

Proposed Amendment to 2009 Assembly Bill 142 – Landscape Architecture

AIA Wisconsin, the state society of the American Institute of Architects, is opposed to 2009 Assembly Bill 142, related to requiring a license to engage in the practice of landscape architecture, unless the proposed legislation is amended to provide a clear and unambiguous exemption for architects.

As drafted, SB 142 would provide an exemption for federal employees engaged in the practice of landscape architecture [Section 10, page 5, lines 8-10*]. The proposed legislation needs to be amended to include a similar clear and unambiguous exemption for architects in s. 443.14 related to “exempt persons” by creating s. 443.14 (16) as follows:

443.14 (16) An architect who, while engaged in the practice of architecture in accordance with this chapter, is engaged in the practice of landscape architecture as defined in this chapter.

Background

Wisconsin currently has a “title” law for landscape architects. It requires individuals to be credentialed by the Department of Regulation and Licensing in order to use the title “landscape architect.” State statutes and rules also provide for a landscape architect seal. Current state law does not prevent anyone from providing landscape architecture services. Unlicensed individuals are prohibited from using the title “landscape architect.”

The proposed legislation would create a “practice” law for landscape architecture. It would require individuals to be credentialed by the state to provide landscape architecture services. SB 142 would amend the current statutory definition by adding a list of services “that ‘landscape architecture’ does not include.”

While this effort to raise the stature of the landscape architecture profession is commendable, architects are concerned that the proposed legislation would create more confusion than clarity for the public. This is particularly true in terms of the overlap of “architecture” services and “landscape architecture” services. While the proposed legislation states that the definition of “landscape architecture” does not include “professional services performed by a registered architect,” this language is ambiguous because it really goes without saying since the “practice of architecture” is defined elsewhere in state statutes.

The landscape architects advocating for this proposed legislation consistently have made assurances that architects would be “exempt” from their proposed practice legislation. However, the proposed exception in the definition of landscape architecture does not provide a clear and unambiguous exemption for architects. What is required is a simple amendment to AB 142 to add an exemption for architects in s. 443.14.

Thank you for your consideration of and support for this proposal to amend AB 142 in order to provide a clear exemption for architects in the proposed landscape architecture practice legislation. AIA Wisconsin represents over 1,500 architects and allied professionals in private practice, business, industry government and education. If you have any questions, comments or suggestions about this legislation, please contact:

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[* Note: Section 443.14(2) also appears to provide an exemption for employees of the federal government.]