

45: 3-1 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 45:3-1 et al; 45:3A-1 to 45:3A-15

(Landscape architects -
license and regulate

LAWS OF: 1983

CHAPTER: 337

Bill No: A2185

Sponsor(s): Doyle and Weidel

Date Introduced: December 6, 1982

Committee:

Assembly: Health

Senate: Labor, Industry and Professions

Amended during passage:

YES

Amendments during passage
denoted by asterisks.

Date of Passage:

Assembly: April 11, 1983

Senate: June 30, 1983

Date of Approval: September 4, 1983

Following statements are attached if available:

Sponsor statement:

YES

Committee statement:

Assembly

YES

Senate

YES

Fiscal Note:

NO

Veto Message:

NO

Message on Signing:

NO

Following were printed:

Reports:

NO

Hearings:

NO

83

337
9-4-83

[OFFICIAL COPY REPRINT]
ASSEMBLY, No. 2185

STATE OF NEW JERSEY

INTRODUCED DECEMBER 6, 1982

By Assemblymen DOYLE and WEIDEL

AN ACT concerning the certification of landscape architects, amend-
ing parts of the statutory law and supplementing chapter 3 of
Title 45 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 ***[**1. Section 1 of P. L. 1971, c. 60 (C. 45:1-2.1) is amended to read
2 as follows:

3 1. The provisions of this act shall apply to the following boards
4 and commissions: The New Jersey State Board of **[**Certified Public
5 Accountants**]** *Accountancy*, the New Jersey State Board of Archi-
6 tects *and Certified Landscape Architects*, the State Board of Barber
7 Examiners, the Board of Beauty Culture Control, the Board of
8 Examiners of Electrical Contractors, the New Jersey State Board
9 of Dentistry, the State Board of Mortuary Science of New Jersey,
10 the State Board of Professional Engineers and Land Surveyors,
11 the State Board of Marriage Counselor Examiners, the State Board
12 of Medical Examiners, the New Jersey Board of Nursing, the New
13 Jersey State Board of Optometrists, the State Board of Examiners
14 of Ophthalmic Dispensers and Ophthalmic Technicians, the Board
15 of Pharmacy, the State Board of Professional Planners, the State
16 Board of Psychological Examiners, the State Board of Examiners
17 of Master Plumbers, the New Jersey Real Estate Commission, the
18 State Board of Shorthand Reporting, the State Board of Veterinary
19 Medical Examiners, and the X-ray Technician Board of Exam-
20 iners.**]***

1 ***[**2. Section 2 of P. L. 1971, c. 60 (C. 45:1-2.2) is amended to read
2 as follows:

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

Matter printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Assembly committee amendments adopted March 3, 1983.**

3 2. a. All members of the several professional boards and com-
4 missions shall be appointed by the Governor in the manner pre-
5 scribed by law; except in appointing members other than those
6 appointed pursuant to subsection b. or subsection c., the Governor
7 shall give due consideration to, but shall not be bound by, recom-
8 mendations submitted by the appropriate professional organiza-
9 tions of this State.

10 b. In addition to the membership otherwise prescribed by law,
11 the Governor shall appoint in the same manner as presently pre-
12 scribed by law for the appointment of members two additional
13 members to represent the interests of the public, to be known as
14 public members, to each of the following boards and commissions:
15 The New Jersey State Board of **[Certified Public Accountants]**
16 *Accountancy*, the New Jersey State Board of Architects and
17 *Certified Landscape Architects*, the State Board of Barber Exam-
18 iners, the New Jersey State Board of Dentistry, the State Board of
19 Mortuary Science of New Jersey, the State Board of Professional
20 Engineers and Land Surveyors, the State Board of Medical Exam-
21 iners, the New Jersey Board of Nursing, the New Jersey State
22 Board of Optometrists, the State Board of Examiners of Ophthal-
23 mic Dispensers and Ophthalmic Technicians, the Board of
24 Pharmacy, the State Board of Professional Planners, The State
25 Board of Psychological Examiners, the New Jersey Real Estate
26 Commission, the State Board of Shorthand Reporting, and the
27 State Board of Veterinary Medical Examiners, and one additional
28 public member to each of the following boards: the Board of Beauty
29 Culture Control, the Board of Examiners of Electrical Contractors,
30 the State Board of Marriage Counselor Examiners and the State
31 Board of Examiners of Master Plumbers. Each public member
32 shall be appointed for the term prescribed for the other members
33 of the board or commission and until the appointment of his
34 successor. Vacancies shall be filled for the unexpired term only.
35 The Governor may remove any such public member after hearing,
36 for misconduct, incompetency, neglect of duty or for any other
37 sufficient cause.

38 No public member appointed pursuant to this section shall have
39 any association or relationship with the profession or a member
40 thereof regulated by the board of which he is a member, where such
41 association or relationship would prevent such public member
42 from representing the interest of the public. Such a relationship
43 includes a relationship with members of one's immediate family;
44 and such association includes membership in the profession regu-
45 lated by the board. To receive services rendered in a customary

46 client relationship will not preclude a prospective public member
47 from appointment. This paragraph shall not apply to individuals
48 who are public members of boards on the effective date of this act.

49 It shall be the responsibility of the Attorney General to insure
50 that no person with the aforementioned association or relationship
51 or any other questionable or potential conflict of interest shall be
52 appointed to serve as a public member of any board regulated by
53 this section.

54 Where a board is required to examine the academic and profes-
55 sional credentials of an applicant for licensure or to test such
56 applicant orally, no public member appointed pursuant to this
57 section shall participate in such examination process, provided
58 however, that public members shall be given notice of and may be
59 present at all such examination processes and deliberations concern-
60 ing the results thereof, and, provided further, that public members
61 may participate in the development and establishment of the pro-
62 cedures and criteria for such examination processes.

63 c. The Governor shall designate a department in the Executive
64 Branch of the State Government which is closely related to the
65 profession or occupation regulated by each of the boards or com-
66 missions designated in section 1 and shall appoint the head of such
67 department, or the holder of a designated office or position in such
68 department, to serve without compensation at the pleasure of the
69 Governor as a member of such board or commission.

70 d. A majority of the voting members of such boards or commis-
71 sions shall constitute a quorum thereof and no action of any such
72 board or commission shall be taken except upon the affirmative vote
73 of a majority of the members of the entire board or commission.]*

1 ***[3.** Section 1 of P. L. 1974, c. 46 (C. 45:1-3.1) is amended to read
2 as follows :

3 1. The provisions of this act shall apply to the following boards
4 and commissions: The New Jersey State Board of **[Certified Public**
5 **Accountants]** *Accountancy*; the New Jersey State Board of Archi-
6 tects *and Certified Landscape Architects*, the State Board of Barber
7 Examiners, the Board of Beauty Culture Control, the Board of
8 Examiners of Electrical Contractors, the New Jersey State Board
9 of Dentistry, the State Board of Mortuary Science of New Jersey,
10 the State Board of Professional Engineers and Land Surveyors,
11 the State Board of Marriage Counselor Examiners, the State Board
12 of Medical Examiners, the New Jersey Board of Nursing, the New
13 Jersey State Board of Optometrists, the State Board of Examiners
14 of Ophthalmic Dispensers and Ophthalmic Technicians, the Board
15 of Pharmacy, the State Board of Professional Planners, the State

16 Board of Psychological Examiners, the State Board of Examiners
 17 of Master Plumbers, the State Board of Shorthand Reporting, the
 18 State Board of Veterinary Medical Examiners, and the X-Ray
 19 Technician Board of Examiners.]**

1 *4. Section 2 of P. L. 1978, c. 73 (C. 45:1-15) is amended to read
 2 as follows:

3 2. The provisions of this act shall apply to the following boards
 4 and all professions or occupations regulated by or through such
 5 boards: the New Jersey State Board of [Certified Public Account-
 6 ants] *Accountancy*, the New Jersey State Board of Architects *and*
 7 *Certified Landscape Architects*, the State Board of Barber Ex-
 8 aminers, the Board of Beauty Culture Control, the Board of Ex-
 9 aminers of Electrical Contractors, the New Jersey State Board of
 10 Dentistry, the State Board of Mortuary Science of New Jersey, the
 11 State Board of Professional Engineers and Land Surveyors, the
 12 State Board of Marriage Counselor Examiners, the State Board of
 13 Medical Examiners, the New Jersey Board of Nursing, the New
 14 Jersey State Board of Optometrists, the State Board of Examiners
 15 of Ophthalmic Dispensers and Ophthalmic Technicians, the Board
 16 of Pharmacy, the State Board of Professional Planners, the State
 17 Board of Psychological Examiners, the State Board of Examiners
 18 of Master Plumbers, the State Board of Shorthand Reporting, and
 19 the State Board of Veterinary Medical Examiners.]**

1 *5.]* *1.* R. S. 45:3-1 is amended to read as follows:

2 45:3-1. The New Jersey State Board of Architects **[and Certi-*
 3 *fied Landscape Architects]**, hereinafter in this chapter designated
 4 as the "board," created and established by an act entitled "An act to
 5 regulate the practice of architecture," approved March twenty-
 6 fourth, one thousand nine hundred and two (P. L. 1902, c. 29, p. 54),
 7 as amended and supplemented, is continued. The board shall con-
 8 sist of [five] **[seven]** **six** members, [all] *five* of whom shall be
 9 architects residing in this State and shall have been engaged in the
 10 practice of their profession for at least ten years *and* **[two]** **one**
 11 *of whom shall be *a* certified landscape **[architects]** **architect**
 12 *in good standing and engaged in the practice of landscape archi-*
 13 *itecture for at least five years pursuant to P. L. , c.*
 14 *(C.) (now pending before the Legislature as Assembly*
 15 *Bill No. . . . of 1982) except as to the initial **[appointments]**
 16 **appointment** to the board, who shall become certified as soon as
 17 *practicable after **[their appointments]** **his appointment***. On
 18 the effective date of this act the terms of office of the members of
 19 the board shall cease and terminate, and they shall thereafter con-
 20 tinue in office as hold-over members until such time as the Governor*

21 shall designate and appoint them to serve for new terms of office as
 22 hereinafter provided. Within a period of 30 days after the effective
 23 date of this act, or as soon thereafter as circumstances shall permit,
 24 the Governor shall designate and appoint said members to serve and
 25 hold office for the following terms: One member for a term of one
 26 year from the date of such designation and appointment, one mem-
 27 ber for a term of two years from said date, one member for a term of
 28 three years from said date, one member for a term of four years
 29 from said date, and one member for a term of five years from said
 30 date. *The initial landscape architect* ***[appointments]*** *appoint-*
 31 *ment* shall be for ***[one]*** *a* term ***[each]*** of ***[one and]*** two
 31A *years* ***[respectively]*** beginning July 1 next following ***[their]***
 31B *the* appointment. Should any vacancy exist on the board at
 32 the time of appointment and designation of the members to the
 33 new terms herein provided for, the Governor shall appoint a new
 34 member to fill such vacancy, subject to the provisions of **[section**
 35 **45:1-2 of this Title]** *section 2 of P. L. 1971, c. 60 (C. 45:1-2.2)*, such
 36 member to serve for any one of the several terms herein fixed as
 37 the Governor in his discretion shall designate. Thereafter, upon
 38 the expiration of the term of office of any member, his successor
 39 shall be appointed by the Governor, subject to the provisions of
 40 **[section 45:1-2 of this Title]** *section 2 of P. L. 1971, c. 60 (C.*
 41 *45:1-2.2)*, for a term of five years. Each member shall hold his office
 42 until his successor has qualified. Any vacancy in the membership
 43 of the board shall be filled for the unexpired term in the manner
 44 provided for an original appointment. Except as hereinafter pro-
 45 vided, the members of the board shall serve without compensation.

1 ***[6.]*** **2.** Section 1 of P. L. 1952, c. 131 (C. 45:3-5.1) is amended
 2 to read as follows:

3 1. Any professional engineer who is duly licensed to practice pro-
 4 fessional engineering in this State shall be entitled to be licensed
 5 to engage in the practice of architecture in this State, upon ap-
 6 plication therefor to the **[New Jersey State Board of Architects]**
 7 *board* and upon satisfactorily passing part I and part II of an ex-
 8 amination which parts are limited solely to the subject of archi-
 9 tectural design. Such applicant shall be examined according to the
 10 limitations herein provided, at a regularly conducted examination
 11 for applicants for registration to practice architecture.

1 ***[7.]*** **3.** R. S. 45:3-7 is amended to read as follows:

2 45:3-7. Each *architect* licensee shall, during the month of July
 3 in each year, pay to the board a fee of \$15.00 or forfeit his certifi-
 4 cate. Notice of the failure to pay such annual registration fee shall
 5 be given to any person so failing, which notice shall state that, upon

6 the continued failure to pay such fee, the certificate issued to such
 7 person will be declared forfeited by the board at the time and place
 8 stated therein unless such fee is sooner paid. The board may make
 9 rules and regulations regarding the reissue of a certificate to any
 10 person whose certificate has been forfeited under this section, and
 11 fixing the fee to be paid for the reissue of said certificate.

1 *~~8.~~* *4.* (New section) In order to safeguard life, health and
 2 property, and promote the public welfare, a person using the title
 3 "landscape architect" in this State is required to submit evidence
 4 that the person is qualified *~~so to practice and~~* to be certified as
 5 provided in this amendatory and supplementary act. It is unlawful
 6 for a person to use the title "landscape architect" or any other title,
 7 sign, card or device in a manner which tends to convey the im-
 8 pression that the person is a certified landscape architect *~~or to~~
 9 practice landscape architecture unless that person is duly certified
 10 under the provisions of this amendatory and supplementary act]*.*
 11 Every holder of a certificate shall display it in a conspicuous place
 12 in his principal office, place of business or employment.

13 No corporation, firm, partnership or association shall be granted
 14 a certificate under this amendatory and supplementary act. No
 15 corporation, firm, partnership or association shall use or assume
 16 a name involving the word "landscape architect," or a modifica-
 17 tion or derivative of the term, unless an executive officer, if a
 18 corporation, or a member, if a firm, partnership or association, is
 19 a certified landscape architect of the State.

20 *~~No corporation, firm, partnership or association shall practice~~
 21 or offer to practice landscape architecture in this State unless the
 22 person in responsible charge of landscape architecture work is so
 23 certified to practice in this State. The person carrying on the
 24 actual practice of landscape architecture on behalf of or designated
 25 as "landscape architect" with or without qualifying or character-
 25A izing words, by the corporation, firm, partnership or association,
 26 shall be certified as a landscape architect as provided in this amend-
 27 atory and supplementary act.

28 Nothing in this amendatory and supplementary act shall be con-
 29 strued as requiring certification for the purpose of practicing land-
 30 scape architecture by a person, firm, or corporation with relation
 31 to property owned or leased by the person, firm, or corporation,
 32 unless otherwise required by law.]**

1 *~~9.~~* *5.* (New section) As used in this act:

2 a. "Certified landscape architect" means an individual who
 3 *~~holds a certificate to use the title "landscape architect" in this~~
 3A State]**, *by reason of his knowledge of natural, physical and*

3B *mathematical sciences, and the principles and methodology of land-*
 3C *scape architecture and landscape architectural design acquired by*
 3D *professional education, practical experience, or both, is qualified to*
 3E *engage in the practice of landscape architecture and is certified by*
 3F *the board as a landscape architect*.*

4 b. “***[Landscape]*** **The practice of landscape* architecture”*
 5 means ***[the performance of a substantial variety of professional**
 6 **services including, but not limited to, consultation, investigation,**
 7 **research, planning, design, preparation of drawings and specifica-**
 8 **tions and responsible supervision in connection with the develop-**
 9 **ment of land areas where, and to the extent that the dominant**
 10 **purpose of the services is the determination of proper land use,**
 11 **the preservation or enhancement of natural land features for**
 12 **their ecological, naturalistic and aesthetic values, providing the**
 13 **settings for and approaches to structures or other use areas,**
 14 **the creation of functional, pleasant and comfortable outdoor**
 14A **environments through the manipulation of land forms, plant-**
 15 **ings, and other materials and constructed devices, the setting of**
 16 **grades and determination of drainage and provision for storm**
 17 **drainage systems where the systems do not require the hydraulic**
 18 **design or structural design of system components and are restricted**
 19 **to the use, where relevant, of any standards as may be prescribed**
 20 **by local or State authorities, the identification or preservation of**
 21 **landscapes and sites with historic value, conducting environmental**
 22 **and natural resource inventories and utilizing this information to**
 23 **determine environmental impact of land use and design, and the**
 24 **determination and solving of environmental problems including,**
 25 **but not limited to, control of surface runoff, erosion, blight and**
 26 **other hazards. This practice shall include the design of tangible**
 27 **objects and features which are incidental and necessary to the pur-**
 28 **poses outlined herein and as may be prescribed by local or State**
 29 **authorities but shall not include the design of structures or facili-**
 30 **ties with separate and self-contained purposes as are ordinarily**
 31 **included in the practice of engineering or architecture; and shall**
 32 **not include the making of land surveys or final plats for official**
 33 **approval or recording. Nothing contained herein shall preclude a**
 34 **certified landscape architect from performing any of the services**
 35 **described in the first sentence of this subsection in connection with**
 36 **the settings, approaches or environment for a building, structure,**
 37 **or facility. Nothing contained in this amendatory and supplement-**
 38 **ary act shall be construed as authorizing a landscape architect to**
 39 **engage in the practice of architecture, engineering, or land survey-**
 40 **ing as those terms are defined in Title 45 of the Revised Statutes,**

41 nor to engage in the practice or professional planning or the prep-
 42 aration of municipal master plans, pursuant to P. L. 1975, c. 291
 43 (C. 40:55D-1 et seq.)**】*** *any service in which the principles and*
 44 *methodology of landscape architecture are applied in consultation,*
 45 *evaluation and planning, including the preparation and filing of*
 46 *sketches, drawings, plans and specifications, and responsible*
 47 *administration of contracts relative to projects principally directed*
 48 *at the functional and aesthetic use of land. Nothing contained in*
 49 *this section shall be construed to restrict or otherwise affect the*
 50 *right of any person or corporation to engage in the practice of*
 51 *landscape architecture, but no person or corporation shall hold him-*
 52 *self out as, or use the title "certified landscape architect," unless he*
 53 *has been certified pursuant to this act.**

54 c. "Committee" means the Landscape Architect Examination
 55 and Evaluation Committee.

1 ***[10.]*** ***6.*** (New section) Nothing in this amendatory and
 2 supplementary act shall be construed to prevent the practice of
 3 architecture, engineering or land surveying or professional
 4 planning by a holder of a license to practice that profession licensed
 5 by this State, but no architect, engineer, surveyor or professional
 6 planner shall use the designation "landscape architect" unless
 7 certified as a landscape architect in this State.

1 ***[11.]*** ***7.*** (New section) There is established a committee of the
 2 board to be known as the Landscape Architect Examination and
 3 Evaluation Committee. The committee shall consist of five land-
 4 scape architects, one of whom is a member of the board. The com-
 5 mittee members shall be appointed by the Governor within 60 days
 6 after the effective date of this amendatory and supplementary act.
 7 Initial members, other than the member of the board, shall be
 8 appointed to one term each of one, two, three and four years respec-
 9 tively; thereafter their successors shall be appointed for terms of
 10 five years and until the appointment and qualification of their suc-
 11 cessors. A member of the committee shall not be eligible to succeed
 12 himself more than once. Vacancies in the membership of the com-
 13 mittee, however created, shall be similarly filled by appointment of
 14 the Governor for the unexpired term only. Members of the com-
 15 mittee shall be residents of this State, shall have at least five years
 16 experience in landscape architecture, shall be of good standing in
 17 the landscape architecture profession, and, except as to the initial
 18 appointments to the committee, shall be certified under the provi-
 19 sions of this amendatory and supplementary act. The initial ap-
 20 pointments shall become certified as soon as practicable after their
 21 appointments. The Governor may remove a member of the com-

22 mittee after hearing, for misconduct, incompetence, neglect of duty,
23 or any other sufficient cause.

24 Members of the committee shall receive no compensation for their
25 services, but may be reimbursed for all necessary expenses, inci-
26 dental to performance of their duties as members of the committee.

27 Each member of the committee, before entering upon the duties
28 of his office, shall subscribe to an oath to faithfully perform the
29 duties of his office.

1 ***[12.]*** *8.* (New section) The committee shall, at its first meet-
2 ing, called by the Governor as soon as may be following the appoint-
3 ments of its members, and at all annual meetings, to be held in July
4 of each year thereafter, organize by electing from its membership a
5 chairman and by appointing a secretary, who need not be a member
6 of the committee, and other assistants as it deems necessary.

7 The committee shall adopt annually a schedule of regular meet-
8 ings, and special meetings may be held at the call of the chairman.

9 A quorum of the committee shall consist of three members. No
10 action of a meeting shall be taken without at least three votes in
11 accord.

1 ***[13.]*** *9.* (New section) The committee is authorized to review
2 the content and duration of courses of study offered by colleges and
3 universities for degrees in landscape architecture and to establish
4 and maintain a register of colleges and universities whose curricula
5 in landscape architecture are approved by the committee; to
6 establish and maintain a list of recognized subjects and courses of
7 study, and to establish minimum requirements therefor which shall
8 be acceptable to the board and the committee.

9 In addition to those records of proceedings and applicants estab-
10 lished by the board, the committee shall keep a record of its proceed-
11 ings and a record of all applicants for certification, showing for
12 each the date of application, name, age, education, and other qualifi-
13 cations, place of practice and place of residence, whether or not an
14 examination was required, and whether the applicant was rejected
15 or a certificate granted, and the date of that action.

1 ***[14.]*** *10.* (New section) Each person applying for certifica-
2 tion as a landscape architect shall make application therefor to the
3 board on the form and in the manner the committee prescribes and
4 the board shall immediately refer each application to the committee
5 for appropriate action. Each applicant shall furnish evidence satis-
6 factory to the committee that he:

7 a. Is of good moral character;

8 b. Meets the educational and experience qualifications prescribed
9 by this amendatory and supplementary act for certification as a
10 landscape architect; and

11 c. Unless exempt from examination pursuant to this amendatory
 12 and supplementary act, has passed an examination satisfactory to
 13 the committee.

1 ***[15.]** *11.* (New section) a. An applicant for examination or
 2 certification as a landscape architect shall provide the committee
 3 with evidence satisfactory to it that he:

4 (1) Is the holder of a bachelor's or higher degree in landscape
 5 architecture from a college or university having a landscape archi-
 6 tecture curricula approved by the committee; and

7 (2) Has engaged in landscape architectural work satisfactory to
 8 the committee to an extent that his combined college study and
 9 practical experience total at least six years.

10 b. In lieu of the degree and practical experience requirements
 11 specified in paragraph a. of this section, evidence of 10 or more
 12 years of practical experience in landscape architecture of a grade
 13 and character satisfactory to the committee may be accepted. Each
 14 complete year of study satisfactory to the committee may be ac-
 15 cepted in lieu of one year's practical experience toward the required
 16 total of 10 years. Six years of practical experience satisfactory to
 17 the committee may be accepted by the committee for admission to
 18 that portion of the examination related to landscape architecture.

19 **c. Six years after the effective date of this act, an applicant*
 20 *shall be eligible for certification as a landscape architect only if he*
 21 *meets the requirements of subsection a. of this section.**

1 ***[16.]** *12.* (New section) The following fees shall be assessed
 2 and collected by the board:

3 a. An application fee for certification as a landscape architect
 4 ***[of \$10.00,]*** which shall not be subject to refund;

5 b. An examination fee and initial two year certification fee for
 6 landscape architects ***[of \$75.00]*** which shall be subject to refund
 7 if the applicant is determined to be ineligible for examination, with-
 8 draws his application for examination, or fails to appear for ex-
 9 amination;

10 c. A two year renewal fee for landscape architects ***[of \$25.00]***;
 11 and

12 d. A reinstatement fee for certified landscape architects ***[of**
 13 **\$10.00]***.

1 ***[17.]** *13.* (New section) a. The committee shall administer an
 2 examination to be given to all persons, not exempt from examina-
 3 tion pursuant to this amendatory and supplementary act, who have
 4 applied for certification as landscape architects.

5 b. The committee may exempt from examination an applicant
 6 who holds a license or certificate to practice landscape architecture

7 issued to him upon examination by a legally constituted board of
8 examiners in any state, district or territory in the United States,
9 provided the applicant's qualifications meet the requirements en-
10 forced in this State at the time the license was issued.

11 Unless a majority of the full committee shall determine other-
12 wise, the examination to be administered to all nonexempt appli-
13 cants shall consist of the Unified National Examination as prepared
14 by the Council of Landscape Architectural Registration Boards.

1 ***[18.]*** *14.* (New section) The committee shall review the
2 qualifications of each person who applies for certification as a land-
3 scape architect. Notwithstanding any other provision of this
4 amendatory and supplementary act to the contrary, no applicant
5 shall be certified by the board unless a majority of the full com-
6 mittee first determines that he is qualified by education, experinece
7 and satisfactory performance on the examination to be certified as
8 a landscape architect and all applicants who are determined to be so
9 qualified and are recommended for certification by the committee
10 shall be certified by the board.

11 The board is authorized to review the actions taken by the com-
12 mittee with respect to the committee's evaluation and examination
13 of applicants for certification as landscape architects but the board
14 may reverse, modify or fail to implement any of the above described
15 actions of the committee only by the affirmative vote of at least six
16 members of the board.

1 ***[19.]*** *15.* (New section) Certificates for landscape architects
2 shall expire on May 30 in the second year following the year of
3 issuance, renewal or reinstatement, and shall become invalid on that
4 day unless renewed. Certified landscape architects shall apply for
5 renewal before May 30 in the year of expiration of a certificate. On
6 or before May 1 in the year of expiration of a certificate the secre-
7 tary of the board shall notify all persons certified under this amend-
8 atory and supplementary act of the date of the expiration of their
9 certificates and the amount of the renewal fee. Notice shall be
10 mailed to each holder of a certificate at his last post office address
11 known to the board.

12 Failure on the part of the holder of a certificate to renew his
13 certificate every two years in the month of May shall not deprive
14 that person of the right of renewal during the ensuing two years,
15 but a reinstatement fee shall be added to the certificate fee; and if
16 the certificate is not renewed within the two years following its
17 expiration, the holder of the certificate shall pay a reinstatement
18 fee for each two years or portion thereof in which the holder is in
19 arrears. Continuing to use the title "landscape architect" after

20 the expiration of the certificate shall be a violation of this amend-
21 datory and supplementary act.

22 A duplicate certificate to replace one lost, destroyed or mutilated
23 may be issued subject to the rules and regulations of the board, and
24 a reasonable fee, to be established by the board may be charged for
25 each duplicate certificate. An unsuspending, unrevoked and unex-
26 pired certificate as a landscape architect under this act shall be
27 prima facie evidence in all courts and places that the person named
28 therein is certified. Each certificate shall be recorded by the board
29 in the office of the Secretary of State, in a book kept for that pur-
30 pose, and any recording fee as may be provided by law shall be
31 paid by the applicant before the certificate is delivered.

1 ***[20]*** *16.* (New section) Every person using the title "land-
2 scape architect" shall have a seal of a type approved by the board,
3 which shall contain the name of the landscape architect, his certifi-
4 cate number, the legend "certified landscape architect" and other
5 words or figures as the board may deem necessary. All working
6 drawings and specifications prepared by the landscape architect or
7 under the supervision of the landscape architect shall be stamped
8 with the seal and shall be signed on the original, with the personal
9 signature of the certified landscape architect, when filed with public
10 officials. The board, upon recommendation and approval of the
11 committee, may by regulation, change or modify the requirements
12 as to the signing and sealing of documents.

1 ***[21.]*** *17.* (New section) Notwithstanding any other provision
2 of this amendatory and supplementary act to the contrary, for a
3 period of one year from the effective date of this amendatory and
4 supplementary act, an individual of good moral character shall be
5 entitled to receive a certificate as a landscape architect without ex-
6 amination if he files an application therefor accompanied by the
7 application fee, the examination and certificate fee, and evidence
8 that he has:

9 a. A diploma of graduation or satisfactory certificate from a
10 college or university recognized by the committee as offering an
11 approved curriculum in landscape architecture or the equivalent
12 thereof as determined by the committee; together with at least four
13 years of practical experience in landscape architectural work of
14 a grade and character acceptable to the committee; or

15 b. A total of at least 12 years of experience in the teaching of
16 landscape architecture in a college or university or at least 12 years
17 of practical experience in landscape architectural work of a grade
18 and character acceptable to the committee.

1 ***[22.]*** *18.* (New section) Four years from the effective date of

1 21. (New section) Notwithstanding any other provision of this
 2 amendatory and supplementary act to the contrary, for a period
 3 of one year from the effective date of this amendatory and supple-
 4 mentary act, an individual of good moral character shall be en-
 5 titled to receive a certificate as a landscape architect without ex-
 6 amination if he files an application therefor accompanied by the
 7 application fee, the examination and certificate fee, and evidence
 8 that he has:

9 a. A diploma of graduation or satisfactory certificate from a
 10 college or university recognized by the committee as offering an
 11 approved curriculum in landscape architecture or the equivalent
 12 thereof as determined by the committee; together with at least four
 13 years of practical experience in landscape architectural work of
 14 a grade and character acceptable to the committee; or

15 b. A total of at least 12 years of experience in the teaching of
 16 landscape architecture in a college or university or at least 12 years
 17 of practical experience in landscape architectural work of a grade
 18 and character acceptable to the committee.

1 22. (New section) Four years from the effective date of this
 2 amendatory and supplementary act and every four years thereafter,
 3 each person certified to practice landscape architecture in this State
 4 shall certify to the board, upon a form issued and distributed by
 5 the board, that the person has attended, or participated in not less
 6 than 20 hours of continuing education in landscape architecture as
 7 follows: college post graduate courses, lectures, seminars, or work-
 8 shops, as approved by the committee or any other evidence of con-
 9 tinuing education which the board may approve.

1 23. This act shall take effect immediately, but the first certificates
 2 issued pursuant to this amendatory and supplementary act shall
 3 be for the period beginning July 1, 1983.

STATEMENT

This bill amends and supplements chapter 3 of Title 45 of the Revised Statutes, reconstituting the New Jersey State Board of Architects as the New Jersey State Board of Architects and Certified Landscape Architects. It provides that no one may use the title "landscape architect" in this State unless certified pursuant to the provisions of this bill.

The bill expands the membership on the board from five to seven members, two of whom shall be certified landscape architects. It also creates a committee under the jurisdiction of the board to evaluate the qualifications of and examine the candidates for cer-

A2185 (1983)

tification as landscape architects. The bill further provides that the actions of the committee with respect to the evaluation and examination of candidates for certification as landscape architects may be reversed, modified or not implemented by the board only with the affirmative vote of at least six board members. Committee members shall be appointed by the Governor with one member of the committee who shall also be a member of the board.

**ASSEMBLY HIGHER EDUCATION AND REGULATED
PROFESSIONS COMMITTEE**

STATEMENT TO

ASSEMBLY, No. 2185

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MARCH 3, 1983

This bill provides for the certification and regulation of landscape architects under the New Jersey Board of Architects. The bill creates a Landscape Architect Examination and Evaluation Committee under the board to do the actual work of evaluating and examining candidates for certification.

The bill does the following:

1. Increases the membership of the State Board of Architecture to eight by the addition of one landscape architect.
2. Prohibits the use of the title "landscape architect" by an unlicensed individual or by a corporation, firm, partnership or association unless the executive officer or principal member is certified.
3. Defines landscape architecture.
4. Establishes a five member Landscape Architect Examination and Evaluation Committee to establish minimum educational requirements for certification; to review college programs in landscape architecture; and to evaluate and examine applicants for certification.
5. Establishes education and experience requirements for certification to include a baccalaureate or advanced degree in landscape architecture and a total of six years of combined college and practical experience or at least two years of practical experience satisfactory to the committee.
6. Establishes requirements for licensure reciprocity and licensure without examination.
7. Establishes continuing education requirements.

SENATE LABOR, INDUSTRY AND PROFESSIONS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2185
[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

DATED: JUNE 16, 1983

This bill provides for the certification and regulation of landscape architects under the New Jersey State Board of Architects and prohibits the use of the title "landscape architect" by an uncertified individual, by a corporation unless an executive officer is so certified, and by a firm, partnership or association unless a member is so certified. The membership of the board is increased to nine members with the addition of a certified landscape architect. The bill creates the Landscape Architect Examination and Evaluation Committee under the board consisting of five certified landscape architects with at least five years' experience to do the actual work of establishing minimum educational requirements for certification; reviewing college curriculum and programs in landscape architecture and maintaining a register of approved programs; and evaluating and examining applicants for certification.

To become a certified landscape architect, an applicant must:

- a. Be of good moral character;
- b. Have a baccalaureate or advanced degree in landscape architecture from a college approved by the committee;
- c. Have a total of six years of combined college and practical experience; and,
- d. Pass an examination.

For six years after the effective date of this bill, an applicant may substitute 10 years of practical experience, allowing a year of study to substitute for a year of practical experience, for the otherwise required educational and experience requirements listed above.

For one year after the effective date of this bill, an applicant of good moral character shall be entitled to a certificate as a landscape architect without examination if he has:

- a. A diploma of graduation or satisfactory certificate in landscape architecture from an approved college and four years of acceptable practical experience in landscape architectural work; or
- b. At least 12 years of experience in teaching landscape architecture in a college or in acceptable landscape architectural work.

The committee may exempt from examination an applicant who holds a license or certificate to practice landscape architecture from another state provided the applicant's qualifications meet the requirements of this State at the time the license or certificate was issued.

The bill also mandates that each certified landscape architect complete 20 hours of continuing education in landscape architecture every four years.

The board may only reverse a committee decision with the approval of at least six of the nine board members.
