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Details:

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Labor, Elections, and Urban Affairs (SC-LEUA)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Committee on Labor, Elections and Urban Affairs

Assembly Bill 142

Relating to: requiring a license to engage in the practice of landscape architecture.

By Representatives Shilling, Lothian, Clark, Parisi, Davis, Vruwink, Berceau, Benedict, Montgomery, A. Ott, Townsend, Turner, Molepske Jr., Mursau and Spanbauer; cosponsored by Senators Risser, Taylor and Lehman.

May 04, 2009 Referred to Committee on Labor, Elections and Urban Affairs.

October 29, 2009 **PUBLIC HEARING HELD**

Present: (5) Senators Coggs, Wirch, Lehman, A. Lasee and Grothman.

Absent: (0) None.

Appearances For

- Jennifer Shilling — Representative
- Fred Risser — Senator
- Shawn Kelly — American Society of Landscape Architects in Wisconsin
- Rosheen Styczinski
- Michael Seaman
- Samuel Dennis — Professor
- Pam Linn
- Brian Swingle — Wisconsin Green Industry Federation

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Daniel Schmitt
- Susan Thering
- Jay Geller
- Christa Wollenzien

Registrations Against

- Dan Williams — American Society Landscape Architects in Wisconsin

Registrations for Information Only

- None.

December 15, 2009 **EXECUTIVE SESSION HELD**

Present: (5) Senators Coggs, Wirch, Lehman, A. Lasee and Grothman.

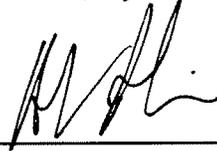
Absent: (0) None.

Moved by Senator Lehman, seconded by Senator Wirch that **Assembly Bill 142** be recommended for concurrence.

Ayes: (3) Senators Coggs, Wirch and Lehman.

Noes: (2) Senators A. Lasee and Grothman.

CONCURRENCE RECOMMENDED, Ayes 3, Noes 2



Adam Plotkin
Committee Clerk

WISCONSIN ASSEMBLY
2009-2010 SESSION
Speaker Sheridan

AB 142
BY SHILLING
LANDSCAPE ARCHITECTS PRACTICE LICENSE
PASSAGE

AYES - 73 NAYS - 25 NOT VOTING - 1 PAIRED - 0

<u>A</u>	<u>N</u>	<u>NY</u>	<u>NAME</u>		<u>A</u>	<u>N</u>	<u>NY</u>	<u>NAME</u>		<u>A</u>	<u>N</u>	<u>NY</u>	<u>NAME</u>	
Y			BALLWEG	R	Y			KESSLER	D		N		ROTH	R
Y			BARCA	D		N		KESTELL	R	Y			ROYS	D
Y			BENEDICT	D		N		KLEEFISCH	R	Y			SCHNEIDER	D
Y			BERCEAU	D	Y			KNODL	R	Y			SEIDEL	D
Y			BERNARD SCHABER	D		N		KRAMER	R	Y			SHERMAN	D
Y			BIES	R	Y			KRUSICK	D	Y			SHILLING	D
Y			BLACK	D		N		LEMAHIEU	R	Y			SINICKI	D
Y			BROOKS	R	Y			LOTHIAN	R	Y			SMITH	D
Y			CLARK	D	Y			MASON	D	Y			SOLETSKI	D
Y			COLON	D	Y			MEYER	R	Y			SPANBAUER	R
Y			CULLEN	D	Y			MILROY	D	Y			STASKUNAS	D
Y			DANOU	D	Y			MOLEPSKE	D	Y			STEINBRINK	D
Y			DAVIS	R		x		MONTGOMERY	R		N		STONE	R
Y			DEXTER	D		N		MURSAU	R	Y			STRACHOTA	R
Y			FIELDS	D		N		MURTHA	R		N		SUDER	R
	N		FITZGERALD	R		N		NASS	R	Y			TAUCHEN	R
Y			FRISKE	R	Y			NELSON	D	Y			TOLES	D
Y			GARTHWAITE	D	Y			NERISON	R	Y			TOWNSEND	R
	N		GOTTLIEB	R		N		NEWCOMER	R	Y			TURNER	D
Y			GRIGSBY	D		N		NYGREN	R	Y			VAN AKKEREN	D
	N		GUNDERSON	R	Y			OTT, A.	R	Y			VAN ROY	R
	N		GUNDRUM	R		N		OTT, J.	R		N		VOS	R
Y			HEBL	D	Y			PARISI	D	Y			VRUWINK	D
Y			HILGENBERG	D	Y			PASCH	D		N		VUKMIR	R
Y			HINTZ	D		N		PETERSEN	R	Y			WILLIAMS, A.	D
Y			HIXSON	D		N		PETROWSKI	R	Y			WILLIAMS, M.	R
Y			HONADEL	R	Y			POCAN	D	Y			WOOD	I
Y			HRAYCHUCK	D	Y			POPE-ROBERTS	D	Y			YOUNG	D
Y			HUBLER	D		N		PRIDEMORE	R	Y			ZEPNICK	D
Y			HUEBSCH	R	Y			RADCLIFFE	D	Y			ZIEGELBAUER	D
Y			JORGENSEN	D		N		RHOADES	R	Y			ZIGMUNT	D
Y			KAUFERT	R	Y			RICHARDS	D		N		ZIPPERER	R
	N		KERKMAN	R	Y			RIPP	R	Y			SPEAKER	D

IN CHAIR: STASKUNAS

NO VACANT DISTRICTS

SEQUENCE NO. 88
Tuesday, April 28, 2009
4:10 PM



Senator Spencer Coggs
Room 123 South
State Capitol
P.O. Box 7882
Madison, WI 53707-7882

June 1, 2009

JUN 04 2009

WISCONSIN
CHAPTER

AMERICAN
SOCIETY OF
LANDSCAPE
ARCHITECTS

P.O. BOX 851
MADISON, WI
53701-0851

Dear Senator Coggs:

I am the Legislative Liaison for the Wisconsin Chapter of the American Society of Landscape Architects. We are pleased to see that AB 142, which would enhance the profession of landscape architecture in Wisconsin, has been sent to the Senate and referred to the Committee on Labor.

AB 142 has enjoyed very strong support, including bipartisan approval by a 73-25 vote in the Assembly (all Democrats voting aye along with 20 Republicans), as well as a 7-1 vote in the Assembly Committee on Labor (only Representative Nass voted against).

I am writing to respectfully request that you schedule a hearing on AB 142 at your earliest convenience. I have worked on this bill for the past nine years, and last session it went through nine draft versions in our attempts to make it a bill supported by all stakeholders. It is our wish to gain your support in this effort. We are well aware of the state budget concerns and hope that our bill can be heard as soon as budget constraints allow so we can move ahead with this valuable legislation for our state.

Respectfully Submitted,


Shawn T. Kelly, ASLA

Cc: Senator Fred Risser
Representative Jennifer Shilling



AIA Wisconsin

A Society of The American Institute of Architects

June 5, 2009

JUN 08 2009



State Senator Spencer Coggs
Wisconsin Senate
P.O. Box 7882
Madison, WI 53707-7882

RE: 2009 ASSEMBLY BILL 142 – LANDSCAPE ARCHITECTURE

Dear Sen. Coggs:

I am writing on behalf of the members of AIA Wisconsin to ask you to support an amendment to proposed landscape architecture practice legislation, 2009 Assembly Bill 142, to provide a clear and unambiguous exemption for architects.

Architects traditionally have provided and will continue to provide many of the professional services included in the definition of landscape architecture. As drafted, the proposed legislation creates more confusion than clarity because of the overlapping definitions. Without a clear exemption, architects could be adversely affected by unintended consequences of this proposed legislation.

For your reference and consideration, enclosed please find information on a proposed amendment to AB 142 that would provide assurance to architects and greater clarity to the public that architects are exempt from this practice legislation for landscape architects. It is a simple addition to section 443.14 related to "exempt persons" that provides a clear and unambiguous exemption for architects performing professional services included in the statutory definition of landscape architecture.

Thank you for your consideration and, hopefully, your support for this clarifying amendment to AB 142. If landscape architects are sincere about wanting to exempt architects from this proposed legislation, then they should have no legitimate objections to our proposed amendment. AIA Wisconsin is the state society of the American Institute of Architects, representing architects in private practice, business, industry, government and education.

Please let me know if you have any questions. I would appreciate being kept informed on the status of this proposed legislation.

Cordially,

AIA Wisconsin



William M. Babcock, Hon. AIA
Executive Director

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Email aiaw@aiaw.org
URL www.aiaw.org

Amendment to 2009 Assembly Bill 142 – Landscape Architecture

AIA Wisconsin, the state society of the American Institute of Architects, believes it is important to amend 2009 Assembly Bill 142 to make it clear that architects would be exempt from this proposed landscape architecture practice legislation.

Wisconsin currently has a “title” law for landscape architects, which requires individuals to be credentialed by the Department of Regulation and Licensing to be able to use the title “landscape architect.” State statutes and rules also provide for a landscape architect seal. Currently, anyone can provide landscape architecture services.

The proposed legislation would create a “practice” law for landscape architects, requiring individuals to be credentialed by the state to provide landscape architecture services. The current statutory definition would be changed to add an exception that “landscape architecture” does not include a list of related services.

While we applaud the efforts of landscape architects to raise the stature of their profession, AIA Wisconsin is concerned that the proposed legislation may create more confusion than clarity for the public. This is particularly true in terms of where the definitions of “architecture” and “landscape architecture” overlap. While the proposed legislation states that the definition of “landscape architecture” does not include “professional services performed by a registered architect,” this language does not provide a clear and unambiguous exemption for architects.

The leaders of the landscape architecture profession in Wisconsin advocating for this proposed legislation have consistently made assurances that architects would be “exempt” from their proposed practice legislation.

AIA Wisconsin supports the following amendment to AB 142 that would provide greater assurance to our members and clarity to the public that architects actually are exempt from the proposed practice legislation for landscape architects:

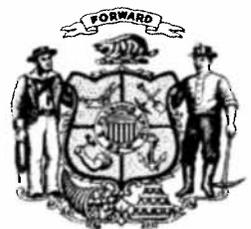
Section __. 443.14 (15) of the statutes is created to read:

443.14 (15) An architect who, while engaged in the practice of architecture in accordance with this chapter, performs or offers to perform professional service involving conceptual land planning and conceptual design for integrated land development based on the analysis of environmental characteristics, operational requirements, land use or commensurate land values, including, but not limited to, investigation, selection or allocation of land or water resources for appropriate uses; the formulation of graphic or written criteria for a land planning or land construction program; the preparation, review or analysis of a master plan for land use or development; the production of a graphic land area, grading, drainage, planting or land construction plan; and the planning of a road, bridge or other structure with respect to the aesthetic requirements of the area on which it will be constructed; and other services that may be defined as landscape architecture in s. 443.01 (3r).

Thank you for your consideration of this amendment to clarify the exemption for architects in the proposed landscape architecture practice legislation. AIA Wisconsin represents over 1,500 architects and allied professionals in private practice, business, industry government and education.



WISCONSIN STATE LEGISLATURE



26 October 2009

RE: SENATE COMMITTEE ON LABOR, ELECTIONS, AND URBAN AFFAIRS
PUBLIC HEARING ON AB 142, 29 OCTOBER 2009

Statement in support for AB 142, the Practice Act for Landscape Architecture in Wisconsin.

As one who holds professional degrees in Architecture and Landscape Architecture, and a research degree focused on community planning (see below), I am glad to express my unequivocal support for AB 142, the Practice Act for Landscape Architecture in Wisconsin. While I do not hold any professional license, over the years I have taught with and worked with practitioners from across the spectrum of the design and planning professions. I am familiar with, and have come to value the general knowledge base unique to each of these professions. I am familiar with the general requirements for professional education and for licensure in each of these professions. I am familiar with where the knowledge bases that inform these professions overlap and where they diverge. And, I have come to respect how individual practitioners develop expertise in application of general knowledge through years of professional practice.

I have come to this familiarity through years of coordinating community development projects in service to the people of Pennsylvania, New York, and over the past eight years, in service to the communities of Wisconsin in conjunction with my outreach and extension duties as a member of the faculty in the Department of Landscape Architecture at the UW-Madison. My duties include tech transfer, community education, and hands-on training that produce built works all across the state. As such, my core concern is for the health, safety, and welfare of the communities effected by this outreach, in the very broadest sense. It is this concern that compels me to support the bill in question today.

Each community I work with presents a unique set of ecological, social, political, and economic challenges, and so requires a multidisciplinary team approach. Over the years I have been responsible for assembling these teams and coordinating effective responses. I have been challenged to keep up with my professional colleagues, as advances in science and technology advance best practices across the spectrum of these professions at an ever increasing rate. The last twenty years have seen how ideas of "sustainable," "green," "smart growth," "ecological design," and "universal design" transform these professions, from large scale regional planning to residential construction. My experience suggests that the overlap in expertise has diminished as the science and technology has advanced. So much so that even within each of these distinct professions there are widely divergent areas of expertise.

I have come to rely on the expertise of both generalists and specialists in each profession. However, when it comes to matters of design, planning, and management of outdoor spaces and their impact on the health, safety, and welfare of people of all ages, I increasingly rely on areas of expertise particular to the profession of Landscape Architecture. From the core competencies required to graduate from a



nationally accredited program, to the rigors of the required internship under a licensed professional, to the content of the national licensing exam, to the requirements for continuing education credits, it is my experience that Landscape Architects are uniquely qualified to understand the complexity, and assume the liability for the health, safety, and welfare of the public that will be conferred on them by passage of AB 142.

It is particularly significant to note that on 22 April 2008, the State of Wisconsin Department of Regulation & Licensing Joint Examining Board of Architects, Landscape Architects, and Professional Engineers unanimously voted in support of a license act for the profession of Landscape Architecture. The mission stated on the home page of this state agency substantiates the proponents' case for the relevance of this legislation for the health, safety, and welfare of the people of Wisconsin:

"The Department of Regulation and Licensing and related professional boards protect the citizens of Wisconsin by ensuring the safe and competent practice of licensed professionals. We serve the public and the professionals we regulate by fairly administering education, experience, and examination requirements, setting professional practice standards, and ensuring compliance by enforcing occupational licensing laws."
<http://drl.wi.gov/dept/about.htm>

I appreciate this opportunity to express my support for this legislation. I would like to express my gratitude to the team of professionals who have dedicated considerable time over the past several years to reaching across professional and political boundaries to craft this important legislation. An I respectfully encourage this committee to approve this bill and forward it to the Senate.

Most Respectfully,
Susan Thering

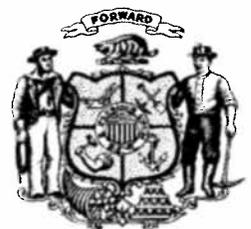
Dr. Susan Thering is an Assistant Professor in the Department of Landscape Architecture at the University of Wisconsin-Madison and a State Specialist affiliated with the Community Development Program of the UW-Extension. She holds professional degrees in Architecture and Landscape Architecture (BPS Arch SUNY-Buffalo, MLA Cornell University) and a Ph.D in Environmental Studies (SUNY-ESF Syracuse).



Susan Thering, Ph.D. Assistant Professor, Department of Landscape Architecture
Room 42B Agricultural Hall. 1450 Linden Drive. Madison WI 53706. 608.263.6506. Fax: 608.265.6262. www.wisc.edu/LA/



WISCONSIN STATE LEGISLATURE



SENATE COMMITTEE ON LABOR, ELECTIONS AND URBAN AFFAIRS
PUBLIC HEARING ON AB 142, 29 OCTOBER 2009

Christa Wollenzien, ASLA
1534 Butler Drive
Waukesha, WI 53186
(262)-896-1072 home
(262)-470-6180 cell
wolle016@umn.com

I support AB 142, the Practice Act for Landscape Architecture in Wisconsin. I urge you to support this effort by a profession dedicated to preservation of the public health, safety, and welfare. Our current title act is an important first step, but needs to be followed by the practice act in Wisconsin. This legislation will establish fair competition, establish a measure of competence, and most importantly provide a level of confidence in regard to the public health, safety, and welfare.

Establishing Fair Competition

I am a landscape architect and I graduated with a Landscape Architectural Accreditation Board (LAAB) degree in 2003 from the University of Minnesota. Since then I chose to move back home to Wisconsin, where I've been working diligently to become the professional I set out to be. Working in Wisconsin has set me at a disadvantage compared to my classmates employed in Minnesota. The job opportunities and project choices here in Wisconsin are not the same as my classmates in Minnesota. One of the major reasons for this is not having a license, but a certificate. It benefits businesses to locate in States where licensure is in place. Bidding on projects is easier, there are more project opportunities, and there is greater depth and breadth of project types. Finally, as a professional there are more employment opportunities, project management and leadership opportunities. Supporting the practice act will put us on the same playing field as the 45 other states that currently have practice acts, thereby establishing fair competition. This raises Wisconsin's potential to draw work from other states, attain federal projects, and produce more jobs in the professional sector.

Measure of Competence

Currently architects, engineers, land surveyors, and landscape architects are held to the same standard of qualifications; education, internships, testing, and continuing education. Architects, engineers, and land surveyors are granted a license to practice, in which they are held liable for their actions. Landscape architects are granted a certificate of designation to use the title "landscape architect", but anyone may perform the duties of a landscape architect. No one is held liable for their actions. Supporting the change to practice act will put

landscape architects on equal footing with these allied professionals. We have been trained, mentored, tested, and continue to educate ourselves to the same extent as these other professionals and are willing to be held responsible for our actions.

Public health, safety, and welfare

The most important reason to support the practice act is for public health, safety, and welfare: the reason we have the Wisconsin Department of Registration and Licensing. Public health, safety, and welfare are at the core of landscape architecture. These are the reasons I sought my Masters in landscape architecture. The reason I mentored under other professional landscape architects, the reason I endured the registration exam, and consider myself a professional today. We have all been trained to think of the public first in our professional careers and without the practice act in Wisconsin it makes our professional journey futile, but even worse it prevents the government from doing it's job.

*"The Department of Regulation and Licensing and related professional boards **protect the citizens of Wisconsin** by ensuring the safe and competent practice of licensed professionals."*

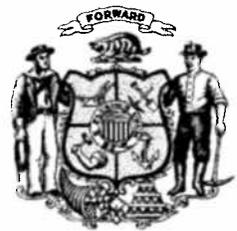
In Conclusion please support AB 142, the Practice Act for Landscape Architecture in Wisconsin. This bill is not about a taking or an economic gain by landscape architects. When the bill is read in it's entirety it clearly does not take choices away from the consumer, but protects them. It's about a professional code of ethics in pursuing the public health, safety and welfare.

Sincerely,

Christa Wollenzien, ASLA
Wisconsin #527



WISCONSIN STATE LEGISLATURE





SENATE COMMITTEE ON LABOR, ELECTIONS AND URBAN AFFAIRS
PUBLIC HEARING ON AB 142, 29 OCTOBER 2009

Pamela Linn
President WI ASLA
920 S. Wayfare Trail
Oconomowoc WI 53066

**WISCONSIN
CHAPTER**

**AMERICAN
SOCIETY OF
LANDSCAPE
ARCHITECTS**

P.O. BOX 851
MADISON, WI
53701-0851

Good Morning, my name is Pamela Linn and I am the President of the Wisconsin Chapter of the American Society of Landscape Architects (WI ASLA) and a Senior Landscape Architect for Waukesha County Parks and Land Use. I want to thank the Chair, Senator Spencer Coggs, Members of the Committee for the opportunity to testify in support of the AB 142, legislation to upgrade Wisconsin's current landscape architecture title act to a practice act, and our sponsors Senator Risser, Representative Shilling and Representative Lothian.

Background

Currently forty four (45) other states have similar laws that provide a practice act for Landscape Architects. In the early 1990's Wisconsin passed a title act, under current law, no person may use the title "landscape architect" unless he or she holds a certificate of registration as a landscape architect issued by the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Land Surveyors (the board). This legislation will change the current certificate for registered Landscape Architects to a license.

This is the third legislative session that a bill has been introduced to change the current certificate to a license. We have work hard to acquire support from allied professionals and feel this bill has gained broad support.

Why Is AB 142 Necessary?

WI ASLA believes a practice act is a more beneficial form of regulation for both the public and the landscape architecture profession, for a variety of reasons. Under current law, any individual regardless of qualification can practice these duties as long as they do not use the title landscape architect. AB 142 is necessary to ensure that only individuals who have demonstrated their qualifications to the state of Wisconsin are able to perform tasks that relate directly to the public good. In addition, a practice act is necessary for Wisconsin's landscape architects to compete with those from out-of-state. Without licensure, our profession is at a competitive disadvantage when competing with licensed landscape architects from other states.

No Fiscal Impact

The infrastructure is in place in the Joint Board of Technical Registration with no additional cost in oversight or personnel needed. This structure was established by the current Title act. There is no additional cost to the government to provide the license for Landscape Architects above that, which currently exists for the certificate.

There is no additional cost to the Landscape Architect. The process and fee for obtaining a license would be identical to that of the certification process. In addition, because there is no additional expense to the licensee cost will not be passed down to the end consumer.

Government Choice

We have worked with the drafting attorney to make sure AB 142 does not contain language requiring State, City, or Local governing agencies to utilize the professional services of Landscape Architects. Requiring professional stamping of documents is solely the responsibility of said governing body. Currently in Wisconsin, cities such as Milwaukee and Madison require a Landscape Architects stamp be placed on planting plan drawings in bid sets documents submitted to the City.

I work for Waukesha County Park Department, our park locations are in multiple local governmental jurisdictions. When I submit plans to the various cities, town and villages, some require that plans are stamped and other do not. This bill maintains government choice, allowing State and local government to continue to choose if they will require a stamp.

Professional Competition

Without a practice act, landscape architects may be unfairly disadvantaged in the marketplace. For instance, a landscape architecture firm may be discouraged from submitting a particular project proposal because the submitter is required or encouraged to hold a valid license. Many large projects, typically those headquartered in other states; assemble design teams that require licensed professionals. Federal project requires a licensed professional to provide design services.

Landscape Architects in Wisconsin, while certified, do not hold a valid license. The lack of licensure in Wisconsin provides unfair competition from professionals outside the state who hold valid licenses, even though the requirements for such a license are the same as the certificate in Wisconsin. Without valid licensure, a landscape architect or firm seeking work outside their home state may find their efforts stymied, as proof of licensure is usually required before reciprocity is granted.

Brain Drain

Students graduating from The University of Wisconsin, Madison, are among the most highly sought out graduates on the job market. Currently we are losing many of our best and brightest students to employment outside of Wisconsin. One of main reasons for moving away has been the lack of licensure in our state. The change from certificate to license will send a clear message to the students that, in Wisconsin, our profession is as highly regarded as a profession and have parity Architects, Engineers, and Surveyors.

Professional Integrity

Landscape architects undergo educational training and requirements equal to that of other licensed design professions, and should therefore be eligible for a similar level of licensure. Landscape architecture must be regulated such that untrained individuals are prevented from engaging in professional practice.

The intensive education requirements that a landscape architect must take, in addition to passage of the rigorous, three day Landscape Architect Registration Examination (LARE), are further proof that landscape architecture is a highly technical profession that should be regulated by a practice act.

Protection of Public Health, Safety, and Welfare

There is a direct relationship between the practice of landscape architecture and public health, safety, and welfare. Landscape architects are trained to work on community master plans, specific site planning, roadway design, pedestrian walkways, wetland construction and mitigation, park and trail systems, erosion control, historic preservation, stormwater management, mine reclamation, to name just a few aspects of the profession.

Let me share a few specific examples where the inappropriate practice of landscape architecture impacts the public health and safety:

- Inadequate design of outdoor lighting systems has presented undue fire and shock hazards, as well as a greater risk of crime and vandalism.
- Specification of unsafe playground equipment or improper location of playground facilities has resulted in injury.
- Inadequate design of roads, pedestrian walkways, and parking areas has increased the occurrence of accidents.
- Inappropriate specification and supervision of grading has resulted in erosion.
- Inadequate calculation and provision for stormwater drainage has resulted in flooding and costly damage to buildings, walkways, highways, and public facilities.

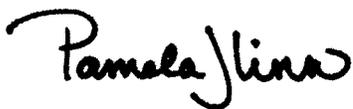
As these examples demonstrate, a practice act is critical in protecting the public from unqualified or incompetent individuals that engage in professional practice.

Conclusion

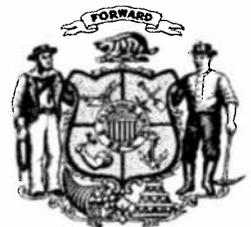
A practice act such as AB 142 outlines a core group of services that licensed landscape architects are qualified to provide by virtue of their education, experience, and examination. The nature of the duties regulated under AB 142 will not adversely affect the landscape design, landscape construction or related industries. Passage of AB 142 will ensure that work directly impacting the public is performed only by individuals who have demonstrated their qualifications to the state of Wisconsin.

Thank you for your time. I hope we have your support and quick action of the committee.

Sincerely,

A handwritten signature in black ink that reads "Pamela Linn". The signature is written in a cursive, flowing style.

Pamela Linn
President
Wisconsin Chapter ASLA



SENATE COMMITTEE ON LABOR, ELECTIONS AND URBAN AFFAIRS
PUBLIC HEARING ON AB 142, 29 OCTOBER 2009

Shawn T. Kelly, FASLA
P.O. Box 430
Williams Bay, Wisconsin
53191
262.245.1111 office
262.245.5752 home
608.263.5390 UW
kellydesigngroup@msn.com

I support AB 142, the Practice Act for Landscape Architecture in Wisconsin. I urge you to support this effort by a profession dedicated to preservation of the public health, safety, and welfare. Our current Title Act is an important first step to professional recognition, which needs to be followed by the Practice Act in Wisconsin.

This legislation is not original to Wisconsin. Currently forty five (45) other states have similar laws which provide for a practice act for Landscape Architects. One more state is poised to pass its practice acts in the next month. This legislation will change the current certificate for registered Landscape Architects to a license. In the other forty five states with such licensure there exists similar language to our proposed law, with like exemptions to practice which allow other occupations and professions to act within the limits of their abilities and liabilities. I have personally called or emailed most of the Landscape Contractors Associations in forty one states, with the specific question of how the bill in their state has negatively affected their industry. Not one group has responded with a negative reply. Our national organization, the American Society of Landscape Architects has collected data which reveals that the landscaping industry in each of the states with Practice Acts for Landscape Architects, dating from 1997 to 2002, has demonstrated an increase in revenue from \$14.6 billion to over \$28 billion in that space of time. Landscape designers have increased their revenues three fold over the same time in those same states (American Society of Landscape Architects. Landscape Architecture Laws Regulatory Board Type. 15 June 2007).

The bill before you has been aligned with the existing bills in the states with Practice Acts for Landscape Architects. The exemptions to practice have gained support from allied professionals, and were granted unanimous approval by the Joint Board of Technical Registration in Wisconsin this past year. This Joint Board has members from the Architects, Engineers, Surveyors, Designers, and Landscape Architects professions. The unanimous support of this group for our efforts says that we should be accorded equal status as a profession with a practice act.

The practice of landscape architecture in Wisconsin is hindered by the lack of a license for professional practitioners. I maintain my license in another state (California license # 3320), along with my certificate in Wisconsin (Wisconsin # 59) because it allows my firm to compete for projects which require a licensed professional to participate on the design team. Many large projects, typically those headquartered in other states, assemble design teams that require licensed professionals. Any Federal project requires a licensed professional to provide design services. My colleagues in Wisconsin, while certified, do not hold a valid license. The lack of licensure in Wisconsin provides unfair competition from professionals outside the state who hold valid licenses, even though the requirements for such a license are the same as the certificate in Wisconsin.

There is no additional cost to the government to provide the license for Landscape Architects above that which currently exists for the certificate. The infrastructure is in place in the Joint Board of Technical Registration with no cost in additional oversight or personnel needed. This structure was provided by the current Title protection act.

The profession of Landscape Architecture is based on the protection of the health, safety, and welfare of the public. I have had the pleasure of teaching in the Landscape Architecture Department at the University of Wisconsin, Madison, for the past fifteen (15) years, along with maintaining my professional practice in Williams Bay, Wisconsin. The requirements for licensure, and our current title act, begin with the need to graduate from an accredited program in Landscape Architecture. This accreditation is beyond standard University accreditation. The Council of Landscape Architectural Registration Boards (CLARB) and American Society of Landscape Architects (ASLA) host the Landscape Architectural Accreditation Board (LAAB), which is comprised of teams who visit programs in Landscape Architecture to review their teaching, facilities, faculty, and students, and measure them against national standards for the practice. All the review is based on the same platform which is the mission statement of the CLARB and LAAB: the protection of the public health, safety, and welfare. There are currently forty four (44) undergraduate and thirty five (35) graduate programs accredited in the United States, and six total in Canada.

Our program in Madison is the only accredited Landscape Architecture program in Wisconsin. The various UW campuses provide classes in Landscape Design, typically within the Departments of Horticulture. These programs produce excellent landscape designers, with broad understanding of plants and typically residential design. These other programs in Landscape Design provided within the University of Wisconsin system, and their graduates, are unaffected by this AB 142. The difference between the accredited program and the design programs is in scope and scale, typically. Landscape Design has a more specific focus on plants and human interactions than does the broader, health, safety, and welfare focus of the Madison program. The coexistence of Landscape Architectural practices and Landscape Designers, horticulturalists, garden centers, and landscapers is proven in the other forty five states with legislation

similar to that which we are proposing in AB 142. My original license is in a state which has had a practice act since 1954. All the allied professions have a record of success in the climate provided by a practice act for Landscape Architects.

The second requirement for licensure (currently certificate) in Wisconsin is the need to apprentice with a Licensed (or, in Wisconsin, certified) Landscape Architect for two years. This time period for apprenticeship varies per state, and sometimes with the degree achieved (Masters or Bachelors). The intent of the internship requirement for the graduate is that they become acquainted with the parameters of professional practice and, again, the application of his or her skills toward the protection of public health, safety, and welfare.

The third requirement for licensure (certification in Wisconsin) is the successful completion of the Landscape Architectural Registration Examination (LARE). This test has been reformatted from three eight hour days to five sections offered at least twice per year in two day clusters. The rigor of this test is maintained by the author, CLARB, who also hosts the Accreditation Teams. Once again, the basis for the examination is the public health, safety, and welfare. Once this final piece is passed the individual who has completed all the above requirements can apply to the state for a license (certificate currently in Wisconsin) to practice the art and science of Landscape Architecture. In Wisconsin with our current title-only act this means that an individual may only call themselves a Landscape Architect once they have satisfied the above requirements. Anyone can perform the services associated with the title, regardless of education or oversight.

The change in our current title legislation to practice legislation does not prohibit healthy competition or carve a niche only for Landscape Architects. It does, however, provide an important distinction which has been shown in the other licensed states to allow an informed choice to the consumer. The ability of the consumer to make an informed choice has not been a profit reducer for landscapers in any of the other states with practice acts. Moreover, this proposed legislation allows Wisconsin Landscape Architects to participate on a level field with the other licensed professions, as well as those licensed as Landscape Architects in other states.

In my testimony I will introduce the general bill history, as well as a brief outline of the topics covered by my professional colleagues in greater detail. You will notice that the professional Landscape Architects who present their areas of expertise represent a broad spectrum of practice areas. While our profession is diverse in specific area of application, it is unified in its focus: the protection of public health, safety, and welfare. We are liable and do willingly accept the responsibility for our professional actions that we have been educated, mentored, and tested to produce, and accept the oversight provided by the state and the industry. Our movement to a license from a certificate elevates all the related industries in the eyes of an informed consumer.

Most Landscape Architectural firms in Wisconsin are small businesses. There are currently ninety (90) firms, two thirds of which have between one and

four employees. Nearly all the ninety firms have less than forty- nine employees. In Wisconsin we currently have 565 certificates to practice our profession, of which 314 are Wisconsin residents. There are over 30,000 Landscape Architects in the United States currently. The American Society of Landscape Architects has 17,000 members. Our profession has been targeted by the U.S. Labor Bureau as growing by sixteen percent over the next eight years. This puts incredible pressure on the industry to provide educated, professionally responsible practitioners of the profession of Landscape Architecture in Wisconsin.

As an educator at the University I have tracked my past students as they move through their professional careers. Our students are among the most highly sought on the job market every year since I have been tracking them. The overwhelming trend has been to seek and find employment outside the state of Wisconsin. This trend has been evident in the past fifteen years that I have been teaching and following our students. We are sending most of our best and brightest to other states to gain licensure to practice and improve the human condition. Informal interviews and conversations with past graduates indicate that one strong reason for moving away has been the lack of licensure in our state. The difference in professional regard, both among professions and with the public has been typical in our past students comments about the reasons to leave their home state to practice the profession. The change from certificate to license will send a clear message to the students that, in Wisconsin, our profession is as highly regarded as a profession as are Architects, Engineers, and Surveyors.

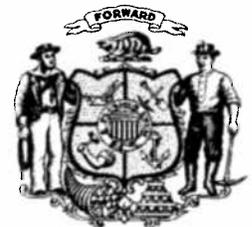
Our bill is currently endorsed by organizations recognized for their input in the well being of the citizens of our state. These supporters include the State Joint Board of Technical Registration, the Wisconsin Chapter of the American Planning Association, the Wisconsin Green Building Alliance, the Wisconsin Green Industry Federation, and the Wisconsin Chapter of the American Society of Landscape Architects. Professional practitioners in other licensed professions have indicated their support and willingness to provide like testimony.

In conclusion, I thank you for the opportunity to present my perspectives on the need for this legislation. AB 142 places the practice of Landscape Architecture on a level field with the profession in forty five other states, as well as with the other licensed professions in Wisconsin. This bill has been carefully crafted and amended to its current form so as to provide no taking from the industry as it now exists. Those who currently are in the businesses of landscaping and landscape design will likely see an increase in profit as evidenced in the other forty five states with practice acts in place. The profession of Landscape Architecture is currently doing the work of a licensed profession without the needed regard accorded it by a valid license. It is time to approve the licensure of Landscape Architects in Wisconsin. Please send this bill to the full Senate for action.

Respectfully Submitted,
Shawn T. Kelly, FASLA



WISCONSIN STATE LEGISLATURE



SENATE COMMITTEE ON LABOR, ELECTIONS, AND URBAN AFFAIRS
PUBLIC HEARING ON AB 142, 29 October 2009

Michael R. Seaman, LA Student
303 Princeton Ave.
Apt. 8
Madison, WI
53726
262.818.2934 home
mseaman@wisc.edu

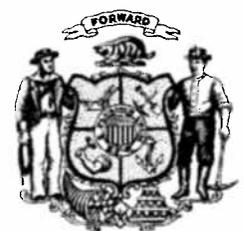
As a student of Landscape Architecture at UW Madison I support AB 142, the Practice Act for Landscape Architects in Wisconsin. Students in the rigorous four year program here at the UW are taught to look at the world in terms of design pertaining to the public's health, safety, and welfare. We then take this knowledge and learn how to create designs that not only protect the public's health, safety, and welfare but are interesting, interactive, and aesthetically pleasing.

As of right now forty five (45) other states have similar laws which provide for a practice act for Landscape Architecture. Wisconsin needs to join this list because many of our graduates are moving away to states that have a practice act. Why would we want to reside in a state that, after four hard, rewarding years in an accredited program, views our skills the same as someone who declares them self as a Landscape Architect because they like gardening? I am not saying that going into the landscaping field with schooling is bad nor that small business is bad. What I am saying is that we have worked hard to attain the title of Landscape Architect and through that hard work we have gained the knowledge to support such a title and accept all the responsibility that comes with it.

To pass AB 142 would be a victory for the public of this great state because they would know that projects designed by, prepared by, and overseen by Landscape Architects are of the highest quality since they were designed with the public in mind. I love what I do and I love Wisconsin but as of right now there is no incentive for me to stay here when other states are willing to recognize my schooling and hard work with a practice act. Wisconsin would miss a great opportunity by not passing AB 142 and would lose many bright, eager minds willing and wanting to make this state ever greater. Pass AB 142 and help us protect the public's health, safety, and welfare.



WISCONSIN STATE LEGISLATURE



**SENATE COMMITTEE ON LABOR, ELECTIONS AND URBAN AFFAIRS
PUBLIC HEARING ON AB 142, 29 OCTOBER 2009**

Samuel F. Dennis Jr., PhD, ASLA
Registered Landscape Architect, NC License #822
Associate Professor
UW-Madison
Department of Landscape Architecture

Home Address:
658 Pickford Street
Madison, Wisconsin
53711
608.441.9475
sam.dennis.jr@gmail.com

I am on the faculty in the UW-Madison Department of Landscape Architecture. I am also a licensed landscape architect. And I support AB 142, the Practice Act for Landscape Architecture in Wisconsin.

I speak today, not on behalf of the Department of Landscape Architecture, but as a concerned citizen whose job it is to prepare students for careers in landscape architecture. For aspiring Landscape Architects, these steps include graduation from an accredited University program in Landscape Architecture, a period of professional apprenticeship, qualification to sit for the national licensing exam, passing that exam and applying for state licensure. Our academic program prepares students for all sections of the exam, which in turn assures the protection of the health, safety and welfare of the public.

Here are a few highlights from the Department of Landscape Architecture's long distinguished history serving the people of Wisconsin.

- First degree in Landscape Architecture awarded in 1926
- Department of Landscape Architecture created in 1964
- Nationally-accredited professional degree initiated in 1966
- A national leader since members of the department founded the discipline's premier research journal in 1981

The department is in danger of becoming a net exporter of graduates. Here are some highlights from our recent survey of graduates from the last six years (source: UW Department of Landscape Architecture, Accreditation Self-Evaluation Report, November 2007):

- Only 53% remain in Wisconsin
- 47% practice in other states
- 68% are in private/public practice as landscape architects
- 13% are employed in the green industry: landscape design, landscape design/build, landscape contracting or nursery production
- Of current students in our program (about 125 total) about 14% seek green industry careers.

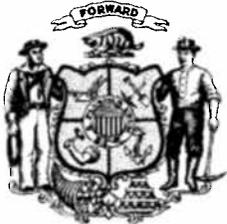
Landscape Architecture firms in Wisconsin are at a competitive disadvantage nationally because we are one of the very few remaining states without a Landscape Architecture Practice Act. Passage of the act would allow our Wisconsin firms to compete with firms from states with practice acts in place. This would help our graduates find home-grown jobs here in Wisconsin. I have attached a list of recent senior thesis projects so that you may learn about the projects in your home districts and get a sense of what we lose when these bright students leave the state.

Finally, speaking from my experience practicing landscape architecture and teaching in accredited professional programs in three other states with practice acts, I know everybody wins: landscape contractors, landscape designers, nurseries and growers, all of us in the green industry. But most of all the Wisconsin public wins; the practice act ultimately provides for their health, safety and welfare.

Thank you for the opportunity to speak.



WISCONSIN STATE LEGISLATURE





WISCONSIN
CHAPTER

AMERICAN
SOCIETY OF
LANDSCAPE
ARCHITECTS

P.O. BOX 851
MADISON, WI
53701-0851

www.wiasla.com

March 2, 2010

Senator Spencer Coggs
Room 123 South, State Capitol
P.O. Box 7882
Madison, WI 53707-7882

Dear Senator Coggs:

On behalf of the Wisconsin Chapter of the American Society of Landscape Architects (WI-ASLA), we are writing to thank you for your gracious support of Assembly Bill 142, which regulates the profession of landscape architecture to ensure that individuals who use the title landscape architect are properly trained and licensed by the Joint Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors.

The action you took as Chair of the Senate Committee on Labor, Elections and Urban Affairs to approve the bill made a great investment in the safety of the people of Wisconsin. Wisconsin was one of the few states that did not license landscape architects. As a result, individuals that lack the expertise and skill to perform the full range of landscape architecture services could undertake projects that harm the public's health, safety and welfare. In addition, unlicensed landscape architects in Wisconsin were at a competitive disadvantage when competing for contracts with licensed landscape architects from other states. Without your early support this legislation never would have passed the legislature and traveled to the Governor's desk. On February 11th, 2010, Assembly Bill 142 was signed in to law by Governor Doyle as 2009 Wisconsin Act 123.

Again, thank you for your leadership in this effort. We can now ensure the safety of our clients, and landscape architects can more competitively participate for intrastate contracts.

With Gratitude,

Handwritten signature of Jay Geler in black ink.

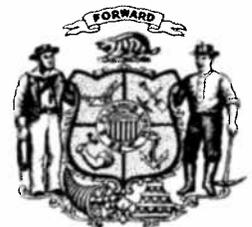
Jay Geler
President, WI-ASLA

Handwritten signature of Shawn Kelly in black ink.

Shawn Kelly, FASLA
Legislative Chair, WI-ASLA



WISCONSIN STATE LEGISLATURE





landscape architecture
planning
urban design
civil engineering
environmental science

Date?

Senator Spencer Coggs
Chair
Senate Labor Committee - Assembly Bill 142 Hearing
State of Wisconsin

Dear Sen. Coggs and Committee,

I am petitioning in support of Assembly Bill 142, practice act for Landscape Architects. As a licensed Landscape Architect I can speak on the behalf of importance of practice legislation.

I currently hold licensure in Wisconsin and Colorado. My Colorado license holds full practice benefits which qualify for GSA and other federal work throughout the United States. Currently our Wisconsin licensure does not meet federal requirements for Landscape Architecture due to title only restrictions. Landscape Architects only licensed in Wisconsin, as residents, may be disqualified from federal opportunities in our own State.

Assembly Bill 142 is written in part by Landscape Architects to protect our profession from ourselves. We have include exclusions for allied professions such as Architects and Civil Engineers to name a few. These exclusion allow allied professionals the site design practices that they currently work under, not eliminating opportunities. The main impetus for this Bill is to provide requirements for individuals who have studied and practice in the field of Landscape Architecture and site design to competencies currently required in 45 states (soon to be 48).

As an example, the profession of Architecture requires qualified applicants to test for competency within the profession. Once achieving licensure, a practicing Architect assumes professional responsibilities in designing structures. Clientele can employ an Architect to design their building. Clientele can also employ carpenters to build structures. The difference is the Architect is licensed and holds the responsibilities associated with all aspects of construction within their certified plans and specification. Both can be liable for their efforts but the Architect holds a uniform standard that defines the profession.

The profession of Landscape Architecture it is no different. Landscapers and site designers can prepare ideas for clientele and are an important part of site development. However, Landscape Architects should be recognized for the standard of professionalism that they are responsible in providing as with licensed Architects, Civil Engineers and other allied professionals.



Senator Spencer Coggs
Chair
Senate Labor Committee - Assembly Bill 142 Hearing
Page 2

Landscape Architects are required to hold an accredited University or College degree in the field or to maintain appropriate professional experience to qualify for the Landscape Architecture Registration Exam (LARE). The LARE is a mechanism for judging competency in practicing Landscape Architects, similar to Architecture and Engineering exams. Landscape Architects certify site plans and specifications and are therefore responsible for their content and validity.

The American Society of Landscape Architecture was created in 1899. The American Institute of Architects formed in 1857 and American Society of Civil Engineers in 1852. These allied professional groups formed to create higher standards within their respective fields. Shortly after forming each society began to establish requirements for emerging professionals culminating in licensure examination.

Assembly Bill 142 will bring closure to the efforts began over 100 years ago for practicing Landscape Architecture in the State of Wisconsin. Thank you for hearing this and other petitions for Assembly Bill 142, Practice Act for Landscape Architecture.

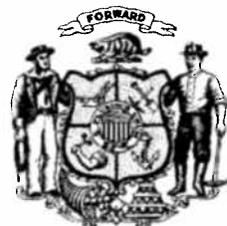
Sincerely,

A handwritten signature in black ink that reads 'Daniel J. Williams'.

Daniel J. Williams, ASLA
Principal



WISCONSIN STATE LEGISLATURE





WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Assembly Bill 142	Assembly Amendments 1 and 2
<i>Memo published: April 17, 2009</i>	<i>Contact: Jessica Karls, Staff Attorney (266-2230)</i>

2009 Assembly Bill 142 requires that an individual be registered as a landscape architect by the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Land Surveyors (board) to practice or offer to practice landscape architecture. "Landscape architecture" is the performance of a professional service involving conceptual land planning and conceptual design for integrated land development based on the analysis of environmental characteristics, operational requirements, land use, or commensurate land values. "Landscape architecture" includes the investigation, selection, or allocation of land or water resources for appropriate uses; the formulation of graphic or written criteria for a land planning or land construction program; the preparation, review, or analysis of a master plan for land use or development; the production of a graphic land area, grading, draining, irrigation, planting, or land construction plan; and the planning of a road, bridge, or other structure with respect to the aesthetic requirements of the area on which it will be constructed. The bill contains specific exemptions from the definition of "landscape architecture," including professional services performed by a registered architect, professional engineer, or registered land surveyor.

Assembly Amendment 1 provides that no person may use any title or description tending to convey the impression that he or she is a landscape architect unless registered as a landscape architect by the board.

Assembly Amendment 2 removes the production of an irrigation plan from the list of activities included in the definition of "landscape architecture."

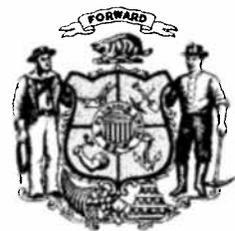
Legislative History

Assembly Amendment 1 was offered by Representative Shilling, and Assembly Amendment 2 was offered by Representatives Shilling and Knodl. On April 16, 2009, the Assembly Committee on Labor recommended adoption of the amendments on a vote of Ayes, 8; Noes, 0. The committee then recommended passage of the bill, as amended, on a vote of Ayes, 7; Noes, 1.

JK:wu



WISCONSIN STATE LEGISLATURE



LEUA Exec. & Hearing - 10/29/09

Exec

- Russ reads changes from Sub 2-73

AB142

Hearing

SB143

- Kreitlow testimony

AB142

- Shilling & Risser testimony

- will send written testimony later today

- Risser brief remarks & map handout

- 45 states license landscape architects

- GG - usually agrees on fence me out

- has grandfather clause

- can't still do work

- there are many exemptions for individual use

- Shawn Kelly

- has extensive written testimony, but doesn't read it

- follows student progress after graduating

- why take so long?

- had to build support and not fence people out

- Rasheen Skyczynski

- Sam Dennis, Michael Seaman (prof, teacher)

- UN becoming not expert of L.A.'s

- protect welfare of citizens

1

(2)

- Paul Linn

- has written testimony

- Brian Swingle

- was not easy to come to agreement

- understand need for level playing field w/ other states

- availability for jobs is reason for problem

- may ask to revisit bill ~~later~~ if any unintended consequences

SB 366

- SC short statement

- Hal Bergan summarizes technical aspects from testimony

- still goes through memo at length

- John Metcalf

- UI has borne brunt of economic downturn

- theme of bill is simplifying law

- fraud collection aspect is important

- big issue coming is system solvency

- expect movement in next couple of months

SB 369

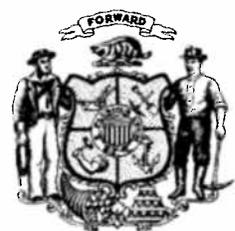
- Plake has written testimony, but doesn't read it

- narrowly crafted bill

- heard in Assembly w/o objections



WISCONSIN STATE LEGISLATURE



0
①

LEUA Exec + Hearing - 12/15/09

Exec

AB142

AB142
nothing

AB165
nothing

SB168
nothing

LRB 3860/1
nothing

Public Hearing

James Wenzler

- James Wenzler

- very short intro

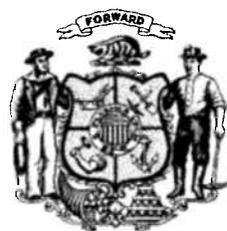
- SC - why selected?

- why been mind?

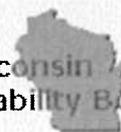
- SL - experienced many auctions?



WISCONSIN STATE LEGISLATURE



Presented by the Wisconsin Government Accountability Board



- ▶ Home
- ▶ Lobbying in Wisconsin
- ▶ Organizations employing lobbyists
- ▶ Lobbyists

as of Wednesday, October 28, 2009

2009-2010 legislative session
Legislative bills and resolutions

(search for another legislative bill or resolution at the bottom of this page)

Assembly Bill 142

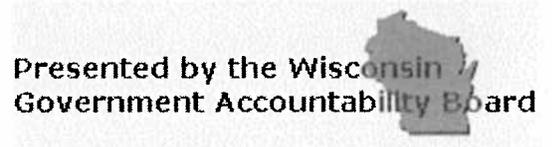
requiring a license to engage in the practice of landscape architecture.

<p>TEXT sponsors LRB analysis</p>	<p>STATUS committee actions and votes text of amendments</p>	<p>COST & HOURS of lobbying efforts directed at this proposal</p>
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Organization		These organizations have reported lobbying on this proposal:	Place pointer on icon to display comments, click icon to display prior comments		
Profile	Interests		Date Notified	Position	Comments
◆	◆	Wisconsin Builders Association	3/16/2009	↔	
◆	◆	Wisconsin Chapter of the American Society of Landscape Architects	4/7/2009	↑	
◆	◆	Wisconsin Green Industry Federation	4/2/2009	↑	💬
◆	◆	Wisconsin Realtors Association	3/18/2009	↔	
◆	◆	Wisconsin Society of Architects	3/16/2009	↓	💬
◆	◆	Wisconsin Society of Land Surveyors	3/24/2009	?	

Select a legislative proposal and click "go"

House	<input type="text" value="Assembly"/> <input type="text" value="Senate"/>
Proposal Type	<input type="text" value="Bill"/> <input type="text" value="Joint Resolution"/> <input type="text" value="Resolution"/>
Proposal Number	<input type="text" value="142"/> (enter proposal number)
Legislative Session	<input type="text" value="2009 Regular Session"/>
	<input type="button" value="Go"/>



- ▶ Home
- ▶ Lobbying in Wisconsin
- ▶ Organizations employing lobbyists
- ▶ Lobbyists

as of Monday, December 14, 2009

2009-2010 legislative session
Legislative bills and resolutions

(search for another legislative bill or resolution at the bottom of this page)

Assembly Bill 142

requiring a license to engage in the practice of landscape architecture.

<p>TEXT sponsors LRB analysis</p>	<p>STATUS committee actions and votes text of amendments</p>	<p>COST & HOURS of lobbying efforts directed at this proposal</p>
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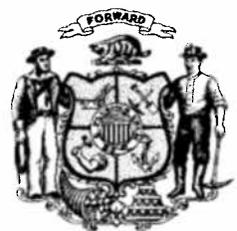
Organization		These organizations have reported lobbying on this proposal:	Place pointer on icon to display comments, click icon to display prior comments		
Profile	Interests		Date Notified	Position	Comments
◆	◆	Wisconsin Builders Association	3/16/2009	↔	
◆	◆	Wisconsin Chapter of the American Society of Landscape Architects	4/7/2009	↑	
◆	◆	Wisconsin Green Industry Federation	4/2/2009	↑	💬
◆	◆	Wisconsin Realtors Association	3/18/2009	↔	
◆	◆	Wisconsin Society of Architects	3/16/2009	↓	💬
◆	◆	Wisconsin Society of Land Surveyors	3/24/2009	?	

Select a legislative proposal and click "go"

House
Proposal Type
Proposal Number (enter proposal number)
Legislative Session



WISCONSIN STATE LEGISLATURE



The Daily Reporter<http://dailyreporter.com>

Bill plants seeds for landscape licensing

by Paul Snyder

Published: December 14th, 2009

By Paul Snyder

Shawn Kelly's 20-year-old California landscape architect license gives him a competitive advantage landing jobs in Wisconsin.

But he's doing everything he can to sacrifice that advantage.

"My focus goes far beyond Wisconsin," said Kelly, the founder of Williams Bay-based Kelly Design Group LLC and a fellow with the American Society of Landscape Architects. "I'm interested in the health, safety and public welfare, and that's why it's important to make sure there are licenses in Wisconsin."

For 11 years, Kelly has tried to make landscape architecture a licensed profession in Wisconsin. The state in 1994 began certifying landscape architects, but it remains one of only five states that do not offer licenses.

In a way, Kelly said, word choice is the only difference between a certificate and a license. To gain certification, a landscape architect applicant must take a three-day, 24-hour test given by the state's Joint Examining Board of Architects, Landscape Architects and Professional Engineers. The Landscape Architect Accreditation Board then grants or rejects the certification.

The bill would upgrade certified landscape architect in the state to a licensed landscape architect. It would not change the examination or alter the standards by which applicants are certified.

But, fearing they would lose business without a license, landscapers, nursery planners and landscape designers opposed previous versions of the bill.

State Sen. Fred Risser, D-Madison, who is sponsoring the latest version of the bill, said he was at first nervous about its effect on other professions.

"But there's really so many exceptions," he said. "I don't think it's limiting at all."

The bill exempts licensing requirements for biologists, professional geologists, professional soil scientists, people who work on their own property, and people who plan the selection, placement or use of plants or site features, such as sculptures.

"We didn't have that language in there before," Kelly said. "We needed it. We kept adding all these amendments last year, and it still didn't make it beyond the committee level."

The Senate Committee on Labor, Elections and Urban Affairs on Tuesday will hold an executive session on the [bill](#). Kelly said many previous detractors spoke in support of the bill at hearings earlier this year.

With those protections built in, Kelly said, the difference between a certificate and a license can really be examined.

"If some out-of-state firm comes into town and wants to build a hospital, they're going to be looking for licensed landscape architects to be part of the design team," he said. "All these directives for federal projects are targeted at licensed professionals."

Madison landscape architect Bruce Woods is at a competitive disadvantage to those who are licensed in his field. Woods is certified in Wisconsin and practiced landscape architecture for many years before the state began certification in 1994.

The certification works in Wisconsin, he said, but the odds are low he could get work in any other state.

"Certain states have reciprocity," he said. "But one of the reasons I only work in Wisconsin is because to get that, I'd probably have to take the test somewhere else."

A Wisconsin license would let Woods compete in a broader market. That license also would render meaningless the 20-year-old piece of paper that gives Kelly his advantage.

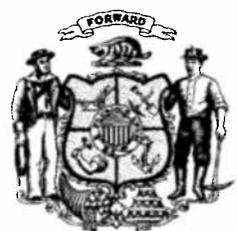
"I'm going to have a lot more bidders on projects, aren't I?" he said. "Yeah, how silly for me.

"But this is something that allows all of us to sit at the table and compete on a national level."

Complete URL: <http://dailyreporter.com/blog/2009/12/14/bill-plants-seeds-for-landscape-licensing/>



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