

ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018
COMMITTEE STATEMENT
LB364

Hearing Date: Wednesday March 08, 2017
Committee On: Government, Military and Veterans Affairs
Introducer: Walz
One Liner: Change and eliminate licensure, regulation, and penalty provisions under the Professional Landscape Architects Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Blood, Brewer, Briese, Hilgers, Lowe, Murante, Thibodeau
Nay:
Absent: 1 Senator Wayne
Present Not Voting:

Verbal Testimony:

Proponents:
Senator Lynne Walz
Dennis Bryers
John Royster

Dennis Scheer

Representing:
Introducer
Nebraska State Board of Landscape Architects
Big Muddy Workshop, Inc.; American Society of Landscape Architects
The Clark Enersen Partners

Opponents:
Justin Brady

Representing:
Homebuilders Association of Lincoln; Metro Omaha Homebuilders Association

Neutral:

Representing:

Summary of purpose and/or changes:

LB 364 changes technical requirements to gain a license as a landscape architect in the state of Nebraska in the following ways:

Section 2 makes it unlawful to practice Landscape Architecture in the state without a license from the board.

Section 3 revises the definitions for the purposes of the Professional Landscape Architects Act.

Section 4 establishes qualifications and term specifications for the State Board of Landscape Architects.

Section 5 entitles the Board, or any committee thereof, to the services of the Attorney General's office. It also authorizes the Board to expand funds to promote licensure.

Section 6 gives the Board authority to access a penalty.

Section 7 requires the Board to maintain and make available to the public a roster of professional landscape architects.

Section 8 allows the Board to levy and collect fees for services related to the Act.

Section 9 adds provision for applicants with a non-Landscape Architecture Accreditation Board accredited degree to sit for the landscape architect exam, and revises licensure requirements to allow for licensure by experience and applicants without a Council of Architect Registration Board (CLARB) certified council record.

Section 10 expands on when a seal is required.

Section 11 sets the requirements for the license itself, and the issuance of licenses. It also makes clear what a license entitles a license holder to.

Section 12 sets the requirements for the issuance of renewed licenses and replacement licenses.

Section 13 gives the Board the authority to enforce the Act. The Board may request the Attorney General or appropriate county attorney to file an enforcement action. The Attorney General or county attorney is obligated to file the action upon the request of the Board.

Sections 14 through 18 expand on what constitutes a violation of the Act, the actions the Board may take on compliance cases, adds the procedural requirements for compliance cases, allows the Board to assess civil penalties, and revises the exemption for when a professional landscape architect is not required.

Sections 19 through 20 add the Landscape Architect Intern status and requirements.

Section 21 adds the Coordinating Professional requirement on landscape architect design projects.

Explanation of amendments:

AM 1649 clarifies occupations that the bill does not have an impact on.

John Murante, Chairperson