

HOUSE BILL NO. 817

INTRODUCED BY FAGG

BY REQUEST OF THE BOARD OF LANDSCAPE ARCHITECTS

IN THE HOUSE

February 14, 1979	Introduced and referred to Committee on Business and Industry.
February 19, 1979	Committee recommend bill do pass. Report adopted.
February 22, 1979	Second reading, do pass as amended.
February 23, 1979	Correctly engrossed. Third reading, passed. Transmitted to second house.

IN THE SENATE

February 23, 1979	Introduced and referred to Committee on Business and Industry.
March 6, 1979	Committee recommend bill be concurred in. Report adopted.
March 8, 1979	Second reading, concurred in. Segregated from Committee of the Whole report.
March 9, 1979	Second reading, concurred in as amended.
March 13, 1979	Third reading, concurred in as amended.

IN THE HOUSE

March 14, 1979	Returned from second house. Concurred in as amended.
March 16, 1979	Second reading, amendments adopted.
March 17, 1979	Third reading, amendments adopted. Sent to enrolling. Reported correctly enrolled.

1 House BILL NO. 817
2 INTRODUCED BY Faces

3 BY REQUEST OF THE BOARD OF LANDSCAPE ARCHITECTS

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE
6 LAWS RELATING TO LANDSCAPE ARCHITECTURE; TO REESTABLISH THE
7 BOARD OF LANDSCAPE ARCHITECTS; TO PROVIDE FOR A MAJORITY OF
8 PUBLIC MEMBERS ON THE BOARD AND REQUIRE THE CHAIRMAN TO BE A
9 PUBLIC MEMBER; TO REMOVE QUALIFICATIONS PREREQUISITE TO
10 ADMISSION TO THE EXAMINATION; AMENDING SECTIONS 2-8-103,
11 2-15-1652, 37-66-101, 37-66-103, 37-66-201, AND 37-66-304
12 THROUGH 37-66-307, MCA; AND PROVIDING AN EFFECTIVE DATE."

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 NEW SECTION. Section 1. Board reestablished. The
16 board of landscape architects created by 2-15-1652 is
17 reestablished for a period of 6 years pursuant to 2-8-122.

18 Section 2. Section 2-8-103, MCA, is amended to read:

19 "2-8-103. Agencies to terminate. (1) The following
20 agencies shall terminate on July 1, 1979:

21 (a) board of abstracters, department of professional
22 and occupational licensing, created by 2-15-1643;

23 (b) board of public accountants, department of
24 professional and occupational licensing, created by
25 2-15-1641;

1 (c) board of architects, department of professional
2 and occupational licensing, created by 2-15-1651;

3 (d) state banking board, department of business
4 regulation, created by 2-15-1803;

5 (e) state electrical board, department of professional
6 and occupational licensing, created by 2-15-1654;

7 (f) board of professional engineers and land
8 surveyors, department of professional and occupational
9 licensing, created by 2-15-1653;

10 (g) office of commissioner of insurance and the
11 insurance department, state auditor's office, created by
12 2-15-1902 and 2-15-1903;

13 (h) office of the investment commissioner, state
14 auditor's office, created by 2-15-1901;

15 ~~(i) board of landscape architects, department of~~
16 ~~professional and occupational licensing, created by~~
17 ~~2-15-1652;~~

18 ~~(j) board of county printing, department of~~
19 ~~community affairs, created by 2-15-1102;~~

20 ~~(k) board of plumbers, department of professional~~
21 ~~and occupational licensing, created by 2-15-1655;~~

22 ~~(l) board of real estate, department of~~
23 ~~professional and occupational licensing, created by~~
24 ~~2-15-1642;~~

25 ~~(m) state board of warm air heating, ventilation,~~

-2- HB 817
INTRODUCED BILL

1 and air conditioning, department of professional and
2 occupational licensing, created by 2-15-1656;

3 ~~(m)~~ board of institutions, department of
4 institutions, created by 2-15-2303.

5 (2) The following agencies shall terminate on July 1,
6 1981:

7 (a) commission for human rights, department of labor
8 and industry, created by 2-15-1706;

9 (b) board of athletics, department of professional and
10 occupational licensing, created by 2-15-1661;

11 (c) board of barbers, department of professional and
12 occupational licensing, created by 2-15-1625;

13 (d) board of chiropractors, department of professional
14 and occupational licensing, created by 2-15-1613;

15 (e) board of cosmetologists, department of
16 professional and occupational licensing, created by
17 2-15-1626;

18 (f) board of dentists, department of professional and
19 occupational licensing, created by 2-15-1606;

20 (g) board of hearing aid dispensers, department of
21 professional and occupational licensing, created by
22 2-15-1616;

23 (h) board of massage therapists, department of
24 professional and occupational licensing, created by
25 2-15-1627;

1 (i) Montana state board of medical examiners,
2 department of professional and occupational licensing,
3 created by 2-15-1605;

4 (j) board of morticians, department of professional
5 and occupational licensing, created by 2-15-1619;

6 (k) board of nursing, department of professional and
7 occupational licensing, created by 2-15-1610;

8 (l) board of nursing home administrators, department
9 of professional and occupational licensing, created by
10 2-15-1611;

11 (m) board of optometrists, department of professional
12 and occupational licensing, created by 2-15-1612;

13 (n) board of osteopathic physicians, department of
14 professional and occupational licensing, created by
15 2-15-1607;

16 (o) board of pharmacists, department of professional
17 and occupational licensing, created by 2-15-1609;

18 (p) board of podiatry examiners, department of
19 professional and occupational licensing, created by
20 2-15-1608;

21 (q) board of psychologists, department of professional
22 and occupational licensing, created by 2-15-1617;

23 (r) board of radiologic technologists, department of
24 professional and occupational licensing, created by
25 2-15-1614;

1 (s) board of speech pathologists and audiologists,
2 department of professional and occupational licensing,
3 created by 2-15-1615;

4 (t) board of veterinarians, department of professional
5 and occupational licensing, created by 2-15-1618;

6 (u) board of veterans' affairs, department of social
7 and rehabilitation services, created by 2-15-2202.

8 (3) The following units of state government shall
9 terminate on July 1, 1983:

10 (a) board of aeronautics, department of community
11 affairs, created by 2-15-1103;

12 (b) state board of hail insurance, department of
13 agriculture, created by 2-15-3003;

14 (c) board of horse racing, department of professional
15 and occupational licensing, created by 2-15-1662;

16 (d) board of livestock, department of livestock,
17 created by 2-15-3102;

18 (e) board of milk control, department of business
19 regulation, created by 2-15-1802;

20 (f) board of oil and gas conservation, department of
21 natural resources and conservation, created by 2-15-3303;

22 (g) Montana outfitters council, department of fish and
23 game, created by 2-15-3403;

24 (h) public service commission, department of public
25 service regulation, created by 69-1-102;

1 (i) board of sanitarians, department of professional
2 and occupational licensing, created by 2-15-1631;

3 (j) board of water and wastewater operators,
4 department of health and environmental sciences, created by
5 2-15-2105;

6 (k) board of water well contractors, department of
7 professional and occupational licensing, created by
8 2-15-1632.

9 (4) The following agency terminates on July 1, 1983:
10 the board of landscape architects created by 2-15-1652."

11 Section 3. Section 2-15-1652, MCA, is amended to read:

12 "2-15-1652. Board of landscape architects. (1) There
13 is a board of landscape architects.

14 (2) The board consists of five members ~~of which at~~
15 ~~least three must be landscape architects.~~ Members of the
16 board shall be appointed by the governor and must be
17 residents of this state. ~~At least three shall have the~~
18 ~~qualifications of two members must be~~ landscape architects
19 ~~required by licensed under~~ Title 37, chapter 66 ~~and three,~~
20 ~~three~~ members must be ~~licensed landscape architects~~
21 ~~representatives of the public who are not engaged in the~~
22 ~~practice of landscape architecture.~~

23 (3) The board is allocated to the department of
24 professional and occupational licensing for administrative
25 purposes only as prescribed in 2-15-121.

1 (4) Terms are for 4 years. Each member shall hold
 2 office until the appointment and qualification of his
 3 successor. Vacancies occurring prior to the expiration of
 4 the term shall be filled in the same manner as original
 5 appointments. No member may serve more than 8 consecutive
 6 years."

7 Section 4. Section 37-66-101, MCA, is amended to read:

8 "37-66-101. Short title. This chapter shall be known
 9 and cited as the "Landscape Architect Architecture
 10 Registration and Licensing Act"."

11 Section 5. Section 37-66-103, MCA, is amended to read:

12 "37-66-103. Definitions. As used in this chapter, the
 13 following definitions apply:

14 (1) "Board" means the board of landscape architects.

15 (2) "Department" means the department of professional
 16 and occupational licensing.

17 ~~(3) "Education" means time spent as a student enrolled
 18 in a college or school curriculum of landscape architecture
 19 accredited by the American society of landscape architects
 20 and other college or university training the board may
 21 approve~~

22 ~~(4) "Experience" means full-time employment as a
 23 landscape architect or doing landscape architectural work
 24 under the supervision of a registered landscape architect or
 25 a landscape architect qualified for registration in Montana~~

1 ~~All experience is subject to approval by the board.~~

2 (5)(3) "Landscape architect" means a person who holds
 3 a certificate to practice landscape architecture in the
 4 state of Montana under the provisions of this chapter.

5 ~~(6)(4) "Practice of the profession of landscape
 6 Landscape architecture" means performing services in
 7 connection with the analysis or development of land areas
 8 where and to the extent that the dominant purpose of such
 9 services is the preservation, enhancement, or determination
 10 of proper land uses, natural land features, ground cover and
 11 planting, naturalistic and aesthetic values, the settings
 12 approaches or environment for structures or other
 13 improvements, natural drainage, and the consideration and
 14 determination of inherent problems of the land relating to
 15 erosion, wear and tear, blight, or other hazards; this
 16 practice shall include the location and arrangement of such
 17 tangible objects and features as are incidental and
 18 necessary to the purposes outlined herein but shall
 19 conjunction with all aspects of the planning and design of
 20 the exterior environment for human use and environmental
 21 protection. It includes regional planning of natural
 22 resources, urban and rural planning and design,
 23 institutional design, park and recreation planning and
 24 design, and the preparation of project master plans. It is
 25 the design discipline specifically oriented to addressing~~

1 the problems involved in adapting man's uses of land to the
 2 characteristics of the exterior environment both
 3 functionally and aesthetically. It includes the preparation
 4 of contract documents, construction specifications,
 5 construction cost estimates, and project contracts. It
 6 includes contract negotiations, project management, and
 7 construction management. The term does not include the
 8 design of structures or facilities with separate and
 9 self-contained purposes that are ordinarily included in the
 10 practice of engineering or architecture and shall does not
 11 include the making of land surveys or final land plats for
 12 official approval or recording.

13 ~~{7} "Training" means a period of experience and/or~~
 14 ~~education of at least 6 years as defined herein."~~

15 Section 6. Section 37-66-201, MCA, is amended to read:
 16 "37-66-201. Organization -- compensation. (1) At its
 17 first meeting of every calendar year, the board shall elect
 18 from among its public representative members a president
 19 chairman, who may appoint a secretary. The secretary may or
 20 may not be a member of the board.

21 (2) In carrying out the provisions of this chapter,
 22 the only reimbursement members of the board may receive is
 23 for travel expenses, as allowed in 2-18-501 through
 24 2-18-503, as amended, incurred in the performance of board
 25 duties."

1 Section 7. Section 37-66-304, MCA, is amended to read:

2 "37-66-304. Qualifications of applicants not required.
 3 ~~{1} Prior to being licensed as a landscape architect, each~~
 4 ~~applicant shall submit evidence to the board that his~~
 5 ~~training includes at least 6 years of experience and/or~~
 6 ~~education as defined herein.~~

7 ~~{2} Six years of experience of grade and character~~
 8 ~~satisfactory to the board shall be acceptable.~~

9 ~~{3} One academic year of education may be substituted~~
 10 ~~for 1 year of actual practical experience up to a maximum of~~
 11 ~~5 academic years in landscape architecture. Experience~~
 12 ~~during a year of education may not be applied toward the~~
 13 ~~total training period of 6 years.~~

14 ~~{4} Each applicant shall have completed at least 1~~
 15 ~~years' experience must be admitted to the examination~~
 16 ~~without prerequisite qualifications."~~

17 Section 8. Section 37-66-305, MCA, is amended to read:

18 "37-66-305. Examinations. (1) Examinations for
 19 licensure shall be given by the board at least once each
 20 year.

21 (2) Each applicant for licensure as a landscape
 22 architect, ~~except the original board and those registered~~
 23 ~~under the grandfather clause,~~ is required to establish by
 24 written and/or oral examination his competency to practice
 25 the profession of landscape architecture.

1 (3) The ~~type of examinations that will be~~ examination
 2 ~~given shall~~ must be determined the uniform national
 3 examination prescribed by the board council of landscape
 4 architectural boards."

5 Section 9. Section 37-66-306, MCA, is amended to read:

6 "37-66-306. Reciprocity. The board may certify for
 7 licensure without examination an applicant who is legally
 8 registered as a landscape architect in any other state or
 9 country ~~whose requirements for licensure are substantively~~
 10 ~~equivalent to the requirements of this state and which~~
 11 ~~extends the same privilege of reciprocity to landscape~~
 12 ~~architects from this state and who is certified by the~~
 13 council of landscape architectural registration boards."

14 Section 10. Section 37-66-307, MCA, is amended to
 15 read:

16 "37-66-307. Annual renewal -- withdrawal -- deposit of
 17 fees. (1) Certification of licensure or renewal of
 18 registration expire on the last day of June following their
 19 issuance or renewal. Renewal may be effected during the
 20 month of June by payment to the department of the required
 21 fee. The board shall issue current renewal registration to
 22 each landscape architect promptly upon payment of the annual
 23 renewal registration fee.

24 (2) Any registrant in good standing, upon ceasing to
 25 practice landscape architecture, may suspend his license by

1 giving written notice to the board. Thereafter, he may
 2 resume practice upon payment of the then-current fee and
 3 upon approval by the board. ~~Any registrant, other than a~~
 4 ~~properly withdrawn licensee, who fails to renew his~~
 5 ~~registration within a period of 60 days may be reinstated~~
 6 ~~only on reexamination.~~

7 (3) All fees received under the provisions of this
 8 chapter shall be deposited in an earmarked revenue fund by
 9 the department. The moneys collected shall be used by the
 10 department to carry out the purpose, duties, and
 11 responsibilities of the chapter, subject to 37-1-101(6)."

12 Section 11. Transition. Section 3 does not affect the
 13 term of office of a person who is a member of the board of
 14 landscape architects on July 1, 1979, and he shall serve the
 15 remainder of his unexpired term. All appointments made and
 16 vacancies filled after July 1, 1979, must be in accordance
 17 with section 3.

18 Section 12. Effective date. Sections 1 and 2 are
 19 effective on passage and approval.

-End-

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2 INTRODUCED BY FAGG

3 BY REQUEST OF THE BOARD OF LANDSCAPE ARCHITECTS

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE
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8 TWO PUBLIC MEMBERS ON THE BOARD AND REQUIRE THE CHAIRMAN TO
9 BE A PUBLIC MEMBER; TO REMOVE QUALIFICATIONS PREREQUISITE TO
10 ADMISSION TO THE EXAMINATION; AMENDING SECTIONS 2-8-103,
11 2-15-1652, 37-66-101, 37-66-103, 37-66-201, AND 37-66-304
12 THROUGH 37-66-307, MCA; AND PROVIDING AN EFFECTIVE DATE."

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22 and occupational licensing, created by 2-15-1643;

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24 professional and occupational licensing, created by
25 2-15-1641;

1 (c) board of architects, department of professional
2 and occupational licensing, created by 2-15-1651;

3 (d) state banking board, department of business
4 regulation, created by 2-15-1803;

5 (e) state electrical board, department of professional
6 and occupational licensing, created by 2-15-1654;

7 (f) board of professional engineers and land
8 surveyors, department of professional and occupational
9 licensing, created by 2-15-1653;

10 (g) office of commissioner of insurance and the
11 insurance department, state auditor's office, created by
12 2-15-1902 and 2-15-1903;

13 (h) office of the investment commissioner, state
14 auditor's office, created by 2-15-1901;

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16 ~~professional and occupational licensing, created by~~
17 ~~2-15-1652;~~

18 ~~(j) board of county printing, department of~~
19 ~~community affairs, created by 2-15-1102;~~

20 ~~(k) board of plumbers, department of professional~~
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24 ~~2-15-1642;~~

25 ~~(m) state board of warm air heating, ventilation,~~

1 and air conditioning, department of professional and
2 occupational licensing, created by 2-15-1656;

3 (n) board of institutions, department of
4 institutions, created by 2-15-2303.

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14 and occupational licensing, created by 2-15-1613;

15 (e) board of cosmetologists, department of
16 professional and occupational licensing, created by
17 2-15-1626;

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19 occupational licensing, created by 2-15-1606;

20 (g) board of hearing aid dispensers, department of
21 professional and occupational licensing, created by
22 2-15-1616;

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24 professional and occupational licensing, created by
25 2-15-1627;

1 (i) Montana state board of medical examiners,
2 department of professional and occupational licensing,
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20 2-15-1608;

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2 department of professional and occupational licensing,
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4 (t) board of veterinarians, department of professional
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8 (3) The following units of state government shall
9 terminate on July 1, 1983:

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11 affairs, created by 2-15-1103;

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17 created by 2-15-3102;

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21 natural resources and conservation, created by 2-15-3303;

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23 game, created by 2-15-3403;

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8 2-15-1632.

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14 (2) The board consists of five members-of-which-at
15 ~~least-three-must-be-landscape-architects.~~ Members of the
16 board shall be appointed by the governor and must be
17 residents of this state. ~~At-least-three-shall-have-the~~
18 ~~qualifications-of~~ the THREE members must be landscape
19 ~~architects required-by licensed under~~ Title 37, chapter 66v
20 ~~and-three. These TWO members must be licensed-landscape~~
21 ~~architects representatives of the public who are not engaged~~
22 in the practice of landscape architecture.

23 (3) The board is allocated to the department of
24 professional and occupational licensing for administrative
25 purposes only as prescribed in 2-15-121.

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 2 office until the appointment and qualification of his
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 3 a certificate to practice landscape architecture in the
 4 state of Montana under the provisions of this chapter.

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 25 the design discipline specifically oriented to addressing

1 the problems involved in adapting man's uses of land to the
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 3 functionally and aesthetically. It includes the preparation
 4 of contract documents, construction specifications,
 5 construction cost estimates, and project contracts. It
 6 includes contract negotiations, project management, and
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 9 self-contained purposes that are ordinarily included in the
 10 practice of engineering or architecture and shall ~~does~~ not
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 12 official approval or recording.

13 ~~{7}--"Training"--means--a--period--of--experience--and/or~~
 14 ~~education--of--at--least--6--years--as--defined--herein."~~

15 Section 6. Section 37-66-201, MCA, is amended to read:
 16 "37-66-201. Organization -- compensation. (1) At its
 17 first meeting of every calendar year, the board shall elect
 18 from among its public representative members a president
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 20 may not be a member of the board.

21 (2) In carrying out the provisions of this chapter,
 22 the only reimbursement members of the board may receive is
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 24 2-18-503, as amended, incurred in the performance of board
 25 duties."

1 Section 7. Section 37-66-304, MCA, is amended to read:
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 3 ~~{1}--Prior--to--being--licensed--as--a--landscape--architect--each~~
 4 ~~applicant--shall--submit--evidence--to--the--board--that--his~~
 5 ~~training--includes--at--least--6--years--of--experience--and/or~~
 6 ~~education--as--defined--herein~~
 7 ~~{2}--Six--years--of--experience--of--grade--and--character~~
 8 ~~satisfactory--to--the--board--shall--be--acceptable~~
 9 ~~{3}--One--academic--year--of--education--may--be--substituted~~
 10 ~~for--1--year--of--actual--practical--experience--up--to--a--maximum--of~~
 11 ~~5--academic--years--in--landscape--architecture--Experience~~
 12 ~~during--a--year--of--education--may--not--be--applied--toward--the~~
 13 ~~total--training--period--of--6--years~~
 14 ~~{4}--Each applicant shall have completed at least 1~~
 15 ~~year's--experience must be admitted to the examination~~
 16 ~~without prerequisite qualifications.~~

17 Section 8. Section 37-66-305, MCA, is amended to read:
 18 "37-66-305. Examinations. (1) Examinations for
 19 licensure shall be given by the board at least once each
 20 year.

21 (2) Each applicant for licensure as a landscape
 22 ~~architect--except--the--original--board--and--those--registered~~
 23 ~~under--the--grandfather--clause~~ is required to establish by
 24 ~~written--and/or--oral~~ examination his competency to practice
 25 the profession of landscape architecture.

1 ~~(3) The type of examinations that will be examination~~
 2 ~~given shall~~ must be determined by the uniform national
 3 ~~examination prescribed by the board council of landscape~~
 4 ~~architectural boards."~~

5 Section 9. Section 37-66-306, MCA, is amended to read:

6 "37-66-306. Reciprocity. The board may certify for
 7 licensure without examination an applicant who is legally
 8 registered as a landscape architect in any other state or
 9 country ~~whose requirements for licensure are substantially~~
 10 ~~equivalent to the requirements of this state and which~~
 11 ~~extends the same privilege of reciprocity to landscape~~
 12 ~~architects from this state and who is certified by the~~
 13 council of landscape architectural registration boards."

14 Section 10. Section 37-66-307, MCA, is amended to
 15 read:

16 "37-66-307. Annual renewal -- withdrawal -- deposit of
 17 fees. (1) Certification of licensure or renewal of
 18 registration expire on the last day of June following their
 19 issuance or renewal. Renewal may be effected during the
 20 month of June by payment to the department of the required
 21 fee. The board shall issue current renewal registration to
 22 each landscape architect promptly upon payment of the annual
 23 renewal registration fee.

24 (2) Any registrant in good standing, upon ceasing to
 25 practice landscape architecture, may suspend his license by

1 giving written notice to the board. Thereafter, he may
 2 resume practice upon payment of the then-current fee and
 3 upon approval by the board. ~~Any registrant other than a~~
 4 ~~properly withdrawn licensee who fails to renew his~~
 5 ~~registration within a period of 60 days may be reinstated~~
 6 ~~only on reexamination.~~

7 (3) All fees received under the provisions of this
 8 chapter shall be deposited in an earmarked revenue fund by
 9 the department. The moneys collected shall be used by the
 10 department to carry out the purpose, duties, and
 11 responsibilities of the chapter, subject to 37-1-101(6)."

12 Section 11. Transition. Section 3 does not affect the
 13 term of office of a person who is a member of the board of
 14 landscape architects on July 1, 1979, and he shall serve the
 15 remainder of his unexpired term. All appointments made and
 16 vacancies filled after July 1, 1979, must be in accordance
 17 with section 3.

18 Section 12. Effective date. Sections 1 and 2 are
 19 effective on passage and approval.

-End-

1 HOUSE BILL NO. 817
 2 INTRODUCED BY FAGG
 3 BY REQUEST OF THE BOARD OF LANDSCAPE ARCHITECTS
 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE
 6 LAWS RELATING TO LANDSCAPE ARCHITECTURE; TO REESTABLISH THE
 7 BOARD OF LANDSCAPE ARCHITECTS; TO PROVIDE FOR A MAJORITY OF
 8 THE PUBLIC MEMBERS ON THE BOARD AND REQUIRE THE CHAIRMAN TO
 9 BE A PUBLIC MEMBER; TO REMOVE QUALIFICATIONS PREREQUISITE TO
 10 ADMISSION TO THE EXAMINATION; AMENDING SECTIONS 2-8-103,
 11 2-15-1652, 37-66-101, 37-66-103, 37-66-201, AND 37-66-304
 12 THROUGH 37-66-307, MCA; AND PROVIDING AN EFFECTIVE DATE."
 13
 14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 15 NEW SECTION. Section 1. Board reestablished. The
 16 board of landscape architects created by 2-15-1652 is
 17 reestablished for a period of 6 years pursuant to 2-8-122.
 18 Section 2. Section 2-8-103, MCA, is amended to read:
 19 "2-8-103. Agencies to terminate. (1) The following
 20 agencies shall terminate on July 1, 1979:
 21 (a) board of abstracters, department of professional
 22 and occupational licensing, created by 2-15-1643;
 23 (b) board of public accountants, department of
 24 professional and occupational licensing, created by
 25 2-15-1641;

1 (c) board of architects, department of professional
 2 and occupational licensing, created by 2-15-1651;
 3 (d) state banking board, department of business
 4 regulation, created by 2-15-1803;
 5 (e) state electrical board, department of professional
 6 and occupational licensing, created by 2-15-1654;
 7 (f) board of professional engineers and land
 8 surveyors, department of professional and occupational
 9 licensing, created by 2-15-1653;
 10 (g) office of commissioner of insurance and the
 11 insurance department, state auditor's office, created by
 12 2-15-1902 and 2-15-1903;
 13 (h) office of the investment commissioner, state
 14 auditor's office, created by 2-15-1901;
 15 ~~(i) board of landscape architects, department of~~
 16 ~~professional and occupational licensing, created by~~
 17 ~~2-15-1652;~~
 18 (j) board of county printing, department of
 19 community affairs, created by 2-15-1102;
 20 (k) board of plumbers, department of professional
 21 and occupational licensing, created by 2-15-1655;
 22 (l) board of real estate, department of
 23 professional and occupational licensing, created by
 24 2-15-1642;
 25 (m) state board of warm air heating, ventilation,

1 and air conditioning, department of professional and
 2 occupational licensing, created by 2-15-1656;

3 (f) board of institutions, department of
 4 institutions, created by 2-15-2303.

5 (2) The following agencies shall terminate on July 1,
 6 1981:

7 (a) commission for human rights, department of labor
 8 and industry, created by 2-15-1706;

9 (b) board of athletics, department of professional and
 10 occupational licensing, created by 2-15-1661;

11 (c) board of barbers, department of professional and
 12 occupational licensing, created by 2-15-1625;

13 (d) board of chiropractors, department of professional
 14 and occupational licensing, created by 2-15-1613;

15 (e) board of cosmetologists, department of
 16 professional and occupational licensing, created by
 17 2-15-1626;

18 (f) board of dentists, department of professional and
 19 occupational licensing, created by 2-15-1606;

20 (g) board of hearing aid dispensers, department of
 21 professional and occupational licensing, created by
 22 2-15-1616;

23 (h) board of massage therapists, department of
 24 professional and occupational licensing, created by
 25 2-15-1627;

1 (i) Montana state board of medical examiners,
 2 department of professional and occupational licensing,
 3 created by 2-15-1605;

4 (j) board of morticians, department of professional
 5 and occupational licensing, created by 2-15-1619;

6 (k) board of nursing, department of professional and
 7 occupational licensing, created by 2-15-1610;

8 (l) board of nursing home administrators, department
 9 of professional and occupational licensing, created by
 10 2-15-1611;

11 (m) board of optometrists, department of professional
 12 and occupational licensing, created by 2-15-1612;

13 (n) board of osteopathic physicians, department of
 14 professional and occupational licensing, created by
 15 2-15-1607;

16 (o) board of pharmacists, department of professional
 17 and occupational licensing, created by 2-15-1609;

18 (p) board of podiatry examiners, department of
 19 professional and occupational licensing, created by
 20 2-15-1608;

21 (q) board of psychologists, department of professional
 22 and occupational licensing, created by 2-15-1617;

23 (r) board of radiologic technologists, department of
 24 professional and occupational licensing, created by
 25 2-15-1614;

1 (s) board of speech pathologists and audiologists,
2 department of professional and occupational licensing,
3 created by 2-15-1615;

4 (t) board of veterinarians, department of professional
5 and occupational licensing, created by 2-15-1618;

6 (u) board of veterans' affairs, department of social
7 and rehabilitation services, created by 2-15-2202.

8 (3) The following units of state government shall
9 terminate on July 1, 1983:

10 (a) board of aeronautics, department of community
11 affairs, created by 2-15-1103;

12 (b) state board of hail insurance, department of
13 agriculture, created by 2-15-3003;

14 (c) board of horse racing, department of professional
15 and occupational licensing, created by 2-15-1662;

16 (d) board of livestock, department of livestock,
17 created by 2-15-3102;

18 (e) board of milk control, department of business
19 regulation, created by 2-15-1802;

20 (f) board of oil and gas conservation, department of
21 natural resources and conservation, created by 2-15-3303;

22 (g) Montana outfitters council, department of fish and
23 game, created by 2-15-3403;

24 (h) public service commission, department of public
25 service regulation, created by 69-1-102;

1 (i) board of sanitarians, department of professional
2 and occupational licensing, created by 2-15-1631;

3 (j) board of water and wastewater operators,
4 department of health and environmental sciences, created by
5 2-15-2105;

6 (k) board of water well contractors, department of
7 professional and occupational licensing, created by
8 2-15-1632.

9 ~~(4) The following agency terminates on July 1, 1983:~~
10 ~~the board of landscape architects created by 2-15-1652.~~

11 Section 3. Section 2-15-1652, MCA, is amended to read:
12 "2-15-1652. Board of landscape architects. (1) There
13 is a board of landscape architects.

14 (2) The board consists of five members of which at
15 least three must be landscape architects. Members of the
16 board shall be appointed by the governor and must be
17 residents of this state. At least three shall have the
18 qualifications of two THREE members must be landscape
19 architects required by licensed under Title 37, chapter 66
20 and three, three TWO members must be licensed landscape
21 architects representatives of the public who are not engaged
22 in the practice of landscape architecture.

23 (3) The board is allocated to the department of
24 professional and occupational licensing for administrative
25 purposes only as prescribed in 2-15-121.

1 (4) Terms are for 4 years. Each member shall hold
 2 office until the appointment and qualification of his
 3 successor. Vacancies occurring prior to the expiration of
 4 the term shall be filled in the same manner as original
 5 appointments. No member may serve more than 8 consecutive
 6 years."

7 Section 4. Section 37-66-101, MCA, is amended to read:
 8 "37-66-101. Short title. This chapter shall be known
 9 and cited as the "Landscape Architect Architecture
 10 Registration and Licensing Act"."

11 Section 5. Section 37-66-103, MCA, is amended to read:
 12 "37-66-103. Definitions. As used in this chapter, the
 13 following definitions apply:

14 (1) "Board" means the board of landscape architects.
 15 (2) "Department" means the department of professional
 16 and occupational licensing.

17 (3) "Education" means time spent as a student enrolled
 18 in a college or school curriculum of landscape architecture
 19 accredited by the American Society of Landscape Architects
 20 and other college or university training the board may
 21 approve.

22 (4) "Experience" means full-time employment as a
 23 landscape architect or doing landscape architectural work
 24 under the supervision of a registered landscape architect or
 25 a landscape architect qualified for registration in Montana.

1 ~~All experience is subject to approval by the board.~~

2 (5)(3) "Landscape architect" means a person who holds
 3 a certificate to practice landscape architecture in the
 4 state of Montana under the provisions of this chapter.

5 (6)(4) "Practice of the profession of landscape
 6 Landscape architecture" means performing services in
 7 connection with the analysis or development of land areas
 8 where end to the extent that the dominant purpose of such
 9 services is the preservation, enhancement, or determination
 10 of proper land uses, natural land features, ground cover and
 11 plantings, naturalistic and aesthetic values, the settings,
 12 approaches, or environment for structures or other
 13 improvements, natural drainage, and the consideration and
 14 determination of inherent problems of the land relating to
 15 erosion, wear and tear, blight, or other hazards. This
 16 practice shall include the location and arrangement of such
 17 tangible objects and features as are incidental and
 18 necessary to the purposes outlined herein but shall
 19 conjunction with all aspects of the planning and design of
 20 the exterior environment for human use and environmental
 21 protection. It includes regional planning of natural
 22 resources, urban and rural planning and design,
 23 institutional design, park and recreation planning and
 24 design, and the preparation of project master plans. It is
 25 the design discipline specifically oriented to addressing

1 the problems involved in adapting man's uses of land to the
 2 characteristics of the exterior environment both
 3 functionally and aesthetically. It includes the preparation
 4 of contract documents, construction specifications,
 5 construction cost estimates, and project contracts. It
 6 includes contract negotiations, project management, and
 7 construction management. The term does not include the
 8 design of structures or facilities with separate and
 9 self-contained purposes that are ordinarily included in the
 10 practice of engineering or architecture and shall ~~does~~ not
 11 include the making of land surveys or final land plats for
 12 official approval or recording.

13 (7) ~~"training" means a period of experience and/or~~
 14 ~~education of at least 6 years as defined herein."~~

15 Section 6. Section 37-66-201, MCA, is amended to read:
 16 "37-66-201. Organization -- compensation. (1) At its
 17 first meeting of every calendar year, the board shall elect
 18 from among its public representative members a president
 19 chairman, who may appoint a secretary. The secretary may or
 20 may not be a member of the board.

21 (2) In carrying out the provisions of this chapter,
 22 the only reimbursement members of the board may receive is
 23 for travel expenses, as allowed in 2-18-501 through
 24 2-18-503, as amended, incurred in the performance of board
 25 duties."

1 Section 7. Section 37-66-304, MCA, is amended to read:
 2 "37-66-304. Qualifications of applicants not required.
 3 (1) ~~Prior to being licensed as a landscape architect each~~
 4 ~~applicant shall submit evidence to the board that his~~
 5 ~~training includes at least 6 years of experience and/or~~
 6 ~~education as defined herein.~~

7 (2) ~~5+ years of experience of grade and character~~
 8 ~~satisfactory to the board shall be acceptable.~~

9 (3) ~~One academic year of education may be substituted~~
 10 ~~for 1 year of actual practical experience up to a maximum of~~
 11 ~~5 academic years in landscape architecture. Experience~~
 12 ~~during a year of education may not be applied toward the~~
 13 ~~total training period of 6 years.~~

14 (4) ~~Each applicant shall have completed at least 1~~
 15 ~~year's experience must be admitted to the examination~~
 16 ~~without prerequisite qualifications."~~

17 Section 8. Section 37-66-305, MCA, is amended to read:
 18 "37-66-305. Examinations. (1) Examinations for
 19 licensure shall be given by the board at least once each
 20 year.

21 (2) Each applicant for licensure as a landscape
 22 architect, ~~except the original board and those registered~~
 23 ~~under the grandfather clause, is required to establish by~~
 24 ~~written and/or oral examination his competency to practice~~
 25 the profession of landscape architecture.

1 (3) ~~The type of examinations that will be~~ examination
 2 given shall ~~must~~ be determined ~~the uniform national~~
 3 ~~examination prescribed by the board council of landscape~~
 4 ~~architectural boards."~~

5 Section 9. Section 37-66-306, MCA, is amended to read:

6 "37-66-306. Reciprocity. The board may certify for
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14 Section 10. Section 37-66-307, MCA, is amended to
 15 read:

16 "37-66-307. Annual renewal -- withdrawal -- deposit of
 17 fees. (1) Certification of licensure or renewal of
 18 registration expire on the last day of June following their
 19 issuance or renewal. Renewal may be effected during the
 20 month of June by payment to the department of the required
 21 fee. The board shall issue current renewal registration to
 22 each landscape architect promptly upon payment of the annual
 23 renewal registration fee.

24 (2) Any registrant in good standing, upon ceasing to
 25 practice landscape architecture, may suspend his license by

1 giving written notice to the board. Thereafter, he may
 2 resume practice upon payment of the then-current fee and
 3 upon approval by the board. ~~Any registrant, other than a~~
 4 ~~person who has withdrawn his license, who fails to renew his~~
 5 ~~registration within a period of 60 days may be reinstated~~
 6 ~~only on reexamination.~~

7 (3) All fees received under the provisions of this
 8 chapter shall be deposited in an earmarked revenue fund by
 9 the department. The moneys collected shall be used by the
 10 department to carry out the purpose, duties, and
 11 responsibilities of the chapter, subject to 37-1-101(6)."

12 SECTION 11. THERE IS A NEW MCA SECTION THAT READS:

13 Grandfather clause. The board shall issue a license
 14 without oral or written examination to any person who was
 15 practicing landscape architecture on the effective date of
 16 the act originally creating the board (July 1, 1975).
 17 However, if a person practicing landscape architecture on
 18 the effective date of the act originally creating the board
 19 was denied licensure because of requirements which are
 20 deleted by [this act], then such person shall be licensed
 21 without oral or written examination under the provisions of
 22 [this act].

23 Section 12. Transition. Section 3 does not affect the
 24 term of office of a person who is a member of the board of
 25 landscape architects on July 1, 1979, and he shall serve the

HB 0817/03

1 remainder of his unexpired term. All appointments made and
2 vacancies filled after July 1, 1979, must be in accordance
3 with section 3.

4 Section 13. Effective date. Sections 1 and 2 are
5 effective on passage and approval.

-End-