

Nebraska State Board of Landscape Architects
Board Meeting Minutes
January 6, 2015
215 Centennial Mall South, Lincoln, NE

CALL TO ORDER

The meeting was held at 215 Centennial Mall South, Fifth Floor, Lincoln, Nebraska. Chairperson Bryers called the meeting to order at 8:33am and informed the public of the location of the Open Meetings Act. Notice of the meeting was published on the Board's website and in the Lincoln Journal Star in accordance to the Open Meetings Act.

Roll Call: Eileen Bergt, Dennis Bryers, David Ciaccio, Todd Maiellaro, Gayle Malmquist, Garry Wells

Staff Present: Jean Lais, Administrative Assistant (AA)

Public Present

Sara Kay - American Institute of Architects-Nebraska (AIA)

Jackie McCullough - American Council of Engineering Companies (ACEC)

Kim Davidson - Nebraska Nursery and Landscape Association

Marti Neely - Nebraska Nursery and Landscape Association

Public Notice Publication as submitted to the Lincoln Journal Star provided for review.

A Review and Discussion of Statute Revision Comments

Chairperson Bryers asked each member of the public present to introduce themselves and which organization they are representing. Bryers gave a brief history of the board and why the revisions are being brought forth at this time.

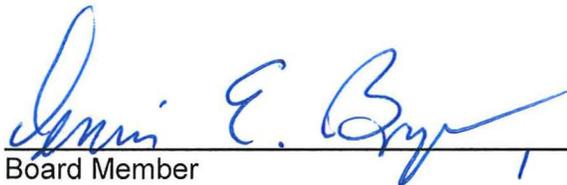
A list of the stakeholders identified at the September 17, 2014, meeting was provided along with a copy of the letter sent to each organization. Copies of the written comments received were also provided along with a list of recommended revisions based on the comments.

Discussion was held on the recommended revisions with input from the public present.

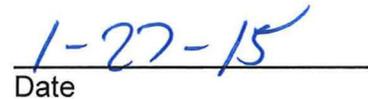
A copy of the final revisions agreed upon is attached to these minutes.

Action Motion by Maiellaro, second by Wells to accept the Legislative Bill Revisions as discussed. Voting Yes: Bergt, Ciaccio, Maiellaro, Malmquist, Wells, Bryers;
Voting No: None

Adjournment: Motion by Ciaccio to adjourn the meeting at 11:13a


Board Member

FASLA, PLA


Date

Revisions to Professional Landscape Architects Act Legislative Bill Draft REQ 00151

January 6, 2015

Page 2/Lines 6-17:

To protect public health, safety, and welfare, the Professional Landscape Architect Act regulates the title and practice of landscape architecture in the State of Nebraska. No person may engage in the practice of landscape architecture, use the designation of professional landscape architect, landscape architect, ~~landscape architecture, or landscape architectural,~~ or any derivative thereof, or advertise any title or description tending to convey the impression that he or she is a professional landscape architect unless the person is authorized in the manner provided in the act and complies with all provisions of the act. The practice of landscape architecture is a privilege granted by the board, based on the qualifications of the individual, and evidenced by a license.

Page 3/Lines 5-29:

Practice of landscape architecture means the application of the principles of mathematical, physical, biological, and social sciences in consultation, evaluation, planning, design, including, but not limited to, the preparation, review, and filing of plans, drawings, specifications, and other contract documents, and administration of contracts relative to projects principally directed at the functional and aesthetic use and preservation of land in the performance of professional services. These professional services include, but are not limited to:

- (a) Investigation, selection, and allocation of land and natural resources for appropriate uses;
- (b) Development of feasibility and site selection studies to govern the planning, design, and management of the land;
- (c) Preparation, review, and analysis of land-use master, site, and comprehensive development plans, preliminary subdivision plans, and ~~preliminary~~ plats;
- (d) Determining the location and siting of improvements, including buildings, site features, access, and environs for the improvements;
- (e) Collaboration with architects and professional engineers in the design of streets, highways, bridges, buildings, and structures with respect to the functional and aesthetic requirements of the area in which such facilities are to be placed.
- (f) Design of: Sites, landforms, water features, and water bodies; site grading and ~~storm water surface and subsurface~~ drainage and management; sediment and erosion control; non-inhabitable structures; park and recreation facilities; site vehicular roadways circulation systems; greenways, and streetscapes; equestrian, bicycle, and pedestrian circulation systems; site lighting, irrigation, plantings, and related construction details and specifications; ~~and~~
- (g) Preservation and management of natural, cultural, historical, and aesthetic resources; and
- (h) This practice shall include the location and arrangement of such tangible objects and features as are incidental and necessary to the purposes outlined in this section, but shall not include the design of structures or facilities with separate and self-contained purposes for habitation or industry, or the design of streets and highways, utilities, storm and sanitary sewers and water and sewage treatment facilities, such as are exclusive to the practice of

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engineering and architecture. A landscape architect shall undertake to perform professional services only when the landscape architect is qualified by education, training, and experience in the specific technical areas involved; and

Page 17/Lines 19-24:

~~The Professional Landscape Architect Act shall not be construed as authorizing a professional landscape architect to engage in the practice of architecture, engineering, geology, or land surveying. The act shall not be construed as authorizing an architect, engineer, geologist, or land surveyor to engage in the practice of landscape architecture.~~

The practice by a qualified member of another legally recognized profession who is otherwise licensed or certified by this state to perform services consistent with the laws of this state, the training, and the code of ethics of the respective profession, if such qualified member does not represent himself or herself to be a professional landscape architect.

Page 17/Lines 25-31:

The Professional Landscape Architects Act does not prohibit any person, officer, agent, or employee of any business entity with experience and qualifications from preparing planting landscape plans which define the arrangement of trees, shrubs, flowers, turf, or other plants and other related features ~~materials within indoor or outdoor areas~~. This exemption is limited to the preparation of planting landscape plans and does not construe any additional professional services or practice of landscape architecture.

Page 18/Lines 14-17 (add back in the deleted language):

Any person who seeks advise or help of any other person in planning, planting, or maintaining the planting or conservation work on any property he or she owns or controls or who does such things himself or herself.

Page 19/Line 25-Page 20/Line1:

Landscape architectural ~~D~~design projects involving more than one design professional shall have a designated coordinating professional for the entire project. The coordinating professional may, but need not be, providing professional services on the project. The coordinating professional shall apply his or her seal in accordance with the Engineers and Architects Act or the Professional Landscape Architects Act to the cover sheet of all documents and denote the seal as that of the coordinating professional.