with accredited degrees, Landscape Architects possess skills and knowledge that other design professionals do not possess. Currently anyone in the state of Alaska can call themselves a Landscape Architect and directly compete with the competent professional. This is no more right than it is right for an unlicensed architect to design public buildings in Alaska.

Landscape Architects are licensed in 44 out of the 50 states in the United States. All of the western states require licenses.

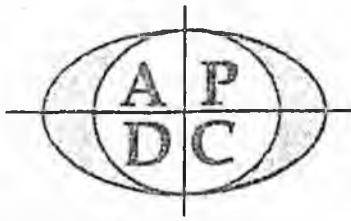
Clear and direct relationships exist between protection of the public and the practice of Landscape Architecture. Landscape Architects are not a sub-group or a specialty of architects, engineers or surveyors but are educated, nationally tested and licensed separately from the other professionals.

Because of the lack of a licensing procedure in Alaska, more landscape architecture work is performed by out-of-state landscape architectural offices than is performed by in-state offices. Lower-48 Landscape Architects without knowledge of arctic design requirements, Alaska's plant materials, local maintenance practices or engineering practices have the edge over Alaska's experienced landscape architects simply because of our lack of a license.

I urge the committee's favorable consideration of this bill.

January-June: STATE CAPITOL / JUNEAU, AK 99801-1182 / (907) 465-2828 / Fax: (907) 465-4779  
June-December: 34824 KALIFORNSKY BEACH ROAD, SOLDOTNA, AK 99669 / (907) 262-9420 / FAX (907) 262-1881  
Seldovia • Homer • Anchor Point • Clam Gulch • Ninilchik • Kaslof • Soldotna • Sterling • Cooper Landing • Moose Pass • Seward

MEMBER  
Senate Rules Committee  
Senate Judiciary Committee  
Senate Economic Task Force  
Legislative Council



# Alaska Designs

Volume 16, No. 11, December 1993

The Official Newsletter of the Alaska Professional Design Council

## Landscape Architects seek Professional Registration

by Dwayne Adams

Landscape architects have been an important partner in the planning and design field for 25 years in Alaska. Landscape architects have been instrumental in dramatic changes throughout the state, illustrated through urban improvements in our cities, park and playground designs from Barrow to Ketchikan, and the management of Alaska's national and state parks and wildlife refuges. The work performed by landscape architects entails an understanding of arctic engineering, accessibility design, natural resource planning, and Consumer Product Safety Council guidelines for playground design. The contribution of this profession to the health, safety and welfare of Alaskans warrants registration of the practice. Forty four of the 50 states currently recognize this need.

The State Board of Registration has raised three questions that should be discussed: 1) What should be the definition of landscape architecture? 2) Will there be a mandate for the use of landscape architects in specific circumstances, and 3) Are landscape architects in Alaska precluded from doing work that they are qualified to do? Each question deserves consideration:

First, the definition of landscape architecture (included in suggested draft changes within this newsletter) is specific with regard to those areas

in which landscape architects traditionally practice. It also parallels the definitions of our sister professions. Landscape architects do planning work, but do not seek authorization to do planning anymore than architects seek such authority as is allowed within the definition of architecture. They seek the authority to design minor site structures such as seating, information kiosks, and trails, but do not request authority to design overpasses or other significant structures any more than architects are allowed by definition to do: "...structural design of minor importance." Landscape architects wish to provide design of site rehabilitation through site contouring and revegetation but do not seek allowance to design remediation systems for environmental pollutants.

The question then is how to provide for the areas of traditional practice while being concise. The existing definitions of the other professions allow the practices to be "...by regulation of the board." Landscape architects suggest that the definition of landscape architecture be parallel to the definitions of the other areas of practice. To define "planning", "minor site structures" or "rehabilitation of disturbed lands"

See LANDSCAPE, page 2

## AELS Board to Consider Licensure for Environmental Professionals

by Carl H. Harmon, Chair  
Alaska Association of  
Environmental Professionals

It is the position of the Alaska Association of Environmental Professionals (AAEP) and the National Association of Environmental Professionals (NAEP) that the public health, safety, welfare and the environmental resources of the State of Alaska can be better protected if Environmental Professionals/Environmental Engineers are licensed.

The AAEP and NAEP believe that the environmental field is a specific and identifiable area of professional practice. To practice as an Environmental Professional requires the professional application of specialized education, knowledge, experience and training in the physical or natural sciences. It is the position of

See ENVIRONMENTAL, page 2

The Alaska Professional Design Council is establishing a "Specialty Registrations Committee" to formulate a position on the application of Landscape Architects and Environmental Engineers for registration. If you would like to be on the committee or if you have an opinion on the merits of specialty registration please contact your APDC Board Member.

Alaska Professional Design Council

- ALASKA DESIGNS ARTICLE ON  
LANDSCAPE ARCHITECTS

## • LANDSCAPE

*Continued from page 1*

within the statute would be voluminous and out of character with the other definitions. The board is in place to address these issues and the landscape architects suggest that the board would effectively deal with these issues.

The second concern has to do with whether there are circumstances in which landscape architectural services would be required by statute. Landscape architects do not request any such allowance or restriction. They request that they be allowed to work in those areas in which they traditionally practice. In many circumstances it is not appropriate to require landscape architectural design. Landscape architects do not seek to restrict architects or civil engineers from performing minor planting design if that meets the desires of a client. However, if a client would prefer that a landscape architect perform trail design, planting design or site grading, then the client should have that option.

The third concern has to do with whether Alaskan landscape architects are deprived of work that should be done in state. Currently, more landscape architecture work is performed by out of state landscape architectural offices than is performed by in-state offices. These out-of-state landscape architects have little or no training in arctic engineering, seldom have knowledge of local maintenance practices, and have little knowledge of local plant materials. The Alaskan landscape architects feel that the public's interest is best protected when these professionals have knowledge of Alaskan engineering practices, Alaskan maintenance practices and Alaskan plant materials.

In summary, the landscape architects request only that they be allowed to practice within their traditional areas of practice and

within the limits of their professional education and training. They do not ask that other professionals be excluded from practicing in those areas in which they work, but do ask that clients be given the option of using a landscape architect. Lastly, they ask that landscape architectural work that is performed within the state of Alaska be done by persons trained and experienced with design for Alaska. It is in the public's best interest and the interest of all of the planning and design professions that the practice of landscape architecture be regulated in the state of Alaska.

*A summary of the proposed changes to Alaska Statutes and Alaska Administrative Code to allow licensing for landscape architects is on page 5, including a definition of landscape architecture as proposed by the Alaska Chapter of the American Society of Landscape Architects.*

## • ENVIRONMENTAL

*Continued from page 1*

the AAEP and NAEP that the skills necessary for the practice of Environmental Professionals can be determined through the administration of an exam, given to those individuals possessing the prerequisite qualifications of education and experience. The practice by Environmental Professionals should be restricted to those individuals who have qualified for licensure through examination or endorsement from an equivalent process from another state.

While other professions may practice in fields which are similar or may overlap to some extent with the practice by Environmental Professionals, it is the position of the AAEP and NAEP that licensure of Environmental Professionals will not result in the restriction of any area of practice of any currently licensed profession, including engi-

neers, geologists, surveyors or landscape architects. The licensure of Environmental Professionals will assure that the individuals responsible for the practice of professional environmental management are directly liable and responsible for the consequences of their efforts.

Ethical standards are essential for the responsible practice by Environmental Professionals. It is the position of the AAEP and NAEP that a Code of Ethics for Environmental Professionals must be a component of the regulation of the practice of professional environmental management. Identification of the fundamental canons, rules of practice and professional obligations of Environmental Professionals will provide assurance that appropriate ethical standards have been established and are being met.

There are professional organizations which review and certify the credentials of Environmental Professionals performing work in certain disciplines of environmental management. It is the position of the AAEP and NAEP that the licensing of Environmental Professionals will neither eliminate the need for, nor diminish the importance of, these certifications. Licensure and certification can provide the complementary assurance of repeated practice and peer recognition of qualifications.

The AAEP and NAEP believe that they are not alone among the organizations of Environmental Professionals in recognizing the necessity of licensure of Environmental Professionals. It is the position of the AAEP and NAEP that licensure can only be accomplished with the unified cooperation and support of the existing organizations whose members are Environmental Professionals. The AAEP and NAEP urge all groups with an interest in this issue to join together to achieve the goal of licensure of Environmental Professionals.

## HEALTH, SAFETY AND WELFARE

"Clear and direct" relationships between protection of the public and the practice of Landscape Architecture may be seen in the following examples:

- A. Inadequate design of outdoor structures such as those used in parks and other recreational facilities could result in injury should those structures fail. Such structures can include small shelters, footbridges, gazebos, kiosks, decks, walls, rest facilities, among others.
- B. Specification of unsafe playground equipment, inadequate fall zones or safety surfacing could result in injury and consequent liabilities.
- C. Inadequate provision for drainage can result in flooding of foundations, basements, walkways, highway rights of way, recreation areas, and other kinds of facilities used by the public. This could present particularly serious hazards under the freezing conditions of Alaska.
- D. Improper specifications for grading and filling can result in soil slippage and washing or even massive erosion.
- E. Improperly specified relationships between water supplies, such as to artificial ponds, fountains, etc. and water drainage facilities could result in contamination of a water supply system of an entire community.
- G. Lack of adequate knowledge of plant materials and their functional characteristics and interrelationships with various kinds of soils and other environmental elements can present at least these kinds of hazards:
  1. Trees placed in soils whose structural characteristics do not provide its root system adequate physical support under stress of certain wind conditions.
  2. Root systems placed too near foundations of structures will ultimately weaken the structure.
  3. Certain toxic or otherwise harmful species could harm children in a variety of ways.
  4. Specification of hardwood trees on highway medians or otherwise too close to rights-of-way present a serious hazard to motorists and their passengers.
  5. Specification of plant materials on incompatible soils can result in deadwood that provides fire hazards.

**FISCAL YEAR 1993**

Board: Architects, Engineers and Land Surveyors

Method: Check the appropriate method in which licenses are issued (not including examination), and cite the specific statutory authority.

_____	Credentials	AS 08.	_____
_____	Reciprocity	AS 08.	_____
<u>x</u>	Comity	AS 08.	<u>48.191</u>
_____	Endorsement	AS 08.	_____

New Licenses\*: List each category and the number of new licenses issued within each category during the fiscal year.

**CATEGORY:**

(1)	civil engineers	<u>87</u>
(2)	electrical engineers	<u>22</u>
(3)	mechanical engineers	<u>33</u>
(4)	mining engineers	<u>0</u>
(5)	chemical engineers	<u>1</u>

**NUMBER OF LICENSES:**

(6)	petroleum eng.	<u>5</u>
(7)	land surveyors	<u>8</u>
(8)	architects	<u>19</u>
(9)	corporate auth.	<u>18</u>

Total 193

Permits: If applicable, list each category and total number of permits issued during the fiscal year.

**PERMIT CATEGORY:**

(1)	<u>N/A</u>
(2)	_____
(3)	_____
(4)	_____
(5)	_____

**NUMBER OF PERMITS:**

(1)	_____
(2)	_____
(3)	_____
(4)	_____
(5)	_____

Total \_\_\_\_\_

(Use Additional paper if necessary)

Number of CURRENT/ACTIVE licensees for each category.

**CATEGORY:**

(1)	civil engineers	<u>2297</u>
(2)	electrical engineers	<u>416</u>
(3)	mechanical engineers	<u>491</u>
(4)	mining engineers	<u>46</u>
(5)	chemical engineers	<u>61</u>

**NUMBER OF LICENSES:**

(6)	petroleum eng.	<u>58</u>
(7)	land surveyors	<u>705</u>
(8)	architects	<u>552</u>
(9)	corporate auth.	<u>219</u>

Total 4845

(Use Additional paper if necessary)

Number of CURRENT/INACTIVE licensees (not lapsed - all categories): n/a

NOTE: SOME PROFESSIONS DO NOT HAVE THE "INACTIVE" DESIGNATION.

Number of CURRENT/ACTIVE licenses on probation: 2

Number of CURRENT/LICENSES which have been suspended (if applicable): 0

Other CURRENT/ACTIVE licenses not included above (please explain status): \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Post-It™ brand fax transmittal memo 7871 # of pages 1

To <u>George</u>	From <u>Mary</u>
Co. _____	Co. _____
Dept. _____	Phone # _____
Fax # _____	Fax # <u>465-2974</u>

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\*Whenever the word license is used, it refers to registrations, certificates, endorsements, which are issued as applicable.

Licensure  
of  
Landscape Architects

Position Papers

February 15, 1994

## **Landscape Architecture**

"practice of landscape architecture" means professional service or creative work in the planning of land, the design of grading, drainage, irrigation, planting layout, minor site structures, and rehabilitation of disturbed lands, the evaluation of scenic values, the teaching of advanced landscape architectural courses in institutions of higher learning, consultation, investigation, evaluation, planning, design, and professional inspection and contract administration of construction of public or private site work, and landscape architectural review of drawings and specifications by regulatory agencies.

## **Architecture**

"practice of architecture" means professional service or creative work in the design of buildings, the teaching of advanced architectural courses in institutions of high learning, consultation, investigation, evaluation, planning, design, and professional observation of construction of public or private buildings, works, or projects and architectural review of drawings and specifications by regulatory agencies; "practice of architecture" may by regulation of the board include mechanical, electrical, or structural design of minor importance;

## **Engineering**

"practice of engineering" means professional service or creative work, the adequate performance of which requires the specialized knowledge of applied mathematics and sciences, dealing with the design of structures, machines, equipment, utilities systems, materials, processes, works or projects, public or private; the teaching of advanced engineering courses in institutions of higher learning; the direction of or the performance of engineering surveys, consultation investigation, evaluation, planning, and professional observation of construction of public and private structures, works, or projects and engineering review of drawings and specifications by regulatory agencies; "practice of engineering" may by regulation of the board include architectural building design of minor importance, but it does not include comprehensive architectural services;

## **Surveying**

"practice of land surveying" means any service or work the adequate performance of which involves the application of special knowledge of the principles of mathematics, the related sciences, and the relevant requirements of law for adequate evidence of the act of measuring and locating land, geodetic and cadastral surveys for the location and monumentation of property boundaries, for the platting and planning of land and subdivisions, and for the preparation and perpetuation of maps, record plats, field note records and property descriptions that represent these surveys;

## **Protection of Public Safety and welfare**

Landscape Architects are knowledgeable about and work in the following areas where safety and welfare of the public is concerned:

- Consumer Product Safety Guidelines for playgrounds.
- Relationship of Recreational Activities
- Universal Design Standards (UFAS & ADA)
- Slip resistant paving, drainage and icing of walks
- Fertilizers insecticides and irrigation
- Care & Maintenance of vegetation
- Signage and scenic road and trail pullout design.
- Trail alignment, geometry and user conflicts.
- Erosion Control principles
- Ecosystem integrity
- Laws and regulations protecting the environment

## **Overlap of Disciplines**

Landscape Architect's specific area of expertise concerns exterior spaces and the use of those spaces by people.

- Playgrounds
- Parks
- Plazas
- Gardens
- Scenic Vistas
- Trails
- Natural Habitats

## **Specialty Registration**

Landscape Architects have a professional degree from one of 40 accredited college or university programs.

Landscape Architects are licensed in 44 out of 50 states in the U.S.A.

Landscape Architects are not a sub group or specialty of Architects Engineers or Surveyors. Landscape Architects are educated, nationally tested and licensed separately from the other professions.

Landscape Architects want to compete for Federal Designs for Alaskan construction projects that are now going outside to Registered Landscape Architects.

## Cost

The Registration Board activities are supported by fees collected for Registration and Exams from Engineers, Architects and Surveyors. The total collected is well in excess of the cost for board business. Adding Landscape Architects will only increase the funds brought in.

The fees collected are currently directed into the States general fund, the finance committee than allocates back to board operations significantly less than is brought in.

Landscape Architects, once represented on the registration board will help work towards a solution to this unequitable situation.

Landscape Architects propose adding two members to the board. One landscape Architect for representation and one public member to keep the board at an uneven number to alleviate a tie vote.

**The Landscape Architect Registration Examination (L.A.R.E.)** has been developed to incorporate the results of the Landscape Architecture Job Analysis Survey conducted in 1991. The L.A.R.E. is based on specific tasks and knowledge areas that are necessary to perform landscape architectural services without endangering the health, safety, and welfare of the public.

Seven sections were developed to test the different knowledges necessary to prove minimum competency in the profession. Sections 1, 2 and 7 consist of multiple-choice type questions, while Sections 3, 4, 5 and 6 require a graphic or written response. Each graphic response test consists of a series of small vignette problems.

The L.A.R.E. consists of the following test sections:

**Section 1: Legal and Administrative Aspects of Practice**

This is a multiple-choice section which will test your knowledge in the following areas:

*1.1 Regulations*

*1.2 Contracts*

*1.3 Construction Administration Processes*

This knowledge is necessary not only at the beginning of a project, but throughout the entire production schedule until the project's completion.

**Section 2: Programming and Environmental Analysis**

This is a multiple-choice section which will test your knowledge in these areas:

*2.1 Inventory*

*2.2 Analysis*

*2.3 Design Concepts*

Knowledge of the pre-design, conceptual design and development stages of a project are critical for

the landscape architect to achieve a buildable and aesthetically pleasing final solution.

**Section 3: Conceptualization and Communication**

This is a graphic response test consisting of 6 vignette problems which cover the following areas:

*3.1 Written Communication*

*3.2 Conceptual Design*

This section will test your ability to prepare, analyze and understand conceptual diagrams as well as your ability to communicate graphically and in written format various aspects of the conceptual design phase of a project.

**Section 4: Design Synthesis**

This is a graphic response section consisting of 6 vignette problems which will test your ability in the following areas:

*4.1 Schematic Design*

*4.2 Design Development*

The vignettes in this section will require you to prepare schematic design and design development drawings given certain physiographical characteristics and program requirements.

**Section 5: Integration of Technical and Design Requirements**

This is a graphic response section consisting of 6 vignette problems in the following area:

*5.1 Detail Design and Materials and*

*Methods of Construction*

Section 5 will test your ability to prepare design development details given program requirements, physiographical conditions and a design plan. These vignettes will require you to express your knowledge of materials and methods of construction.

**Section 6: Grading and Drainage**

This is a graphic response section consisting of 6 vignette problems dealing with the following areas:

*6.1 Grading*

*6.2 Drainage*

Section 6 will require you to manipulate contours and spot elevations and demonstrate your knowledge of grading and drainage requirements.

**Section 7: Implementation of Design Through the Construction Process**

This is a multiple-choice test focusing on the following areas:

*7.1 Construction Processes*

*7.2 Materials and Methods of Construction*

*7.3 Supporting Systems*

*7.4 Construction Documents*

Knowledge of the implementation of a design is critical to the protection of the public.

Individuals interested in taking the L.A.R.E. should contact the registration authority in the state or province where they wish to obtain licensure. Application requirements, fees and deadlines vary greatly from jurisdiction to jurisdiction.

CLARB regularly produces publications specifically designed to provide exam candidates with information about the L.A.R.E. In addition, CLARB offers a number of popular landscape architecture reference books at discounted rates. For information on any of CLARB's publications, please contact the Council office.

CLARB  
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Fairfax, Virginia 22033  
703/818-1300  
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# CLARB

A non-profit corporation whose members are the 44 state boards that register landscape architects and the British Columbia registration authority.

The mission of CLARB is to assist our member boards in the execution of their responsibilities and to foster reciprocal registration between our member boards by promoting uniform standards for education, training and examination.

## Services and primary activities:

- Landscape Architect Registration Examination
- CLARB Certification
- Model Registration Laws
- International Relations
- Interprofessional Relations
- Publications/Communications

## CLARB Member Board Requirements Chart — September 1992

<i>General</i>	AL	AK	AZ	AR	CA	CO	CT	DE	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	
Minimum age for registration	19		NA	NA	18		NA	NA	NA	18	NA	18	NA	18	NA	NA	21	18	NA	18	23	NA	25	21	21	NA	
<i>Education Requirement</i>																											
Degree required for registration?	No		No	No	No		Yes	Yes	Yes	No	No	No	Yes	No	No	No	No	No	Yes	No	Yes	No	No	No	No	No	
<i>Examinations</i>																											
Application deadline for new applicants	3/1		2/15	2/1	3/15		4/1	4/12	3/15	3/1	3/10	4/1	1/2	3/15	3/31	4/1	3/1	3/1	3/1	3/16	3/1	2/15	4/1	3/1	3/12	3/15	
Application deadline for repeat applicants	3/1		2/15	2/1	3/15		4/1	4/12	4/1	3/1	3/10	4/1	NA	3/15	3/31	4/1	4/1	3/1	3/16	3/1	2/15	4/1	3/1	3/12	3/15		
Proctor candidates from other states?	TBD		Yes	No	No		Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	TBD	Yes	No	Yes	No	Yes	Yes	Yes		
Allow candidates to be proctored?	TBD		Yes	TBD	No		Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes		
Limited number of attempts to pass?	No		Yes	No	No		Yes	Yes	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes	No	Yes	No	No	Yes	Yes	Yes	No	
State exam required?	Yes		No	Yes	Yes		No	No	Yes	Yes	Yes	Yes	No	No	No	Yes	No	Yes	No	No	No	No	No	No	Yes	No	
<i>Reciprocity</i>																											
CLARB Certificate Record accepted?	Yes		Yes	TBD	No		Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	TBD	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	
CLARB Certificate Record required?	No		No	No	No		No	No	No	No	No	No	No	Yes	No	No	No	No	No	No	No	No	No	No	Yes	No	
Senior Exam accepted in lieu of written?	Yes		Yes	No	Yes		Yes	TBD	Yes	No	No	Yes	No	No	Yes	Yes	No	No	TBD	No	No	Yes	Yes	Yes	Yes	No	
Personal interview required?	No		No	No	No		No	No	No	No	No	TBD	No	No	No	No	No	No	Yes	No	No	No	No	TBD	No	No	
State law provided with application?	Yes		Yes	Yes	Yes		Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	No	Yes	
<i>Practice</i>																											
Type of law (P=Practice; T=Title; SC=State Certification)	P/T		P/T	T	P/T		P/T	T	P	P/T	P/T	T	T	T	T	P/T	P/T	P/T	T	P/T	T	T	P	P/T	T	T	
Continuing Education required?	Yes		No	No	No		No	Yes	No	No	No	No	No	No	Yes	No	Yes	No	No	No	No	No	No	No	No	No	
Corporate Practice allowed?	Yes		Yes	No	Yes		No	Yes	Yes	Yes	No	No	NA	Yes	No	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	Yes	
Corporations register with state?	No		Yes	NA	No		No	Yes	Yes	Yes	NA	No	Yes	Yes	Yes	Yes	No	No	No	Yes	No	Yes	No	No	Yes	Yes	
Temporary permits allowed?	Yes		No	No	Yes		No	No	Yes	Yes	No	No	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No	
Type of board	L=Land. Arch.	L	C	L	L		L	L	L	L	C	L	L	C	L	C	L	L	C	L	L	L	C	L	L	L	
	C=Combined																										

## CLARB Member Board Requirements Chart — September 1992

<i>General</i>	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY	BC	
Minimum age for registration	21	21		NA	29	21	18		18	21	NA	NA	21	NA	NA	NA	NA	NA		18	18	18		19	NA	
<i>Education Requirement</i>																										
Degree required for registration?	Yes	Yes		Yes	Yes	No	No		No	Yes	Yes	Yes	Yes	Yes	No	Yes	No	No		Yes	No	Yes		Yes	No	
<i>Examination</i>																										
Application deadline for new applicants	1/13	3/1		2/1	3/15	4/12	3/1		3/1	3/1	3/15	3/1	3/15	3/15	3/1	1/15	2/1	3/1		2/14	3/15	4/5		3/1	2/1	
Application deadline for repeat applicants	3/12	3/1		NA	3/15	4/12	4/1		5/3	3/1	3/15	3/1	3/15	3/15	5/1	3/15	TBD	3/1		4/1	3/15	4/5		3/15	2/1	
Proctor candidates from other states?	Yes	Yes		No	Yes	No	Yes		Yes	Yes	Yes	Yes	No	Yes	Yes	No	No	Yes		Yes	Yes	Yes		Yes	Yes	
Allow candidates to be proctored?	Yes	Yes		No	Yes	No	Yes		Yes	Yes	Yes	Yes	TBD	Yes	Yes	No	No	Yes		Yes	Yes	Yes		Yes	Yes	
Limited number of attempts to pass?	Yes	Yes		No	Yes	Yes	No		No	Yes	No	No	No	No	No	No	No	Yes		Yes	Yes	Yes		No	Yes	
State exam required?	Yes	Yes		Yes	No	No	No		No	Yes	Yes	No	Yes	No	Yes	No	No	No		No	Yes	Yes		No	No	
<i>Reciprocity</i>																										
CLARB Certificate Record accepted?	Yes	Yes		Yes	Yes	Yes	Yes		Yes	Yes	Yes	No	Yes	Yes	Yes	TBD	Yes	Yes		Yes	Yes	Yes		Yes	Yes	
CLARB Certificate Record required?	No	No		No	No	No	No		No	No	Yes	No	No	No	Yes	No	No	No		No	No	No		No	No	
Senior Exam accepted in lieu of written?	Yes	Yes		TBD	Yes	Yes	Yes		No	No	No	No	Yes	Yes	Yes	No	TBD	No		Yes	No	Yes		Yes	No	
Personal interview required?	TBD	No		No	No	No	No		No	No	No	No	TBD	No	No	No	TBD	No		No	Yes	No		No	Yes	
State law provided with application?	Yes	Yes		No	Yes	Yes	Yes		Yes	Yes	Yes	Yes	TBD	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes		No	No	
<i>Practice</i>																										
Type of law (P=Practice; T=Title; SC=State Certification)	P/T	P/T		T	T	P/T	T		T	P/T	T	P/T	P/T	P/T	P/T	P/T	T	P		T	T	T		P/T	T	
Continuing Education required?	Yes	No		Yes	Yes	No	Yes		No	No	No	No	No	No	Yes	No	No	No		No	No	No		No	No	
Corporate Practice allowed?	No	No		No	No	Yes	Yes		Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes		Yes	No	Yes		Yes	Yes	
Corporations register with state?	NA	No		Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes		Yes	No	Yes		Yes	No	
Temporary permits allowed?	No	No		No	No	Yes	No		Yes	No	No	Yes	No	Yes	No	No	No	No		No	No	Yes		No	No	
Type of board L=Land. Arch. C=Combined	L	L		L	L	L	L		L	C	L	L	L	L	C	C	C	L		C	L	L		C		

## CLARB Member Board Requirements Chart — September 1992

	AL	AK	AZ	AR	CA	CO	CT	DE	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT
<i>Fees</i>																										
1992 examination administration fee (In addition to base cost = \$345)	75		142	50	0		40+	0	490	60	325 <sup>1</sup>	10	100	69	65	27	90	50	210	25	60	30	20	60	50	55+
Application fee for reciprocal registration	75		90	20	325		30	10	150	105 <sup>2</sup>	50	100	100	100	100	372	200	35	300	100	65	30	100	250	195	125
Annual in-state license renewal fees	100		42	60	150		80	75	225	100	90	80	100	20	87	15	100	35	60	200	50	40	29	72	95	110
Fee to complete a license verification form	0		0	0	0		0	10	25	0	0	0	20	0	0	0	0	0	0		16	15	0	0	0	0

	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY	BC
<i>Fees</i>																									
1992 examination administration fee (In addition to base cost = \$345)	25	250 <sup>3</sup>		0	65	30	55		0	75	200	29	75	50	5	75	THD	60		30	205	20		50	170 <sup>6</sup>
Application fee for reciprocal registration	50	200		80	200	270	100		THD	100	125	45	100	125	100	100	25	60		75	200	35		100	NA
Annual license renewal fees	65	130		125	100	52	75		50	75 <sup>4</sup>	125	63	40	58	30	30	70 <sup>5</sup>	60		53	150	40		25	420
Fee to complete a license verification form	0	0		25	0	20	0		0	0	0	15	0	0	0	0	0	0		0	45	0		0	0

<sup>1</sup> HI: \$325.00 for entire exam.

<sup>2</sup> GA: \$25.00 application fee + \$80.00 license fee.

<sup>3</sup> NV: \$250.00 for entire exam.

<sup>4</sup> OK \$150.00 biennial fees (every two years); prorated to \$75.00 for second year of biennial period.

<sup>5</sup> TX: Non-resident renewal fee — \$100.00; Resident — \$70.00; Emeritus — \$10.00.

<sup>6</sup> BC: \$515 for entire exam; or \$85 + per section cost.

# REPORT OF THE MODEL PRACTICE LAW COMMITTEE

Gary L. Bollier

The following Model Practice Law was developed after much research by the committee, and is presented as a reference document. States that presently do not have a registration law regulating the practice of the landscape architect can use this model law as a guide as they formulate their own language. States that have registration laws in place can use this document as a model as they update their statute.

This document is also intended to be a working document. It will be updated, periodically, as new issues are presented. Please pass along any comments to the Committee Chairman.

## I DEFINITION

8-10-89

- A. The practice of landscape architecture, for purposes of the registration statute, should be defined as consisting of rendering or offering to render certain services for the purpose of landscape preservation, development and enhancement, such as consultation, investigation, reconnaissance, research, planning, design, preparation of drawings, construction documents and specifications, and responsible construction observation.

Landscape preservation, development and enhancement is the dominant purpose of services provided by landscape architects. Implementation of that purpose includes: 1) the preservation and aesthetic and functional enhancement of land uses and natural land features; 2) the location and construction of aesthetically pleasing and functional approaches and settings for structures and roadways; and, 3) design for trails and pedestrian walkway systems, plantings, landscape irrigation, lighting, grading and drainage.

The practice of a landscape architect may, for the purpose of landscape preservation, development and enhancement, include: investigation, selection and allocation of land and water resources for appropriate uses; feasibility studies; formulation of graphic and written criteria to govern the planning and design of land construction programs; preparation, review, and analysis of master plans for land use and development; production of overall site plans, planting plans, construction details; specifications; cost estimates and reports for development; collaboration in the design of roads, bridges and structures with respect to the functional and aesthetic requirements of the areas on which they are to be placed; negotiation and arrangement for execution of land area projects; and field observation of land area construction, restoration and maintenance.

- B. State statutes will continue to exempt various categories of persons from the purview of the statutes. Depending on the strength of the lobbying, engineers, landscape contractors and planners may be specifically exempted, to the extent that the exercise of their profession may incidentally involve them in the practice of landscape architecture.

**Programs in Landscape Architecture  
UNIVERSITY OF OREGON**

**Undergraduate and Graduate Programs:**

Course work includes the study of the land and its processes, geology, hydrology, ecology, plants, landscape technologies and construction practices, landscape history, theory, and literature. These areas are integrated in the study of design, the process of environmental understanding, giving order and form to environmental transformations.

**Degrees:**

BLA & MLA Programs (Undergraduate 5 yr. program and Graduate program is accredited by the American Society of Landscape Architects)

**Subjects:**

The study of landscape architecture includes course selections from five professional core subject areas:

**A. Landscape Architectural Technology**

Courses include construction, grading, drainage, irrigation design, design of small structures, professional practice, fundamentals of architecture, materials and process construction.

**B. Plant Materials, Communities, and Design**

Courses include botany, plant physiology, plant identification, planting design and theory, nursery practice, forest biology, landscape maintenance.

**C. Landscape Analysis and Planning**

Courses include landscape planning and analysis, site analysis & design, soils genesis, geography, hydrology and water resources, environmental planning and public policy, etc.

**D. History, Literature and Theory of Landscape Architecture**

Courses include history of North American Landscapes, land and the landscape, the garden, national parks, contemporary American landscapes, landscape preservation.

**E. Media Courses**

Courses include CADD, computer technologies, and media for design development.

Programs in Landscape Architecture  
UNIVERSITY OF WASHINGTON

**Undergraduate and Graduate Programs:**

As landscape architects we *Visualize* concepts and spaces, seeing with an educated eye and mind; *Create* new patterns and forms, blending living plants with wood, stone, metal, water, and earth; *Express* aesthetics, inspiring interaction; *Evaluate* facts and ideas, learning from history and present research to make decisions.

**Degrees:**

BLA & MLA Programs (Both the Undergraduate 5 yr. program and Graduate 3 yr. programs are accredited by the American Society of Landscape Architects)

**Undergraduate Curriculum:**

Course work includes planning and design studios, history, theory, graphics, professional practice and construction and directed electives in computers, urban design and planning, ecology, environmental legislation, environmental geology, soils, landscape plant management, plant identification.

**Graduate Curriculum:**

Course work consists of a basic core including design studios, construction, graphics, history, planting design, natural processes, professional practice, plant identification, environmental geology, and soils. In addition, required graduate curriculum also includes graduate design studios, research methods, theory, thesis preparation and writing, thesis, environmental law as well as directed free electives.

Programs in Landscape Architecture  
UNIVERSITY OF MINNISOTA

**Undergraduate and Graduate Programs:**

The Landscape Architecture degree programs at the University of Minnesota emphasizes the design process and an understanding of the various facets of nature, culture, and human behavior that affect the design, planning and management of land. The programs are organized around a six year time period during which students acquire basic professional training for the practice of landscape architecture, and students are encouraged to explore the expanding areas of professional practice.

**Degrees:**

The Department of Landscape Architecture offers an undergraduate program leading to the bachelor of environmental design (B.E.D.). In conjunction with the Graduate School, the department offers accredited professional master of landscape architecture (M.L.A.) and research-oriented master of science (M.S.) degrees.

**Graduate Curriculum:**

The study of landscape architecture for a graduate degree includes requirements within five subject 'core' areas. Completion of a minimum 140 credit hours is required within the following subject areas:

- A. Design
- B. Technology
- C. History
- D. Visual & Verbal Communications
- E. Theory and Research Skills

ORIGINAL SIGNED BY  
PRESIDENT AND SPEAKER.

NOT SIGNED BY GOVERNOR

DATE: 3-11-91

CHAPTER NO: 260

ORIGINAL SENATE  
FILE NO. 0132A

ENROLLED ACT NO. 99, SENATE

FIFTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
1991 GENERAL SESSION

AN ACT to create W.S. 33-4-116 and 33-4-117; and to amend W.S. 33-4-101 through 33-4-115 relating to licensing of architects and landscape architects; providing exemptions from act; expanding and renaming board of architects; changing qualifications of board members; providing for board meetings; providing compensation, powers and duties of board; establishing qualifications for licensure; providing exemptions; providing for setting and deposit of license fees; providing grounds for disciplinary actions; defining violations of the act; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 33-4-116 and 33-4-117 are created to read:

33-4-116. Documents, plans and designs; seal required. An architect or landscape architect shall affix his seal to all documents, plans or designs he provides.

33-4-117. Exemptions.

(a) Nothing in this act prohibits any person from preparing plans and specifications, designing, planning or administering the construction contracts for the construction, alteration, remodeling or repair of any of the following:

(i) Private residences;

(ii) Garages, commercial or industrial buildings, office buildings, preengineered metal buildings and buildings for the marketing, storage or processing of farm products and warehouses, which do not exceed two (2) stories in height, exclusive of a one (1) story basement, and which under applicable building code or codes, are not designed for occupancy by more than [ten] (10) persons;

(iii) Farm buildings;

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(iv) Nonstructural alterations of any nature to any building if the alterations do not affect the safety of the occupants of the building.

(b) Nothing in this act shall be construed:

(i) As curtailing or extending the rights of any other legally recognized profession;

(ii) As prohibiting the practice of architecture by any legally qualified architect of this state or another state who is employed by the United States government while in the discharge of his official duties;

(iii) To prevent the independent employment of a registered professional engineer for any professional service related solely to civil, structural, mechanical or electrical engineering in connection with any building or building project.

(c) This act in no way supersedes, overrides or amends the provisions of chapter 29 of this title regarding registration of professional engineers and professional land surveyors.

Section 2. W.S. 33-4-101 through 33-4-115 are amended to read:

33-4-101. Definitions.

(a) As used in this act:

(i) "Building" means a structure, including all the components which a structure comprises, including structural, mechanical and electrical systems, intended for use as shelter for man and his possessions;

(ii) "Practice of architecture" means rendering or offering to render service to clients generally, including any

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one or any combination of the following practices or professional services; advice, consultation, planning, architectural design, drawings and specifications; general administration of the contract as the owner's representative during the construction phase, wherein expert knowledge and skill are required in connection with the erection, enlargement or alteration of any building or buildings, or the equipment, or utilities thereof, or the accessories thereto, wherein the safeguarding of life, health or property is concerned or involved;

(iii) "Architect" means anyone licensed to practice architecture under this act;

(iv) "Practice of landscape architecture" means rendering or offering to render service to clients generally, including any one or any combination of the following practices or professional services; advice, consultation, planning, landscape architectural design, drawings and specifications; general administration of the contract as the owner's representative during the construction phase, wherein expert knowledge and skill are required in connection with landscape enhancement or landscape development, including the formulation of graphic or written criteria to govern the planning or design of land construction projects, production of overall site plans, landscape grading and landscape drainage plans, planting plans, irrigation plans, and construction details wherein in the safeguarding of life, health or property is concerned.

(v) "Landscape architect" means anyone licensed to practice landscape architecture under this act;

(vi) "Board" means the Wyoming state board of architects and landscape architects;

(vii) "This act" means W.S. 33-4-101 through 33-4-117.

33-4-102. Board of architects and landscape architects;

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created; composition; qualifications of members. There is hereby created and established a board to be known as the Wyoming state board of architects and landscape architects, which shall be composed of three (3) practicing architects, one (1) practicing landscape architect and one (1) member of the public of integrity and ability, who shall be residents of the state of Wyoming. The architects and landscape architect shall have practiced architecture or landscape architecture continuously in the state of Wyoming for a period of at least five (5) years prior to their appointment.

33-4-103. Board of architects and landscape architects; appointment and term of members; vacancies; removal. The governor shall appoint the members of the board of architects and landscape architects as provided in W.S. 33-4-102. Each member shall serve a term of three (3) years or until his successor has been appointed. The governor shall fill all vacancies occurring in the board. The governor may remove any board member as provided in W.S. 9-1-202.

33-4-104. Board of architects and landscape architects; meetings and officers; powers and duties.

(a) The board shall elect a president, vice-president, and secretary-treasurer. The board shall hold regular meetings at least once each year, with the date and place to be set by the board. The board may meet as designated by a majority of the board. A majority of the board shall constitute a quorum. The board shall have authority to administer oaths, take affidavits, summon witnesses and take testimony as to matters coming within the scope of its duties. The board shall have the authority to enter into interstate or intrastate agreements and associations with other boards of licensure for the purpose of establishing reciprocity, developing examinations, evaluating applicants or other activities to enhance the services of the board to the state, the licensee and the public. The board shall adopt a seal to be affixed to all licenses issued and shall adopt rules and

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regulations in accordance with the Wyoming Administrative Procedure Act. The board shall establish minimum educational requirements which shall be without prejudice, partiality or discrimination. The board may appoint or contract an executive secretary and other individuals deemed necessary to administer the affairs of the board and shall furnish necessary support and clerical services. Costs related to these services shall be paid from the earmarked revenue fund as provided in W.S. 33-4-109. The secretary of the board shall keep a record of the proceedings of the board, which shall at all times be open to public inspection.

(b) All meetings of the board shall be conducted in accordance with W.S. 16-4-403, except that the board may hold executive sessions as provided by W.S. 16-4-405.

33-4-105. Application for examination; qualifications.

(a) Any person wishing to practice architecture or landscape architecture in this state who is not a licensed architect or landscape architect shall make application for examination as prescribed by the board.

(b) Each applicant shall:

(i) Be an adult;

(ii) Have a good reputation for honesty, trustworthiness, integrity and competence in the practice of architecture or landscape architecture;

(iii) Hold a professional degree in architecture or landscape architecture from an accredited school of architecture or landscape architecture with practical experience, as the board deems appropriate.

(c) Until July 1, 1992 the board may license a person without a professional degree from an accredited school of architec-

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ture or landscape architecture, who has successfully completed the examination and who has the practical experience required by the board.

(d) Any person currently practicing landscape architecture in this state who holds a degree from an accredited school of landscape architecture and has at least five (5) years experience as a landscape architect prior to July 1, 1991 shall be exempt from taking the examination and shall be awarded a license to practice landscape architecture after meeting the other requirements of this act.

(e) The board shall provide by rules and regulations requirements for practical experience.

33-4-106. Issuance of license; reexamination. If the applicant is qualified, the board shall issue his license to practice architecture or landscape architecture. Any applicant who fails to pass an examination may be reexamined in the subjects which he failed at the next regularly scheduled examination date, upon the payment of an additional examination fee.

33-4-107. License fee and renewal fee set by board; notice of expiration; failure to renew. Persons practicing architecture or landscape architecture within this state shall pay initial and renewal license fees as set by the board. Initial licenses shall expire on the thirty-first day of December of the year following the date of issuance. A renewal license shall be issued by the board upon application and payment of the renewal fee, and shall be for a two (2) year period. The secretary of the board shall notify each registrant by mail at his last known address at least two (2) months prior to the date of the expiration of his license. Failure of a licensee to secure renewal of his license prior to the date of its expiration shall forfeit his license to practice architecture within the state, provided, however, that the secretary of the board shall again notify the registrant by certified mail at his last known address at least

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two (2) weeks before the expiration date. Any licensee on active duty in the armed forces of the United States, or who shall establish his residence elsewhere, upon returning to the state may apply for a renewal if the license was not revoked for any cause.

33-4-108. Licensing decisions of board. All decisions of the board involving the granting, denial, renewal, revocation, suspension or withdrawal of a license shall be conducted pursuant to the provisions of the Wyoming Administrative Procedure Act.

33-4-109. Disposition of money collected; compensation, mileage and per diem for members of board. All money shall be received and deposited to the earmarked revenue fund and payments made according to regulations established by the department of commerce. The members of the board shall receive per diem and mileage allowance as provided in W.S. 9-3-102, for each official board meeting. The total expense for every purpose incurred by the board shall not exceed the total of revenue collected.

33-4-110. Interstate reciprocity. Persons licensed to practice architecture or landscape architecture under the laws of any other state having requirements substantially equal to those provided for in this act may, in the discretion of the board, be issued a license to practice in this state without examination upon payment of the license fees as herein provided.

33-4-111. Persons not required to comply with act. All officers and employees of the United States government while engaged in governmental work in this state shall not be required to comply with the provisions of this act. Landscape architecture as applied in this act shall not restrict the practice of architecture, or engineering; nor shall it restrict the customary services normally rendered by landscape nurseries and landscape contractors.

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33-4-112. Persons required to qualify or register as "architect"; exceptions. All persons shall register as an architect in order to make architectural plans and specifications for buildings except those buildings which are specifically exempted in W.S. 33-4-117.

33-4-113. Use of title "architect" or "landscape architect". No person shall use the title "architect" or any title, sign, card or device to indicate that the person is practicing architecture or is an architect unless the person is licensed as an architect under the provisions of this act. No person shall use the title "landscape architect" or any title, sign, or card to indicate such person is practicing landscape architecture, unless the person is licensed as a landscape architect under the provisions of this act. Nothing in this act shall be construed to permit a person licensed as a landscape architect to use the title "architect" or to practice architecture.

33-4-114. Prohibited acts; penalty for violations.

(a) It is a misdemeanor for any person to:

(i) Sell, fraudulently obtain or furnish any license or renewal license to practice architecture or landscape architecture; or

(ii) Without being licensed under this act:

(A) Advertise, represent or in any manner hold himself out as an architect or landscape architect;

(B) Engage in the practice of architecture or landscape architecture;

(C) Use in connection with his business or name, or otherwise assume, use or advertise any title or description, or engage in any other conduct which reasonably might be

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expected to mislead another to believe the person is an architect or landscape architect; or

(D) Without being an officer of the corporation, to engage in the practice of architecture or landscape architecture as a corporation.

(b) A person convicted under subsection (a) of this section shall be punished by a fine of not more than seven hundred fifty dollars (\$750.00) or by imprisonment for not more than six (6) months, or both.

(c) The board may, through the attorney general, seek to enjoin any person from committing any act in violation of this section. The board shall not be required to prove irreparable injury to enjoin any violation of this section.

33-4-115. Grounds for refusal, suspension or revocation of license; notice; hearing; counsel at hearing.

(a) The board may take disciplinary actions, singularly or in combination, against a licensee upon a finding of:

(i) Fraud, deceit or material misstatement of fact in applying for a license or in passage of the examination provided for in this act;

(ii) Untrustworthiness, incompetency or misconduct in the practice of architecture as evidenced by conduct which endangers life, health, property or the public welfare;

(iii) Mental incompetency;

(iv) Fraud or deceit in the practice of architecture or landscape architecture;

(v) Affixing, or permitting to be affixed, a seal upon

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a document which the architect or landscape architect was not responsible for preparing;

(vi) Violating this act or a rule or regulation of the board promulgated pursuant to this act;

(vii) Suspension or revocation of licensure by another state; or

(viii) Conviction under W.S. 33-4-114, or conviction in another state of any crime which would constitute a violation of W.S. 33-4-114 had the actions been taken in this state. A copy of the judgment of conviction certified by the rendering court shall be presumptive evidence of the conviction in any hearing under this section. For purposes of this paragraph "conviction" includes a plea of nolo contendere or its equivalent.

(b) Before refusing to issue a license, suspending or revoking a license for any reason set forth in this section the board shall notify the person as required in the Wyoming Administrative Procedure Act. If the applicant or licensee requests a hearing before the board, the board shall hold a hearing in accordance with the Wyoming Administrative Procedure Act.

Section 3. The governor shall appoint the current members of the board of architects as the initial architect members to the board of architects and landscape architects for their remaining terms.

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Section 4. This act is effective July 1, 1991.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

(ORIGINAL SIGNED BY  
PRESIDENT AND SPEAKER)

NOT SIGNED BY GOVERNOR

DATE: 3/11/91

CHAPTER NO: 260

## 1993 ASSEMBLY BILL 100

February 17, 1993 - Introduced by Representatives ROBERTS, CARPENTER, BAIDUS, BLACK, GRUSZYNSKI, JOHNSRUD, HOLPERIN, HAHN, GRONEMUS, LAZICH, LA FAVE, WINEKE, BOYLE and SILBAUGH, cosponsored by Senators CHVALA, RISSER, RUDE, DARLING, HUELSMAN, BURKE and FARROW. Referred to Committee on Consumer Affairs.

1 AN ACT to amend 15.105 (5), 15.405 (2) (intro.), (a) and (b), chapter 443  
2 (title), 443.01 (3), 443.08 (2), 443.08 (3) (a), 443.08 (4) and (5),  
3 443.09 (title), (1) and (2), 443.09 (5), 443.10 (1) (a), (b) and (d),  
4 443.10 (2) (a), 443.10 (2) (c), 443.10 (2) (d), 443.10 (2) (e), 443.11  
5 (title), 443.11 (1) (intro.) and (d), 443.11 (4) and (6), 443.14 (1),  
6 (2) and (4), 443.16, 443.17, 443.18 (1) (a) and (2) (a) and 703.11 (2)  
7 (b); and to create 440.08 (2) (a) 38m, 443.01 (3g) and (3r), 443.02  
8 (5), 443.035 and 443.09 (4m) of the statutes, relating to the regula-  
9 tion of landscape architects, creating a landscape architect section  
10 in the examining board of architects, professional engineers, design-  
11 ers and land surveyors and providing a penalty.

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Analysis by the Legislative Reference Bureau

This bill establishes requirements for the registration of landscape architects by the examining board of architects, professional engineers, designers and land surveyors (examining board) and creates a 5-member landscape architect section in the examining board to administer and enforce the requirements.

The bill does not require an individual to be registered as a landscape architect in order to practice landscape architecture, but (with exceptions) restricts the use of the title "landscape architect" to only those individuals who are so registered.

Under the bill, in order to be registered as a landscape architect, an applicant must pass a written examination or written and oral examinations conducted or approved by the examining board and must submit evidence that is satisfactory to the examining board of any of the following:

1. That he or she has a bachelor's or master's degree in landscape architecture from a curriculum approved by the examining board, and has at least 2 years of practical experience in landscape architecture of a

character satisfactory to the examining board. At least one year of the practice must have been performed under the supervision of a registered landscape architect.

2. That he or she has at least 7 years of training and experience in the practice of landscape architecture that includes the completion of at least 2 years of courses in landscape architecture approved by the examining board, and has at least 4 years of practical experience in landscape architecture of a character satisfactory to the examining board.

3. If the application is submitted during the first year after the bill becomes law, that he or she has completed at least 7 years of training and experience in the practice of landscape architecture that is approved by the examining board.

The bill also provides for the reciprocal registration of an applicant who is registered as a landscape architect in another state or country that has similar registration requirements, and makes applicable to landscape architects certain other requirements under current law, including the disciplinary provisions and criminal penalties, that are applicable to the other professionals who are regulated by the examining board.

Finally, the bill changes the name of the examining board to the examining board of architects, landscape architects, professional engineers, designers and land surveyors.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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The people of the state of Wisconsin, represented in senate and assembly,  
do enact as follows:

1 SECTION 1. 15.105 (5) of the statutes is amended to read:  
2 15.105 (5) STATE CAPITOL AND EXECUTIVE RESIDENCE BOARD. There is  
3 created a state capitol and executive residence board, attached to the  
4 department of administration under s. 15.03, consisting of the secretary  
5 of administration or the secretary's designee, the director of the his-  
6 torical society or the director's designee, an architect or engineer  
7 employed by the department of administration appointed by the secretary of  
8 administration, 3 senators and 3 representatives to the assembly appointed  
9 as are the members of standing committees in their respective houses, and  
10 7 citizen members appointed for staggered 6-year terms of whom at least 2  
11 shall be architects ~~licensed in this state~~ registered under ch. 443, one  
12 shall be a landscape architect registered under ch. 443 and 3 shall be  
13 interior designers.

1 SECTION 2. 15.405 (2) (intro.), (a) and (b) of the statutes are  
2 amended to read:

3 15.405 (2) (title) EXAMINING BOARD OF ARCHITECTS, LANDSCAPE  
4 ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS.

5 (intro.) There is created an examining board of architects, landscape  
6 architects, professional engineers, designers and land surveyors in the  
7 department of regulation and licensing. Any professional member appointed  
8 to the examining board shall be registered to practice ~~the profession of~~  
9 architecture, landscape architecture, professional engineering, the design  
10 of engineering systems or land surveying ~~in this state under ch. 443~~. The  
11 examining board shall consist of ~~20~~ the following members appointed for  
12 ~~staggered 4-year terms~~: 3 architects, 3 landscape architects, 3 profes-  
13 sional engineers, 3 designers, 3 land surveyors and ~~8~~ 10 public members.

14 (a) In operation, the examining board shall be divided into an  
15 architect section, a landscape architect section, an engineer section, a  
16 designer section and a land surveyor section. Each section shall consist  
17 of the 3 members of the named profession appointed to the examining board  
18 and 2 public members appointed to the section. The examining board shall  
19 elect its own officers, and shall meet at least twice annually.

20 (b) All matters pertaining to passing upon the qualifications of  
21 applicants for and the granting or revocation of registration, and all  
22 other matters of interest to either the architectural, landscape  
23 architectural, engineering, designing or surveying section shall be acted  
24 upon solely by the interested section.

25 SECTION 3. 440.08 (2) (a) 38m of the statutes is created to read:

26 440.08 (2) (a) 38m. Landscape architect: August 1 of each even-num-  
27 bered year; \$39.

28 SECTION 4. Chapter 443 (title) of the statutes is amended to read:

## 1 CHAPTER 443

## 2 EXAMINING BOARD OF ARCHITECTS,

3 LANDSCAPE ARCHITECTS, PROFESSIONAL

## 4 ENGINEERS, DESIGNERS AND LAND SURVEYORS

5 SECTION 5. 443.01 (3) of the statutes is amended to read:

6 443.01 (3) "Examining board" means the examining board of architects,  
7 landscape architects, professional engineers, designers and land  
8 surveyors, ~~as created by s. 15.405 (2).~~

9 SECTION 6. 443.01 (3g) and (3r) of the statutes are created to read:

10 443.01 (3g) "Landscape architect" means a person who practices land-  
11 scape architecture.12 (3r) "Landscape architecture" means the performance of a professional  
13 service involving conceptual land planning and conceptual design for  
14 integrated land development based on the analysis of environmental  
15 characteristics, operational requirements, land use or commensurate land  
16 values. "Landscape architecture" includes the investigation, selection or  
17 allocation of land or water resources for appropriate uses; the formu-  
18 lation of graphic or written criteria for land planning or land con-  
19 struction program; the preparation, review or analysis of a master plan  
20 for land use or development; the production of a graphic land area,  
21 grading, drainage, irrigation, planting or landscape construction plan; and the  
22 planning of a road, bridge or other structure with respect to the aes-  
23 thetic requirements of the area on which it will be constructed.

24 SECTION 7. 443.02 (5) of the statutes is created to read:

25 443.02 (5) No person may use the title "landscape architect" unless  
26 the person is registered as a landscape architect under this chapter, has  
27 in effect a permit under s. 443.10 (1) (d) or is exempt under s. 443.14.

28 SECTION 8. 443.035 of the statutes is created to read:

1        443.035 REGISTRATION REQUIREMENTS FOR LANDSCAPE ARCHITECTS. The  
2 examining board shall register as a landscape architect an individual who  
3 does all of the following:

4        (1) Submits to the department evidence satisfactory to the examining  
5 board of any of the following:

6        (a) That he or she has a bachelor's degree in landscape architecture,  
7 or a master's degree in landscape architecture, from a curriculum approved  
8 by the examining board and has at least 2 years of practical experience in  
9 landscape architecture of a character satisfactory to the examining board.

10       (b) That he or she has a specific record of at least 7 years of  
11 training and experience in the practice of landscape architecture includ-  
12 ing at least 2 years of courses in landscape architecture approved by the  
13 examining board, and 4 years of practical experience in landscape archi-  
14 tecture of a character satisfactory to the examining board.

15       (2) Satisfies the applicable requirements under s. 443.09.

16       SECTION 9. 443.08 (2) of the statutes is amended to read:

17       443.08 (2) The practice of or the offer to practice architecture,  
18 professional engineering or designing, or the use of the title "landscape  
19 architect", by individual architects, professional engineers ~~or~~, designers  
20 or landscape architects registered or granted a permit under this chapter,  
21 through a firm, partnership or corporation as principals, officers,  
22 employes or agents, is permitted subject to this chapter, if all personnel  
23 who practice or offer to practice in its behalf as architects, profes-  
24 sional engineers ~~or~~, designers or landscape architects are registered or  
25 granted a permit under this chapter and if the corporation has been issued  
26 a certificate of authorization under sub. (3).

27       SECTION 10. 443.08 (3) (a) of the statutes is amended to read:

1       443.08 (3) (a) A corporation desiring a certificate of authorization  
2 shall submit an application to the department on forms provided by the  
3 department, listing the names and addresses of all officers and directors,  
4 and all individuals in its employment registered or granted a permit to  
5 practice architecture, landscape architecture, professional engineering or  
6 designing in this state who will be in responsible charge of architecture,  
7 professional engineering or designing being practiced in this state  
8 through the corporation or who will be in responsible charge of the use of  
9 the title "landscape architect" in this state through the corporation and  
10 other relevant information required by the examining board. A similar  
11 type of form shall also accompany the renewal fee. If there is a change  
12 in any of these persons, the change shall be reported on the same type of  
13 form, and filed with the department within 30 days after the effective  
14 date of the change. The examining board shall grant a certificate of  
15 authorization to a corporation complying with this subsection upon payment  
16 of the fee specified in s. 440.05 (1). This subsection does not apply to  
17 corporations exempt under s. 443.14 (3) or (5).

18       SECTION 11. 443.08 (4) and (5) of the statutes are amended to read:

19       443.08 (4) (a) No firm, partnership or corporation may be relieved of  
20 responsibility for the conduct or acts of its agents, employes or officers  
21 by reason of its compliance with this chapter, nor may any individual  
22 practicing architecture, landscape architecture, professional engineering  
23 or designing be relieved of responsibility for architectural, landscape  
24 architectural, professional engineering or designing services performed by  
25 reason of his or her employment or relationship with the firm, partnership  
26 or corporation.

27       (b) All final drawings, specifications, plans, reports or other  
28 architectural, landscape architectural, engineering or designing papers or

1 documents involving the practice of architecture, landscape architecture,  
2 professional engineering or designing prepared for the use of the  
3 corporation, for delivery by it to any person or for public record within  
4 the state shall be dated and bear the signature and seal of the architect,  
5 landscape architect, professional engineer or designer who was in respon-  
6 sible charge of their preparation. This paragraph does not apply to per-  
7 sons exempt under s. 443.14 (3), (4) or (5).

8 (5) No firm, partnership or corporation may engage in the practice of  
9 or offer to practice architecture, professional engineering or designing  
10 in this state, or use in connection with its name or otherwise assume, use  
11 or advertise any title or description tending to convey the impression  
12 that it is engaged in the practice of architecture, landscape  
13 architecture, professional engineering or designing, nor may it advertise  
14 or offer to furnish an architectural, landscape architectural, profes-  
15 sional engineering or designing service, unless the firm, partnership or  
16 corporation has complied with this chapter.

17 SECTION 12. 443.09 (title). (1) and (2) of the statutes are amended  
18 to read:

19 443.09 (title) EXAMINATION AND EXPERIENCE REQUIREMENTS FOR  
20 ARCHITECT, LANDSCAPE ARCHITECT AND ENGINEER APPLICANTS. (1) In consid-  
21 ering the qualifications of an applicant as an architect, landscape  
22 architect or professional engineer, responsible charge of architectural,  
23 landscape architectural or engineering teaching may be construed as  
24 experience.

25 (2) Subject to ss. 111.321, 111.322 and 111.335, no person who has an  
26 arrest or conviction record is eligible for registration as an architect,  
27 a landscape architect or a professional engineer, or certification as an  
28 engineer-in-training ~~who has an arrest or conviction record.~~

1 SECTION 13. 443.09 (4m) of the statutes is created to read:

2 443.09 (4m) No person may be registered as a landscape architect  
3 under this chapter unless he or she passes a written examination or writ-  
4 ten and oral examinations conducted or approved by the examining board  
5 under sub. (5).

6 SECTION 14. 443.09 (5) of the statutes is amended to read:

7 443.09 (5) Written or written and oral examinations shall be held at  
8 such time and place as the examining board determines. The scope of the  
9 examinations and the methods of procedure shall be prescribed by the  
10 examining board with special reference to the applicant's ability to  
11 design and supervise architectural, landscape architectural or engineering  
12 work, which shall promote the public welfare and ensure the safety of  
13 life, health and property. The examination or examinations shall include  
14 questions which require applicants to demonstrate knowledge of the design  
15 needs of people with physical disabilities and of the relevant statutes  
16 and codes. Such questions shall be developed by the examining board in  
17 consultation with the department of industry, labor and human relations.  
18 The examination for candidates under s. 443.04 (1) (c) shall be the prin-  
19 ciples and practice examination which requires the applicant to demon-  
20 strate the ability to apply engineering principles and judgment to prob-  
21 lems in general engineering disciplines and to demonstrate knowledge of  
22 the design needs of people with physical disabilities and the relevant  
23 statutes, rules and regulations. A candidate failing an examination may,  
24 upon application and payment of the required reexamination fee, be exam-  
25 ined again by the examining board. No restrictions may be placed on the  
26 number of times an unsuccessful candidate may be reexamined, except that  
27 after failure of 3 reexaminations, the examining board may require a one-  
28 year waiting period before further reexamination.

1 SECTION 15. 443.10 (1) (a), (b) and (d) of the statutes are amended  
2 to read:

3 443.10 (1) (a) The examining board may, upon application ~~therefor,~~  
4 and the payment of the required fee, grant a certificate of registration  
5 as an architect, as a landscape architect or as a professional engineer to  
6 any person who holds an unexpired certificate of similar registration  
7 issued to the person by the proper authority in any state or territory or  
8 possession of the United States or in any country in which the require-  
9 ments for the registration of architects, ~~or of~~ landscape architects or  
10 professional engineers are of a standard not lower than specified in this  
11 chapter.

12 (b) The examining board may, upon application ~~therefor~~ and payment of  
13 the required fee, grant a certificate of registration as an architect, as  
14 a landscape architect or as a professional engineer to any person who  
15 holds an unrevoked card or certificate of national reciprocal  
16 registration, issued by any state, province or country in conformity with  
17 the regulations of the national council of state board of architectural,  
18 or engineering examiners, or council of landscape architectural registra-  
19 tion boards, and who complies with the regulations of the examining board,  
20 except as to qualifications and registration fee.

21 (d) The examining board may, upon application ~~therefor~~ and payment of  
22 the required fee, grant a permit to practice or to offer to practice  
23 architecture or professional engineering or to use the title "landscape  
24 architect" to a person who is not a resident of and has no established  
25 place of business in this state, or who has recently become a resident of  
26 this state, ~~if the person submits to the examining board an application~~  
27 ~~for a certificate of registration and pays the required fee,~~ if the person  
28 holds an unexpired certificate of similar registration issued to the

1 person by the proper authority in any state or territory or possession of  
2 the United States or in any country in which the requirements for the  
3 registration of architects, landscape architects or professional engineers  
4 are of a standard not lower than specified in this chapter.

5 SECTION 16. 443.10 (2) (a) of the statutes is amended to read:

6 443.10 (2) (a) Applications for registration or for a certificate of  
7 record shall be on forms prescribed by the examining board and provided by  
8 the department and shall contain statements made under oath showing the  
9 applicant's education and detail summary of the applicant's technical work  
10 and not less than 5 references, of whom 3 or more shall have personal  
11 knowledge of the applicant's architectural, landscape architectural or  
12 engineering experience in the case of an application for registration or  
13 of the applicant's technical education or engineering work in the case of  
14 an application for a certificate of record.

15 SECTION 17. 443.10 (2) (c) of the statutes is amended to read:

16 443.10 (2) (c) The examining board shall grant a certificate of  
17 registration upon payment of the registration fee to any applicant who, in  
18 the opinion of the examining board, has satisfactorily met all the appli-  
19 cable requirements of this chapter. The certificate shall authorize the  
20 practice o. architecture or of professional engineering or the use of the  
21 title "landscape architect", as appropriate.

22 SECTION 18. 443.10 (2) (d) of the statutes is amended to read:

23 443.10 (2) (d) The granting of a certificate of registration by the  
24 examining board shall be evidence that the person named in the certificate  
25 is entitled to all the rights and privileges of a registered architect, a  
26 registered landscape architect or a registered professional engineer under  
27 the classification stated on the certificate, while the certificate  
28 remains unrevoked or unexpired.

1 SECTION 19. 443.10 (2) (e) of the statutes is amended to read:

2 443.10 (2) (e) The renewal date and renewal fee for certificates of  
3 registration for architects, landscape architects and professional engi-  
4 neers are specified under s. 440.08 (2) (a).

5 SECTION 20. 443.11 (title) of the statutes is amended to read:

6 443.11 (title) DISCIPLINARY PROCEEDINGS AGAINST ARCHITECTS, LANDSCAPE  
7 ARCHITECTS AND ENGINEERS.

8 SECTION 21. 443.11 (1) (intro.) and (d) of the statutes are amended  
9 to read:

10 443.11 (1) (intro.) The examining board may reprimand an architect,  
11 landscape architect or professional engineer or limit, suspend or revoke  
12 the certificate of registration of any registrant, and the certificate of  
13 record of any engineer-in-training, who is found guilty of:

14 (d) Any gross negligence, incompetency or misconduct in the practice  
15 of architecture as a registered architect, of landscape architecture as a  
16 registered landscape architect or of professional engineering as a regis-  
17 tered professional engineer, or in the professional activity of a holder  
18 of a certificate of record as engineer-in-training.

19 SECTION 22. 443.11 (4) and (6) of the statutes are amended to read:

20 443.11 (4) If, after holding a hearing 3 members of the section of  
21 the examining board holding the hearing vote in favor of sustaining the  
22 charges, the examining board shall reprimand or limit, suspend or revoke  
23 the certificate of registration of the registered architect, registered  
24 landscape architect or registered professional engineer, the certificate  
25 of record of the holder of a certificate as engineer-in-training, or the  
26 certificate of a corporate holder of a certificate of authorization.

27 (6) The examining board, for reasons the interested section deems  
28 considers sufficient, may reissue a certificate of registration or a

1 certificate of record to any person, or a certificate of authorization to  
2 any corporation, whose certificate has been revoked, providing 3 members  
3 of the architect section, 3 members of the landscape architect section or  
4 3 members of the professional engineering section of the examining board  
5 vote in favor of such reissuance. A new certificate of registration,  
6 certificate of record or certificate of authorization, to replace any  
7 certificate revoked, lost, destroyed or mutilated may be issued, subject  
8 to the rules of the examining board and the payment of the required fee.

9 SECTION 23. 443.14 (1), (2) and (4) of the statutes are amended to  
10 read:

11 443.14 (1) An employe of a person holding a certificate of registra-  
12 tion in this state who is engaged in the practice of architecture, land-  
13 scape architecture or professional engineering and an employe of a person  
14 temporarily exempted from registration, if the practice does not include  
15 responsible charge of architecture, landscape architecture or professional  
16 engineering practice as ~~defined in s. 443.01 (5) and (6).~~

17 (2) Officers and employes of the federal government while engaged  
18 within this state in the practice of architecture, landscape architecture  
19 or professional engineering for the federal government.

20 (4) Any person who practices architecture, landscape architecture or  
21 professional engineering, exclusively as a regular employe of a private  
22 company or corporation, by rendering to the company or corporation  
23 architectural, landscape architectural or professional engineering ser-  
24 vices in connection with its operations, so long as the person is thus  
25 actually and exclusively employed and no longer, if the company or cor-  
26 poration has at least one architect, landscape architect or professional  
27 engineer, who is registered under this chapter, in responsible charge of

1 the company's or corporation's architectural, landscape architectural or  
2 professional engineering work in this state.

3 SECTION 24. 443.16 of the statutes is amended to read:

4 443.16 CHANGE OF NAME. No person may practice architecture or pro-  
5 fessional engineering in this state, and no person who is registered as a  
6 landscape architect under this chapter may practice landscape architecture  
7 in this state, under any other given name or any other surname than that  
8 under which the person was originally licensed or registered to practice  
9 in this or any other state, in any instance in which the examining board,  
10 after a hearing, finds that practicing under the changed name operates to  
11 unfairly compete with another practitioner or to mislead the public as to  
12 identity or to otherwise result in detriment to the profession or the  
13 public. This section does not apply to a change of name resulting from  
14 marriage or divorce.

15 SECTION 25. 443.17 of the statutes is amended to read:

16 443.17 SEAL OR STAMP; AIDING UNAUTHORIZED PRACTICE. No person who is  
17 registered to practice architecture, landscape architecture or profes-  
18 sional engineering under this chapter may impress his or her seal or stamp  
19 upon documents which have not been prepared by the person or under his or  
20 her direction and control, knowingly permit his or her seal or stamp to be  
21 used by any other person or in any other manner knowingly aid or abet the  
22 unauthorized practice of ~~either profession~~ any of those professions by  
23 persons not authorized under this chapter.

24 SECTION 26. 443.18 (1) (a) and (2) (a) of the statutes are amended to  
25 read:

26 443.18 (1) (a) Any person who practices or offers to practice archi-  
27 tecture or professional engineering in this state, or who uses the word  
28 term "architect" ~~or the term~~, "landscape architect" or "professional

1 engineer" as part of the person's business name or title, except as pro-  
2 vided in s. 443.08 (6), or in any way represents himself or herself as an  
3 architect, a landscape architect or a professional engineer unless the  
4 person is registered or exempted in accordance with this chapter, or  
5 unless the person is the holder of an unexpired permit issued under s.  
6 443.10 (1) (d), or any person presenting or attempting to use as his or  
7 her own the certificate of registration of another, or any person who  
8 gives any false or forged evidence of any kind to the examining board or  
9 to any member ~~thereof~~ of the examining board in obtaining a certificate of  
10 registration, or any person who falsely impersonates any other registrant  
11 of like or different name, or any person who attempts to use an expired or  
12 revoked certificate of registration, or violates any of the provisions of  
13 this section, may be fined not less than \$100 nor more than \$500 or  
14 imprisoned for not more than 3 months or both.

15 (2) (a) Injunction. If it appears upon complaint to the examining  
16 board by any person, or is known to the examining board that any person  
17 who is neither registered nor exempt under this chapter nor the holder of  
18 an unexpired permit under s. 443.10 (1) (d) is practicing or offering to  
19 practice, or is about to practice or to offer to practice, architecture or  
20 professional engineering in this state, or is using the title "landscape  
21 architect" in this state, the examining board or the attorney general or  
22 the district attorney of the proper county may investigate and may, in  
23 addition to any other remedies, bring action in the name and on behalf of  
24 this state against any such person to enjoin the person from practicing or  
25 offering to practice architecture or professional engineering or from  
26 using the title "landscape architect".

27 SECTION 27. 703.11 (2) (b) of the statutes is amended to read:

1        703.11 (2) (b) A survey of the property described in the declaration  
2        complying with minimum standards for property surveys adopted by the  
3        examining board ~~as defined in s. 443.01 (5)~~ of architects, landscape  
4        architects, professional engineers, designers and land surveyors and  
5        showing the location of any unit or building located or to be located on  
6        the property.

7        SECTION 26. NONSTATUTORY PROVISIONS. (1) EXAMINING BOARD OF  
8        ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND  
9        LAND SURVEYORS; INITIAL APPOINTMENTS OF ADDITIONAL MEMBERS. (a) Not-  
10        withstanding section 15.405 (2) (intro.) of the statutes, as affected by  
11        this act, the initial landscape architect members of the examining board  
12        of architects, landscape architects, professional engineers, designers and  
13        land surveyors need not be registered as landscape architects under  
14        chapter 443 of the statutes, as affected by this act, to be appointed to  
15        and serve as members of the examining board until the first day of the  
16        10th month beginning after the effective date of this paragraph.

17        (b) Notwithstanding section 15.405 (2) (intro.) of the statutes, as  
18        affected by this act, the additional members of the examining board of  
19        architects, landscape architects, professional engineers, designers and  
20        land surveyors shall be initially appointed by the first day of the 4th  
21        month beginning after the effective date of this paragraph for the  
22        following terms:

23        1. One landscape architect member and one public member, for terms  
24        expiring on July 1, 1996.

25        2. One landscape architect member, for a term expiring on July 1,  
26        1997.

27        3. One public member, for a term expiring on July 1, 1998.

1 4. One landscape architect member, for a term expiring on July 1,  
2 1999.

3 (2) WAIVER OF EDUCATIONAL AND EXAMINATION REQUIREMENTS. Notwith-  
4 standing sections 443.035 and 443.09 (4m) of the statutes, as created by  
5 this act, the examining board of architects, landscape architects, pro-  
6 fessional engineers, designers and land surveyors shall register as a  
7 landscape architect: any individual who, not later than the last day of the  
8 12th month beginning after the effective date of this subsection, submits  
9 an application for registration as a landscape architect, pays the fee  
10 under section 440.05 (1) of the statutes, satisfies section 443.09 (2) of  
11 the statutes, as affected by this act, and submits satisfactory evidence  
12 to the examining board that he or she has completed at least 7 years of  
13 training and experience in the practice of landscape architecture that is  
14 approved by the examining board.

15 SECTION 29. EFFECTIVE DATES. This act takes effect on the first day  
16 of the 7th month beginning after publication, except as follows:

17 (1) The treatment of section 15.405 (2) (intro.), (a) and (b) of the  
18 statutes and SECTION 28 (1) of this act take effect on the day after  
19 publication.

20 (End)

1993 Session

LRB or Bill No./Adm. Rule No.

LRB 0443

Amendment No. # Applicable

ORIGINAL  UPDATE  
 CORRECTED  SUPPLEMENTAL

**FISCAL ESTIMATE**  
DOA-2048 (R11/90)

**Subject**  
Regulation of Landscape Architects

**Fiscal Effect**

State  No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb Within Agency's Budget  Yes  No

Increase Existing Appropriation  Increase Existing Revenues  
 Decrease Existing Appropriation  Decrease Existing Revenues  
 Create New Appropriation

Decrease Costs

Local:  No local government costs

1.  Increase Costs  
 Permissive  Mandatory  
2.  Decrease Costs  
 Permissive  Mandatory

3.  Increase Revenues  
 Permissive  Mandatory  
4.  Decrease Revenues  
 Permissive  Mandatory

5. Types of Local Governmental Units Affected:  
 Towns  Villages  Cities  
 Counties  Others \_\_\_\_\_  
 School Districts  VTAE Districts

**Fund Sources Affected**

GPR  FED  PRO  PRS  SEG-S

**Affected Ch. 20 Appropriations**

s. 20.165 (1) (g) and s. 20.165 (1) (f)

**Assumptions Used in Arriving at Fiscal Estimate**

This bill creates a landscape architects section (with 5 members) within the Joint Board of Architects, Engineers, Designers and Land Surveyors to license and regulate landscape architects. During the first 12 months of regulation, landscape architects would be licensed without passing an examination if they can verify that they have had seven years of experience and training as landscape architects as approved by the Joint Board. The department estimates that approximately 125 people would be licensed in this fashion during this twelve month period. The department estimates that approximately 20 candidates will take the examination on an annual basis.

The department will need a 0.50 FTE Program Assistant 3 (PA3) to staff the new Landscape Architects' section meetings. This PA3 will review and process applications for licensure and prepare correspondence for the section and Bureau of Design Professions Director. (The annual salary is calculated based on the 1991-93 pay plan minimum for payrange 1-10. Fringe benefits are calculated based on a fringe benefit rate of 34.08%.)

The department estimates the following annual costs.

**Long-Range Fiscal Implications**

In the even numbered year of the second biennium after regulation of landscape architect begins, the department estimates that it would receive \$5,265 in program revenue and \$585 in GPR-Earned for license renewal by landscape architects.

Agency/Prepared by: (Name & Phone No.)  
Department of Regulation & Licensing  
Patricia C. McCormick (267-2435)

Authorized Signature/Telephone No.

*Patricia C. McCormick* 267-2435

Date

2/4/93

1993 LRB 0443  
02/04/93

	<u>Appropriation s. 20.165(1) (g)</u>	<u>Appropriation s. 20.165(1) (i)</u>	<u>Total PRO</u>
Permanent Services	10,663		10,663
LTE	1,800		1,800
Fringe Benefits	3,772		3,772
Supplies & Services	<u>11,220</u>	<u>1,380</u>	<u>12,600</u>
<b>TOTAL</b>	<u>27,455</u>	<u>1,380</u>	<u>28,835</u>

Members of the Landscape Architects Section receive a \$25 per diem and travel and lodging costs for each section or Joint Board meeting they attend. The LTE costs are for per diems for section meetings and are calculated as shown below.

**Appropriation s. 20.165 (1) (g) Per Diem Costs**

<u>Line</u>	<u>Description</u>	<u>Members</u>	<u>Per Unit</u>	<u>No. of Meetings</u>	<u>Costs</u>
LTE	Per Diem (Section/Joint Board)	5	\$25	14	\$1,750
LTE	Per Diem Rules Meeting	1	\$25	2	\$50
Fringe	Fringe Benefits		7.65%	NA	\$138

The s. 20.165 (1) (g) annual supplies and services costs are estimated as follows.

	<u>Members</u>	<u>Per Unit</u>	<u>No. of Meetings</u>	<u>Costs</u>
Section Members' Travel	5	92	12	5,520
Section Members' Lodging	5	49	12	2,940
National Conference Fees & Expenses	1	1,000	1	1,000
National Association Membership Fee	NA		NA	750
Printing Expenses	NA		NA	400
Postage Expenses	NA		NA	200
Telephone Expenses	NA		NA	<u>410</u>
<b>TOTAL</b>				<u>\$11,220</u>

As noted above, section members will receive reimbursement for travel and lodging expenses associated with section and Joint Board meetings. (The number of meetings listed here is different from the number of meetings listed in the per diem estimate because the department assumes that not all members will have travel and lodging costs.) All boards and sections at the department send one board member at state expense to the appropriate national association convention. Also, membership in this and other associations is indispensable because it secures access to the national associations' occupational examinations. Postage and printing expenses are for the production and distribution of licenses, code books, correspondence, application materials and WI Statute and Administrative Code books.

Also the department estimates that appropriation s. 20.165 (1) (i) will incur \$1,380 annual examination administration costs.

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The department estimates that the following additional funding would be needed only in the first year.

	<u>Appropriation s. 20.165(1) (g)</u>	<u>Appropriation s. 20.165(1) (i)</u>	<u>Total PRO</u>
Telephone	40		40
Desk	350		350
Data Station	150		150
Chair	250		250
Filing Cabinet	200		200
Telephone line installation	125		125
Personal Computer (Hardware, Software, Peipherals)	3,400		3,400
Printing	700		700
Postage	300		300
Oral Exam Development	—	<u>520</u>	<u>520</u>
<b>Total</b>	<u>5,515</u>	<u>520</u>	<u>6,035</u>

Most of these one-time costs are associated with the expense of preparing a workplace for the PA3. Other one-time expenses are associated with the increased costs of the first year of regulating a "new" profession

After the initial twelve month "grandfather" period expires, the department estimates that it will collect the following annual revenues.

	<u>Appropriation s. 20.165(1) (g)</u>	<u>Appropriation s. 20.165(1) (i)</u>	<u>Total PRO</u>	<u>GPR- Earned</u>
License Fee	702		702	78
Examination Fee	—	<u>1,380</u>	<u>1,380</u>	—
<b>Total</b>	<u>702</u>	<u>1,380</u>	<u>2,082</u>	<u>78</u>

Again, after the initial twelve month "grandfather" period expires, in even numbered years the department will collect the following revenues (150 licensees x \$39 license renewal fee split 10% to GPR-Earned and 90% to s. 20.165 (1) (g)).

	<u>Appropriation s. 20.165(1) (g)</u>	<u>GPR- Earned</u>
License Fee	5,265	585

These amounts are divided by 2 to calculate the annual fiscal impact.