

2023 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1465

2023 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee
Room JW327C, State Capitol

HB 1465
1/31/2023

Relating to membership of the state board of architecture and landscape architecture; and to provide for application.
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Chairman Louser called to order 8:06 AM.

Members Present: Chairman Louser, Vice Chairman Ostlie, Representatives Boschee, Christy, Dakane, Johnson, Kasper, Koppelman, Ruby, Schauer, Thomas, Tveit, Wagner, Warrey.

Discussion Topics:

- Licensed landscape architects
- State board of Architecture representation
- Municipal, state, and federal project involvement
- Focus on environmental stewardship

Representative Donald Longmuir, testified in favor of HB 1465, #18141.

Bryan Leininger, Past President, Nebraska/Dakotas Chapter of the American Society of Landscape Architects, testified in favor of HB 1465, #17864.

Brett Gurholt, AGL Landscape Architects, P.C., testified in favor of HB 1465, #18073.

Jake Axtman, Principal Landscape Architect, AGL Landscape Architects, P.C., testified in favor of HB 1465, #17923.

Mathew Torgerson, Former NDSU Assistant Professor of Landscape Architecture, testified in favor of HB 1465, #18054.

Mike Krumwiede, Staiger Financial Group, Representing the ND State Board of Architecture and Landscape Architecture, testified in opposition to HB 1465, #18017.

Additional written testimony:

Dominic Fisher, Associate Professor, NDSU School of Design, Architecture and Art, #17817.

Donna Bye, Planner, and graduate of NDSU's Landscape Architecture Program, #17834.

Zach Druga for Matt Miller, Council of Landscape Architectural Registration Boards, #17885.

Amy Kronbeck, AGL Landscape Architects, P.C., #17902.

House Industry, Business and Labor Committee
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Haley Lind, Project Designer, AGL Landscape Architects, P.C., #17942.

Heather Fischer, Principal Architect, Fisher & Fisher, LLC, #17971.

Nicole Crutchfield, Planning Director City of Fargo, and ND Registered Landscape Architect, #18002.

Wendy Van Duyne, Member of the Capital Grounds Planning Commission, #18043.

Brad Garcia, Nebraska/Dakotas Chapter of the American Society of Landscape Architects, #18261.

Chairman Louser adjourned the meeting 9:04 AM

Diane Lillis, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee
Room JW327C, State Capitol

HB 1465
2/8/2023

Relating to membership of the state board of architecture and landscape architecture; and to provide for application.
--

Chairman Louser called to order 10:23 AM

Members Present: Chairman Louser, Vice Chairman Ostlie, Representatives Boschee, Christy, Dakane, Johnson, Kasper, Koppelman, Ruby, Schauer, Thomas, Tveit, Wagner, Warrey.

Discussion Topics:

- New board representation
- Expired term

Mike Krumwiede, representing the American Council of Engineering Companies of ND, proposed amendment, 23.0989.2001, (#19887).

Representative Ruby moved the amendment.

Representative Dakane seconded.

Roll call vote:

Representatives	Vote
Representative Scott Louser	Y
Representative Mitch Ostlie	Y
Representative Josh Boschee	N
Representative Josh Christy	Y
Representative Hamida Dakane	Y
Representative Jorin Johnson	N
Representative Jim Kasper	N
Representative Ben Koppelman	N
Representative Dan Ruby	Y
Representative Austen Schauer	Y
Representative Paul J. Thomas	Y
Representative Bill Tveit	Y
Representative Scott Wagner	N
Representative Jonathan Warrey	Y

Motion passed 9-5-0

Committee Discussion

Representative Koppelman moved to further amend LC #23.0989.02001 on line 4 strike “either” on the end and add landscape architect.

Representative Wagner seconded.

Roll call vote:

Representatives	Vote
Representative Scott Louser	Y
Representative Mitch Ostlie	Y
Representative Josh Boschee	Y
Representative Josh Christy	Y
Representative Hamida Dakane	Y
Representative Jorin Johnson	Y
Representative Jim Kasper	Y
Representative Ben Koppelman	N
Representative Dan Ruby	Y
Representative Austen Schauer	Y
Representative Paul J. Thomas	Y
Representative Bill Tveit	Y
Representative Scott Wagner	N
Representative Jonathan Warrey	Y

Motion passed 12-2-0.

Representative Thomas moved do pass as amended.

Representative Christy seconded.

Roll call vote:

Representatives	Vote
Representative Scott Louser	Y
Representative Mitch Ostlie	Y
Representative Josh Boschee	Y
Representative Josh Christy	Y
Representative Hamida Dakane	Y
Representative Jorin Johnson	Y
Representative Jim Kasper	Y
Representative Ben Koppelman	N
Representative Dan Ruby	Y
Representative Austen Schauer	Y
Representative Paul J. Thomas	Y
Representative Bill Tveit	Y
Representative Scott Wagner	N
Representative Jonathan Warrey	Y

Motion passed as amended 12-2-0.

Representative Warrey will carry the bill.

Chairman Louser adjourned the meeting 10:54 AM

Diane Lillis, Committee Clerk

February 8, 2023

At 2-8-23

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1465

Page 1, line 1, replace the second "and" with a comma

Page 1, line 1, after "43-03-04" insert ", and subsections 4 and 5 of section 43-03-13"

Page 1, line 9, replace "five" with "three"

Page 1, line 13, replace "two" with "three"

Page 1, line 13, replace "two landscape architects, and" with "including up to"

Page 1, line 14, replace "layperson" with "landscape architect"

Page 1, remove lines 15 through 21

Page 2, line 6, remove the overstrike over "~~who is an architect~~" and insert immediately thereafter "or landscape architect and"

Page 2, line 7, remove the overstrike over "~~and in active practice in~~"

Page 2, after line 9, insert:

SECTION 3. AMENDMENT. Subsection 4 of section 43-03-13 of the North Dakota Century Code is amended and reenacted as follows:

4. In the case of an architect, must hold either:
 - a. Hold a professional degree in architecture from an accredited school of architecture and must have the required practical experience, as established by the board; or
 - b. Provide evidence of education and experience that is substantially equivalent to a professional degree and practical experience, as established by the board;

SECTION 4. AMENDMENT. Subsection 5 of section 43-03-13 of the North Dakota Century Code is amended and reenacted as follows:

5. In the case of a landscape architect, must hold either:
 - a. A professional degree in landscape architecture from an accredited school of landscape architecture and must have the required practical experience, as established by the board; and/or
 - b. Provide evidence of education and experience that is substantially equivalent to a professional degree and practical experience, as established by the board; and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1465: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1465 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the second "and" with a comma

Page 1, line 1, after "43-03-04" insert ", and subsections 4 and 5 of section 43-03-13"

Page 1, line 9, replace "five" with "three"

Page 1, line 13, replace "two" with "three"

Page 1, line 13, replace "two landscape architects, and" with "including up to"

Page 1, line 14, replace "layperson" with "landscape architect"

Page 1, remove lines 15 through 21

Page 2, line 6, remove the overstrike over "~~who is an architect~~" and insert immediately thereafter "or landscape architect and"

Page 2, line 7, remove the overstrike over "~~and in active practice in~~"

Page 2, after line 9, insert:

"SECTION 3. AMENDMENT. Subsection 4 of section 43-03-13 of the North Dakota Century Code is amended and reenacted as follows:

4. In the case of an architect, must hold ~~either~~:
 - a. Hold a professional degree in architecture from an accredited school of architecture and must have the required practical experience, as established by the board; or
 - b. Provide evidence of education and experience that is substantially equivalent to a professional degree and practical experience, as established by the board.

SECTION 4. AMENDMENT. Subsection 5 of section 43-03-13 of the North Dakota Century Code is amended and reenacted as follows:

5. In the case of a landscape architect, must hold ~~either~~:
 - a. A professional degree in landscape architecture from an accredited school of landscape architecture and must have the required practical experience, as established by the board; and or
 - b. Provide evidence of education and experience that is substantially equivalent to a professional degree and practical experience, as established by the board; and"

Renumber accordingly

2023 SENATE INDUSTRY AND BUSINESS

HB 1465

2023 SENATE STANDING COMMITTEE MINUTES

Industry and Business Committee Fort Union Room, State Capitol

HB 1465
3/13/2023

A bill relating to membership of the state board of architecture and landscape architecture; and to provide for application.
--

2:23 AM Vice Chairman Kessel called the meeting to order.

Members present: Vice Chairman Kessel, Senator Barta, Senator Klein, Senator Boehm.
Members absent: Chairman D. Larsen.

Discussion Topics:

- Board Members
- Adjudication process
- Licensing design professionals
- Public health & safety

2:23 PM Donald Longmuir, North Dakota Representative District 2 introduced HB 1465 with an amendment and testified in favor of HB 1465. #23628, #23932, #23933

2:24 PM Craig Larsen, Landscape Architect Nebraska/Dakota Chapter, testified in support. No written testimony.

2:29 PM Jolene Rieck, PLA, Licensed Landscape Architect ND #8, Bismarck, ND, testified in favor of HB 1465. #24479

2:38 PM Mike Krumwiede, North Dakota Board of Architecture and Landscape Architecture, testified in favor of HB 1465 as amended. #24775

2:48 PM Bryan Leininger, Architect, testified in favor of HB 1465. #24326

2:53 PM Mathew Torgerson, ND State Board of Architecture and Landscape Architecture, testified in favor of HB 1465. #24235

Additional written testimony:

Haley E. Lind, #24181

Brad Garcia submitted testimony on behalf of Chris Brandriet, #24224

Wendy Van Duyne, #24286

Elizabeth Hebron, #24322

Nicole Crutchfield, #24306

2:54 PM Vice Chairman Kessel closed the hearing on HB 1465.

2:54 Senator Klein moved to adopt Amendment LC 23.0989.03002.

Senator Barta seconded the motion.

Roll call vote: Senators	Vote
Senator Doug Larsen	A
Senator Greg Kessel	Y
Senator Jeff Barta	Y
Senator Keith Boehm	Y
Senator Jerry Klein	Y

4-0-1 Motion passed DO PASS to adopt Amendment LC 23.0989.03002.

2:57 PM Senator Barta moved to DO PASS as Amended HB 1465.

Senator Boehm seconded the motion.

Roll call vote:

Senators	Vote
Senator Doug Larsen	A
Senator Greg Kessel	Y
Senator Jeff Barta	Y
Senator Keith Boehm	Y
Senator Jerry Klein	Y

Vote 4-0-1 Motion passed HB 1465 as Amended.

Senator Kessel will carry the bill.

2:57 PM Vice Chairman Kessel adjourned the meeting.

Brenda Cook, Committee Clerk

✱
3-13-23

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1465

Page 1, line 1, replace the first comma with "and"

Page 1, line 1, remove the second comma

Page 1, line 9, overstrike "three" and insert immediately thereafter "five"

Page 1, line 13, remove "including up to"

Page 1, line 13, after "architect" insert ", and one public member"

Page 1, line 21, after "Each" insert "professional"

Page 1, line 23, after the period insert "The public member of the board must be a resident of this state for at least five years before appointment, who is not licensed under this chapter, who is not a spouse of an individual licensed under this chapter, and who is not employed by an architecture or landscape architecture firm."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1465, as engrossed: Industry and Business Committee (Sen. Larsen, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1465 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

<23.0989.03002a>

2023 CONFERENCE COMMITTEE

HB 1465

2023 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee
Room JW327C, State Capitol

HB 1465
4/13/2023

Conference Committee

Relating to membership of the state board of architecture and landscape architecture; and to provide for application.
--

Chairman Ruby called to order 3:05 PM

Members Present: Chairman Ruby, Representatives Johnson, Dakane, Senators Kessel, Boehm, Barta

Discussion Topics:

- Board representation
- Active practice

Representative Johnson moved the House accede to Senate Amendments.
Representative Dakane seconded.

Motion passed 6-0-0

House carrier Representative Ruby
Senate carrier Senator Kessel

Chairman Ruby adjourned the meeting 3:21 PM

Diane Lillis, Committee Clerk

**2023 HOUSE CONFERENCE COMMITTEE
ROLL CALL VOTES**

BILL NO. HB 1465 as engrossed

House Industry, Business & Labor Committee

- Action Taken **HOUSE accede to Senate Amendments**
 HOUSE accede to Senate Amendments and further amend
 SENATE recede from Senate amendments
 SENATE recede from Senate amendments and amend as follows

 Unable to agree, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Johnson Seconded by: Dakane

Representatives	4-13		Yes	No		Senators	4-13		Yes	No
Chairman Ruby	X		X			Chairman Kessel	X		X	
Johnson	X		X			Boehm	X		X	
Dekane	X		X			Barta	X		X	
Total Rep. Vote			3	0		Total Senate Vote			3	0

Vote Count Yes: 6 No: 0 Absent: 0

House Carrier Ruby Senate Carrier Kessel

LC Number _____ of amendment

LC Number _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

REPORT OF CONFERENCE COMMITTEE

HB 1465, as engrossed: Your conference committee (Sens. Kessel, Boehm, Barta and Reps. D. Ruby, J. Johnson, Dakane) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1265 and place HB 1465 on the Seventh order.

Engrossed HB 1465 was placed on the Seventh order of business on the calendar.

TESTIMONY

HB 1465



1.30.23

SUPPORT FOR HOUSE BILL NO. 1465

Dear House Committee Members,

Good morning. This year, 2023, marks the 40th year of NDSU's Landscape Architecture program (although, to be fair, one of NDSU's first Professors, C.B. Waldron, gave seminars around the state of North Dakota on "how to make a landscape" in the 1890s). The NDSU program has graduated over 400 landscape architecture students who are now in practice and doing award-winning work around the world. I write in support of HB.1465 because it makes sense to have the State Board of Architecture and Landscape Architecture include representation from each of the professions it oversees.

Our program continues to support a growing profession with nearly 100% job placement for our graduates. In 2021 our alumni garnered multiple ASLA awards from Chapters across the country from Oregon, Minnesota, Chicago, Denver, and Baltimore, and including high honors for work at Morgan State, and an ASLA National Award for service.

2022 was also a record-setting year for NDSU Landscape Architecture alumni receiving National American Society of Landscape Architecture (ASLA) awards. Two alumni, Joan Floura '91 and Michael Stanley '02, were inducted as Fellows of ASLA. Fellowship is among the highest honors the ASLA bestows on members and recognizes the contributions of these individuals to their profession and society at large based on their works, leadership and management, knowledge, and service. In addition, Kene Okigbo '15, received the Emerging Professional Medal at the ASLA.

Salaries have increased 11% for landscape architects in the last 5 years. Projected job growth for landscape architects is 4% over the next 5 years. There are over 18,699 landscape architects currently employed in the United States. With 17-years of individuals, "registered as landscape architect under this chapter (43-03)" it is a good time to have qualified landscape architects on the State Board of Architecture and Landscape Architecture. This small update to Chapter 43-03 will be a show of support for our graduates and all practicing landscape architects in the state of North Dakota. In addition, we hope it encourages landscape architects to continue practicing and investing in the state.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Fischer".

Dominic L. Fischer, Associate Professor | Chair | Dominic.fischer@ndsu.edu

January 30, 2023

SUPPORT FOR HOUSE BILL NO. 1465 – LANDSCAPE ARCHITECTURE PARTICIPATION

Dear House Committee Members:

In 1990 I graduated from Minot High School with hopes of staying in North Dakota for my entire life. I looked at a variety of career paths and universities in the area. I finally settled on Minot State for a few years then on to NDSU entering into the Landscape Architecture program. The summer before my thesis I was able to get my feet wet in the field by working for the City of Rapid City, where I met many individuals in my field and job opportunities that were hard to find in ND in the late 1990's. But after my graduation in 1998, I did have to leave the state for work and it wasn't until a few years later that the profession was finally recognized and brought into the family of the state registration board.

I currently do not have a license to practice as I had to turn my career into land planning to be able to stay in the area. I do not regret that I have additional knowledge to help provide my fellow Dakotans and maybe someday I'll finish that part of my education but am so grateful that there are so many professionals assisting in this endeavor and I want to share my support of the profession.

Thank you for your time and support of this bill.

Donna J. (Luvaas) Bye

Planner and graduate of NDSU's Landscape Arch program 1998



January 30, 2023

SUPPORT FOR HOUSE BILL NO. 1465

Dear House Committee Members,

Landscape architecture has been formally recognized as a licensed profession in the United States since the 1950s and in North Dakota since 2007. Since then, there have been over 170 landscape architects who have applied and become licensed to practice within North Dakota.

Landscape architecture is regulated by the State Board of Architecture and Landscape Architecture. Becoming licensed requires an accredited university degree in landscape architecture and completion of a period of supervised practice – in North Dakota we’re required to work under a licensed landscape architect for 3 years. All states require passage of the extensive four-part national licensing examination.

The fundamental practice of landscape architecture includes keeping the public safe from hazards, protecting natural resources, and sustainably managing the natural and built environment surrounding our homes and communities. The public interest is best served when qualified professionals carry out these responsibilities.

Because of the breadth and scope in which our profession is able to practice and the growth of newly licensed professional landscape architects in our State, it is an opportune time to add qualified Landscape Architects to the State Board of Architecture and Landscape Architecture.

Sincerely,

A handwritten signature in black ink that reads 'BRYAN J. LEININGER'.

Bryan Leininger
Past President
Nebraska/Dakotas Chapter of the American Society of Landscape Architects



1900 Reston Metro Plaza
Suite 600
Reston, Virginia 20190

January 30, 2023

North Dakota House Industry, Business, and Labor Committee
North Dakota Legislative Council
600 East Boulevard Avenue
Bismarck, ND 58505

Dear Committee Chair Representative Louser and Members of the House Industry, Business, and Labor Committee,

On behalf of the Council of Landscape Architectural Registration Boards (CLARB), we are writing in support of HB 1465 sponsored by Representative Longmuir, which proposes adding landscape architect board members to the North Dakota State Board of Architecture and Landscape Architecture. The revised Board would have two architect members, two landscape architect members, and one layperson.

The practice of landscape architecture includes keeping the public safe from hazards, protecting natural resources, and sustainably managing the natural and built environments surrounding our homes and communities. It requires a breadth of knowledge and training in many substantive areas of science, engineering, and aesthetics. As a result, landscape architecture is a licensed design profession across U.S. jurisdictions.

The public interest is best served when qualified, licensed professionals regulate technical professions by serving on licensing boards in accordance with rigorous and professional standards. At stake are hundreds of millions of dollars' worth of infrastructure and site improvements every year, and the safety of persons and property these improvements affect.

Adding landscape architect members to the Board of Architecture and Landscape Architecture will allow landscape architects to use their knowledge and expertise of the profession to ensure protection of North Dakota's citizens and environments. While incidental practice overlap does exist between architects and landscape architects, both are their own unique professions and need their respective inputs on the Board.

CLARB works to protect the public's health, safety, and welfare by establishing and promoting professional licensure standards for landscape architecture. Our members are the licensure boards across the United States and Canada.

We applaud the Board of Architecture and Landscape Architecture for taking the step to add the voice of landscape architecture to the Board's membership and continuing to keep the protection of the citizens and environments of utmost importance.

CLARB

1900 Reston Metro Plaza
Suite 600
Reston, Virginia 20190

At this we urge you to support HB 1465 with no changes or amendments. We thank you for your consideration in this matter. If you have any questions, comments, or concerns, please do not hesitate to contact Zach Druga, CLARB's Manager Government Affairs and Advocacy (Zdruga@clarb.org).

Respectfully,

A handwritten signature in blue ink, appearing to read 'M. Miller', is positioned above the typed name.

Matt Miller
Council of Landscape Architectural Registration Boards (CLARB)
Chief Executive Officer



January 30, 2023

SUPPORT FOR HOUSE BILL NO. 1465

Dear House Committee Members,

I write to you as an emerging professional within the field of Landscape Architecture. After returning to school as a 40 year old mother of two, I graduated from North Dakota State University with a Master of Landscape Architecture degree in May of 2021. I have spent the last 18 months working under the supervision of three licensed landscape architects and have taken and passed two of the four-part exam required for licensure. After passing the last two parts of the exam and completing an additional 18 months of work under licensed landscape architects, I will meet the requirements and may apply for licensure within the state of North Dakota.

The requirements for licensure as a Landscape Architect in North Dakota are regulated by the State Board of Architecture and Landscape Architecture. They are in place to guarantee that those who practice within the profession provide services with the knowledge and skill that ensure the health, safety, and welfare of the public.

I believe it is reasonable and appropriate for there to be representation of our profession through the inclusion of Landscape Architects on the State Board of Architecture and Landscape Architecture which oversees us.

I respectfully ask for your support of House Bill 1465.

Kind Regards,

A handwritten signature in black ink that reads 'Amy Kronbeck'. The signature is written in a cursive style with a large, looping 'A' and 'K'.

Amy Kronbeck
AGL Landscape Architects, P.C.



www.agl-la.com

January 30, 2023

SUPPORT FOR HOUSE BILL NO. 1465

Dear House Committee Members,

Good Morning, my name is Jake Axtman and I am here to speak in support of House Bill 1465. I am a North Dakota native and graduate of North Dakota State University. I have been practicing Landscape Architecture in our great state for over 18 years. Additionally, I have spent 10 of those 18 years acting as a principal of a Landscape Architecture firm. I am currently one of three partners at AGL Landscape Architects with offices in Bismarck and Fargo.

Landscape Architecture is a craft that requires years of training and a very specialized skill-set. To call yourself a Landscape Architect means that you have dedicated many years of your life to education, training, and hands-on experience. It is most appropriate that a board representing the interests of Landscape Architects in North Dakota include seats held by Landscape Architects.

I would ask for your support of House Bill 1465. Thank you for the opportunity to share my thoughts.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jake Axtman', is written over a light gray, dotted background.

AGL Landscape Architects, P.C.
Jake Axtman, PLA
Principal Landscape Architect



1.30.2023

Support For House Bill NO. 1465

Dear House Committee Members,

My name is Haley Lind, and I am writing in support of House Bill 1465. I graduated in May, 2022 from the Masters of Landscape Architecture program at North Dakota State University. I am currently employed at AGL Landscape Architects as a project designer where I am actively working towards achieving the title of Licensed Landscape Architect. To receive my license, I will need to work under a licensed landscape architect for three years and pass a series of 4 tests ran by the national licensing board, CLARB.

As an emerging professional in North Dakota, I recently accepted the position of emerging professionals chair for the Nebraska/Dakotas chapter of ASLA. In this position I am responsible for connecting with students and new professionals in our chapter. The goal is to help everyone navigating the transition from student to licensed professional.

The importance of having both landscape architects as well as architects on the State Board of Architecture and Landscape architecture will be a great step in securing the long-term interests of the profession. I look forward to growing my career here in North Dakota and am excited to see where the future of landscape architecture is headed in this state.

Because of these reasons, I respectfully ask for your support of House Bill 1465.

Sincerely,

A handwritten signature in black ink that reads 'Haley Lind' in a cursive, flowing script.

Haley Lind, ASLA

Project Designer, AGL Landscape Architects
Adjunct Professor, NDSU, Department of Landscape Architecture
Emerging Professionals Chair, Nebraska Dakotas Chapter ASLA

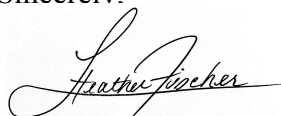
1.30.23

SUPPORT FOR HOUSE BILL NO. 1465

Dear House Committee Members,

Good morning. My name is Heather Fischer, Principal Architect with Fischer + Fischer, LLC. I write in support of HB.1465 to have the State Board of Architecture and Landscape Architecture include representation from *each* of the professions it oversees. As an architect, I have witnessed fellow practitioners exhibiting aggressive measures to minimize the profession of Landscape Architecture within the state. The passing of HB.1465 would ensure Landscape Architects are represented by a fellow practitioner within the State Board representing them.

Sincerely,



Heather L. Fischer, RA, MDS-HP

Principal Architect | Fischer + Fischer, LLC
Professor of Practice | Department of Architecture
Coordinator | Environmental Design
School of Design, Architecture + Art
NORTH DAKOTA STATE UNIVERSITY

phone: 701.367.636
heather.l.fischer@gmail.com

Testimony Presented on HB 1465 to the
House Industry, Business and Labor Committee
Representative Scott Louser, Chair

by
Nicole Crutchfield, Planning Director City of Fargo and
Registered Landscape Architect #39 in the State of North Dakota

Chair and members of the North Dakota House Industry, Business and Labor Committee, today I submit testimony in support of HB 1465. This bill would allow two landscape architecture seats on the North Dakota State Board of Architecture and Landscape Architecture (The State Board), making it a five member board. The State Board ensures that those that practice Landscape Architecture are duly qualified through education, examination and experience. I am a registered Landscape Architect, holding North Dakota License #39 and I welcome this addition to ensure that the health, safety and welfare of the public are ensured the safe practice of Landscape Architecture.

I moved to the State of North Dakota in 2007, following a twenty year career as a landscape architect in the State of Kansas and the State of Texas. Prior to my job in public practice, I worked in private practice working under Engineers and Architects. When considering moving to North Dakota, I evaluated the status of my ability to practice and how that would be regulated. My concerns were reconciled knowing that my profession and its industry standards were on par with the latest North American standards, since the regulation bill had just been adopted in 2005. However early in my career in North Dakota, I discovered while regulated, the oversight and technical reviews of the profession did not include the expertise of practicing landscape architects.

I have served in various volunteer capacities to advance landscape architecture, and currently serve as a board member at-large for the Council of Landscape Architecture Registration Boards (CLARB). CLARB represents state boards to advance the landscape architecture profession throughout North America, specifically administrating the uniform licensure exam and supporting the executive staff members of State Boards.

CLARB is a thought leader encouraging frictionless entry into the profession as one of their primary goals. We promote this without watering down the standards of the profession. We are actively growing the pipeline of professionals, for example capturing graduates of NDSU before they leave to practice in other states. Per capita, North Dakota has one of the lowest number of practitioners in the country.

Landscape Architects are needed in North Dakota now more than ever. North Dakota is a beautiful state, with many wonderful opportunities. Unfortunately the limited opportunities in landscape architecture minimizes the number of practitioners living within the state. Additionally, as a public sector representative responsible for recommending Landscape Architecture consultants, this limits the opportunity to hire local practitioners. Adding this provision in the State Board of Architecture and Landscape Architecture, closes a significant professional protection gap, and encourages local practitioners to thrive while also more fully protecting the public.

As a public servant for the City of Fargo who is also a state registered landscape architect, I strongly encourage a **DO PASS** of HB 1465.

Testimony in Opposition to HB 1465
House Industry Business and Labor
January 31, 2023

Chairman Louser and Members of the Committee,

My name is Mike Krumwiede and I am here today representing the ND State Board of Architecture and Landscape Architecture. For the past 26 years, our firm (the Staiger Consulting Group) has served as the board's Executive Director Team and provided central office functions. Among our many responsibilities, the licensing function is primary. Our board has concerns on HB 1465 and asks that you give the bill a Do Not Pass recommendation as introduced.

To give a little history the ND State Board of Architecture and Landscape Architecture did not always include Landscape Architecture. When Landscape Architects were added in the state they were placed under the State Board of Architecture in order to offer a means by which they could be licensed. At that time the make up of the board was looked at and it was determined that because we had not known how many would be licensed to leave the make up of the board as it sits today with 3 Architect members.

Since that time we have had an increase from 0 to 114 Landscape Architects licensed in the state. Of that 114 only 22 are residents of North Dakota. To give a full picture of how this compares to the whole of licenses issued, we currently have 1270 Architects and Landscape Licensed in the State. That would make the 114 Landscape Architects making up only 9% of all licenses issued. Furthermore, due to the bill requiring that to serve on the board you need to be an active practice as a principal architect in the state, we currently have 182 in state Architects and Landscape Architects, of which only 22 are Landscape Architects. This is a percentage of only 12 percent being licensed Landscape Architects. House Bill 1465 would change the representation of Landscape Architects to 40% of the board.

The ND State Board of Architecture and Landscape Architecture does feel it represents the Landscape Architecture profession by designating one of it's current members as a representative of ND to the Council of Landscape Architectural Registration Boards or CLARB. CLARB is the licensing standard organization and the administrator of the Landscape Architect Registration Examination. (L.A.R.E.) The current member of the board who is the representative to CLARB actually has a minor in Landscape Architecture.

The Board relies on architect members to provide subject matter expertise.

Architect members review architect applications, assist with rulemaking procedures, investigate bad actors and consumer complaints, and more. We feel any reduction in the number of architect members may impact the Board's ability to carry out its mission to protect the public.

For these reasons above we believe that it would be difficult to justify changing the make up of the board to the 2 Architect, 2 Landscape Architects, and one lay person. We've found that getting volunteers for the positions is difficult and now having to add 2 more members could prove problematic.

In reference to the lay person in section c of the bill being someone who is not associated with the design, construction, or related consulting industries would also prove problematic as this takes a lot of people who may be candidates off the table. Much like many things in ND it is hard to find someone who in no way is somewhat associated with design, construction, or related consulting industries. So for that reason if there is a lay person we feel it should be anyone who is not currently a licensed under this statute(or their spouse).

In summation we feel that this bill does not propose a true representation of Architecture and Landscape Architecture in the state as written and we would ask for your DO NOT PASS recommendation on HB 1465. Thank you for your consideration and I will stand for any questions.

Testimony Presented on HB 1465 to the House, Industry, Business and Labor Committee

Representative Scott Louser, Chair

By

Wendy Van Duyne, appointed member of the Capitol Grounds Planning Commission, volunteer member of the Planning and Zoning Commission for the City of Bismarck, and Registered Landscape Architect #112 in the State of North Dakota

Chair and members of the North Dakota House Industry, Business and Labor Committee, today I share my testimony in support of HB 1465, which would add two Landscape Architecture representatives to the North Dakota State Board of Architecture and Landscape Architecture (The State Board). The oversight of The State Board ensures that constituents of North Dakota are served by qualified, licensed professionals in the professions of Architecture and Landscape Architecture. No one can deny the important role that The State Board plays to protect the health safety and welfare of the public, and I thank them for their work in supporting the integrity of the design professions that shape our communities.

The buildings we inhabit have a profound influence on our daily lives. Similarly, the parks, trails, and natural amenities of North Dakota elevate our everyday experience and can positively influence the quality of life for our residents today, as well as for those who do not yet call North Dakota home. Prior to moving here eight years ago, I practiced as a registered Landscape Architect in the State of Kansas for nearly a decade. It wasn't an easy decision to leave my home state, but the beautiful landscapes and outdoor amenities my family experienced here were reassuring and constant. The beauty of which can't be made possible without the expertise of Landscape Architects who practice here in North Dakota.

When I was appointed as a Landscape Architect representative to the Capitol Grounds Planning Commission in 2018, I was proud to learn about the important influence that the Landscape Architecture profession has had on these grounds. In 1919, following legislative reforms that expanded State agencies, a team of Landscape Architects were commissioned to organize the layout of the grounds, buildings, parks, and open spaces for all to enjoy. Despite the evolution of our modern times, this master plan continues to support the longstanding identity of our Capitol, preserves important cultural landscapes, and creates gathering spaces for constituents and visitors.

As a registered Landscape Architect, I also volunteer my time as a member of the Bismarck Planning and Zoning Commission and have had the privilege to see how my fellow Landscape Architects are improving our City. Working alongside Architects and Engineers, my Landscape Architecture colleagues are influencing new ways of approaching development that better utilizes existing infrastructure, preserves our natural resources, diversifies housing opportunities, and presents community amenities that help attract and retain new residents to our communities.

I share these examples with you to underscore the impact these practitioners have had in the State of North Dakota and to emphasize the need for appropriate representation of the Landscape Architecture profession on The State Board. As an appointed member of the Capitol Grounds Planning Commission, a volunteer member of the Bismarck Planning and Zoning Commission, and a Registered Landscape Architect in North Dakota, I thoroughly endorse a **DO PASS** of HB 1465.

30 January 2023

North Dakota House Industry, Business and Labor Committee
Representative Scott Louser, Chair

Testimony in Support of House Bill 1465

Chairman Louser and Members of the North Dakota House Industry, Business and Labor Committee, it is with great pleasure and with a long-term commitment to the greater good of the public that is served by the allied and synergistic disciplines of Architecture and Landscape Architecture, that I share these thoughts in support of HB 1465.

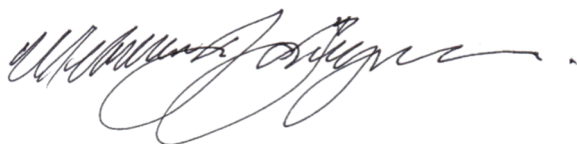
As the State of North Dakota continues to evolve, grow and mature; and lead in supporting many facets of industry, this bill would advance and strengthen the regulatory work of the State Board of Architecture and Landscape Architecture by balancing the representation of these two professions on it.

The profession of Landscape Architecture is not represented on the current State Board, this bill would provide for equal representation by Landscape Architects, which in turn would improve the Board's ability to regulate and oversee both Architecture and Landscape Architecture. And would create a more fertile ground for both professions to continue to collaborate to the betterment of North Dakota and its' citizens—both in the realm of public safety and welfare and to the benefit its' communities.

The Landscape Architecture Program at NDSU has a proud and enduring legacy of educating new practitioners who have established themselves and flourished all over the country and world, as well as within North Dakota. As one of the founders of the Program, and as someone that has a deep sense of enduring pride and accomplishment in being involved in the Program receiving its' initial accreditation, it is time to see the profession equally represented on the governing body that regulates the profession in the state—it is a natural progression. Approving this bill will signal to all Landscape Architects that there are ongoing opportunities in North Dakota that are supported by its' legislators and its' governing body.

An affirmative vote to move this bill forward is to the direct benefit of the citizens of North Dakota and the quality of their communities. Landscape Architects are collaborative, by nature, as members of teams that ensure public safety, protect natural resources, and sustainably manage the natural and built environs that surround us.

Thank you for your consideration and support of House Bill 1465.

A handwritten signature in black ink, appearing to read "Mathew J. Torgerson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mathew J. Torgerson

NDSU graduate in Horticulture / Landscape Design option.

Former NDSU Assistant Professor of Landscape Architecture during the time (1989-1997) that the Program earned its' initial national accreditation for its' Bachelor of Landscape Architecture (BLA) degree. Co-leader of the effort to get accreditation with Dennis Colliton, Program Chair.

Former Workplace Environs Manager for Great Plains Software during the time that the Fargo Campus came to fruition and the worldwide manager of the Great Plains Software real estate portfolio after Great Plains Software went public.

Former Senior Real Estate Portfolio Manager for Microsoft Corporation with responsibilities that included designing, building and operating the Microsoft Fargo Campus. The Microsoft Fargo Campus Master Plan is the work of a Landscape Architect.



January 31, 2023

Re: Support for House Bill No. 1465

Honorable Committee Members,

As a landscape architect in North Dakota, I strongly urge you to support HB 1465 to strengthen the State Board of Architecture and Landscape Architecture, which is scheduled for a hearing in the Industry, Business and Labor Committee on Tuesday, January 31st.

Specifically, this legislation would modify the total number of board seats from three to five. It designates two seats for architects, two for landscape architects, and one for a member of the general public. These changes would increase and diversify the board's subject matter expertise. As a result, the board would become more adept at regulating and overseeing the profession, including answering questions that relate both to landscape architecture and to practice overlap between the two professions.

Landscape architects steward the health, safety, and welfare of the people of North Dakota. The professional practice includes the design of multimodal transportation systems, parks and outdoor recreation spaces, nature-based infrastructure projects, and projects that help communities both prepare for and recover from natural disasters. This ethic of health and safety is part of the proud legacy of landscape architecture in the state of North Dakota.

For these reasons, I strongly urge you to support HB 1465.

A handwritten signature in blue ink that reads 'Brett Gurholt'. The signature is written in a cursive, flowing style.

AGL Landscape Architects, P.C.

Brett Gurholt, PLA

Landscape Architect (Lic. # 40, ND)



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Donald W. Longmuir

District 2
P.O. Box 1191
Stanley, ND 58784-1191
dlongmuir@ndlegis.gov

COMMITTEES:

Education
Political Subdivisions, Chairman

Chairman Louser, Vice Chairman Ostlie and members of the House Industry, Business and Labor Committee, thank you for the opportunity to introduce HB1465. My name is Donald Longmuir, Representative from District 2. HB1465 is a simple bill looking at adjusting the make-up of the State Board of Architecture and Landscape Architecture. This all started with a conversation with a fraternity brother, who also happened to be a former roommate, talking about the makeup of the State Board of Architecture and Landscape Architecture. The conversation actually started two years ago and has now come to this point. Not being an architect or landscape architect, the speakers following me will provide the details of the reasons for the introduction on this bill.

Thank you for your time and consideration and I stand for any questions from the Committee.



January 30, 2023

The Honorable Scott Louser, Chairman
House Industry, Business, and Labor Committee
State Capitol
600 East Boulevard Avenue
Bismarck, ND 58505

Dear Chairman Louser and Committee Members,

The North Dakota Section of the Nebraska-Dakotas Chapter of the American Society of Landscape Architects (Nebraska-Dakotas ASLA) supports House Bill 1465, which strengthens the State Board of Architecture and Landscape Architecture. We urge you to vote yes to pass HB 1465.

House Bill 1465 would modify the total number of State Board of Architecture and Landscape Architecture seats from three to five. It would designate two seats for architects, two for landscape architects, and one for a member of the general public. These changes would improve the board in several ways. First, it would provide landscape architecture subject matter expertise that's needed to adequately set standards for landscape architecture practice requirements, review landscape architect licensure applications, and help investigate complaints against unlawful practice. Secondly, increasing and diversifying the board's subject matter expertise will make the board more adept at regulating and overseeing the professions, including answering questions that relate to practice overlap between the two professions.

Landscape architects play a vital role in stewarding the health, safety, and welfare of the people of North Dakota. The professional practice includes the design of multimodal transportation systems, parks and outdoor recreation spaces, nature-based infrastructure projects, and projects that help communities both prepare for and recover from natural disasters. The expertise that we bring to the design table truly benefits the communities we live in and the State of North Dakota that we love. Our work can be seen throughout North Dakota – Broadway Square in revitalized Downtown Fargo, the future location of Theodore Roosevelt Presidential Library in Medora, historically the Capital Grounds of North Dakota, originally designed by Landscape Architect Frederick Law Olmsted, and hundreds of other public and private projects in North Dakota communities big and small. Our ethic of public health and safety is part of the proud legacy of landscape architecture in the state of North Dakota.



ASLA
NEBRASKA
DAKOTAS

Once again, Nebraska-Dakotas ASLA asks that you support HB 1465 to strengthen the State Board of Architecture and Landscape Architecture. The changes proposed by this bill will strengthen, increase, and diversify the board's subject matter expertise, thereby ensuring that the unique perspectives of both professions and the public are represented.

Sincerely,

2023.01.30

17:40:32

-06'00'

Chris Brandriet

President

Nebraska-Dakotas ASLA Chapter

Brad Garcia

North Dakota Section Chair

Nebraska-Dakotas ASLA Chapter

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1465

Page 1, line 1, overstrike "and"

Page 1, line 1, immediately after "43-03-04" insert "and subsection 4 and 5 of section 43-03-13"

Page 1, line 3, overstrike "to provide for application" and insert immediately thereafter "qualifications of applicants for registration as an architect and landscape architect"

Page 1, line 9, overstrike "five" and insert immediately thereafter "three"

Page 1, lines 13 and 14, replace "The board is composed of two architects, two landscape architects, and one layperson." with "The board is composed of three members with two members being architects and the third member being either an architect or a landscape architect."

Page 1, remove lines 15 through 21

Page 2, line 6, immediately after "state" insert "who is an architect or landscape architect"

Page 2, line 7, remove the overstrike over "and in active practice in"

Page 2, replace lines 10 through 12 with "**Section 3. AMENDMENT.** Subsection 4 and 5 of section 43- 03-13 of the North Dakota Century Code is amended and reenacted as follows:

4. In the case of an architect, must either:

(a) hold a professional degree in architecture from an accredited school of architecture and must have the required practical experience, as established by the board; or

(b) provide evidence of having substantially equivalent education and experience, as established by the board;"

5. In the case of a landscape architect, must either:

(a) hold a professional degree in landscape architecture from an accredited school of architecture and must have the required practical experience, as established by the board; or

(b) provide evidence of having substantially equivalent education and experience, as established by the board;"

Renumber accordingly



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Donald W. Longmuir

District 2
P.O. Box 1191
Stanley, ND 58784-1191
dlongmuir@ndlegis.gov

COMMITTEES:

Education
Political Subdivisions, Chairman

Chairman Larsen, Vice Chairman Kessel and members of the Senate Industry and Business Committee, thank you for the opportunity to introduce HB1465. My name is Donald Longmuir, Representative from District 2. HB1465 is a simple bill looking at adjusting the make-up of the State Board of Architecture and Landscape Architecture. This all started with a conversation with a fraternity brother, who also happened to be a former roommate, talking about the makeup of the State Board of Architecture and Landscape Architecture. The conversation started two years ago and has now come to this point. Not being an architect or landscape architect, the speakers following me will provide the details regarding this bill and proposed amendment.

Thank you for your time and consideration and I stand for any questions from the Committee.

23.0989.03002
Title.

Prepared by the Legislative Council staff for
Representative Longmuir
March 10, 2023

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1465

Page 1, line 1, replace the first comma with "and"

Page 1, line 1, remove the second comma

Page 1, line 9, overstrike "three" and insert immediately thereafter "five"

Page 1, line 13, remove "including up to"

Page 1, line 13, after "architect" insert ", and one public member"

Page 1, line 21, after "Each" insert "professional"

Page 1, line 23, after the period insert "The public member of the board must be a resident of this state for at least five years before appointment, who is not licensed under this chapter, who is not a spouse of an individual licensed under this chapter, and who is not employed by an architecture or landscape architecture firm."

Renumber accordingly

23.0989.03002

FIRST ENGROSSMENT

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1465

Introduced by

Representatives Longmuir, Dockter, Fegley, Hatlestad, Richter, Stemen, Vigesaa
Senators Bekkedahl, Kannianen, Rust, Vedaa

1 | A BILL for an Act to amend and reenact sections 43-03-03, and 43-03-04, and subsections 4
2 | and 5 of section 43-03-13 of the North Dakota Century Code, relating to membership of the
3 | state board of architecture and landscape architecture; and to provide for application.

4 | **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 | **SECTION 1. AMENDMENT.** Section 43-03-03 of the North Dakota Century Code is
6 | amended and reenacted as follows:

7 | **43-03-03. State board of architecture and landscape architecture - Members - Term of**
8 | **office - How vacancies filled.**

9 | 1. The state board of architecture and landscape architecture consists of three~~five~~
10 | members appointed by the governor for terms of six years each with ~~their~~ terms of
11 | office staggered so arranged ~~that no more than~~ one term and ~~only one~~ expires on
12 | March fourteenth of each ~~odd-numbered~~ year.

13 | 2. The board is composed of three architects, ~~including up to one landscape architect,~~
14 | and one public member.

15 | 3. Each member of the board shall qualify by taking the oath of office required of civil
16 | officers and shall hold office until that member's successor is appointed and qualified,
17 | and any vacancy occurring in the board must be filled by the governor for the
18 | unexpired term.

19 | **SECTION 2. AMENDMENT.** Section 43-03-04 of the North Dakota Century Code is
20 | amended and reenacted as follows:

21 | **43-03-04. Qualifications of members of board - Removal of members.**

22 | Each professional member of the board must be a resident of this state who is an architect
23 | or landscape architect and who has been a resident of and in active practice in this state as an
24 | architect for not less than five years before appointment. The public member of the board must

1 be a resident of this state for at least five years before appointment, who is not licensed under
2 this chapter, who is not a spouse of an individual licensed under this chapter, and who is not
3 employed by an architecture or landscape architecture firm. The governor may remove any
4 member of the board for inefficiency or neglect of duty.

5 **SECTION 3. AMENDMENT.** Subsection 4 of section 43-03-13 of the North Dakota Century
6 Code is amended and reenacted as follows:

7 4. In the case of an architect, must ~~hold~~either:

8 a. Hold a professional degree in architecture from an accredited school of
9 architecture and must have the required practical experience, as established by
10 the board; or

11 b. Provide evidence of education and experience that is substantially equivalent to a
12 professional degree and practical experience, as established by the board;

13 **SECTION 4. AMENDMENT.** Subsection 5 of section 43-03-13 of the North Dakota Century
14 Code is amended and reenacted as follows:

15 5. In the case of a landscape architect, must hold ~~and~~either:

16 a. A professional degree in landscape architecture from an accredited school of
17 landscape architecture and must have the required practical experience, as
18 established by the board; ~~and~~or

19 b. Provide evidence of education and experience that is substantially equivalent to a
20 professional degree and practical experience, as established by the board; and

21 **SECTION 5. APPLICATION.** Notwithstanding section 43-03-03, to stagger terms, the initial
22 appointment of the new members of the state board of architecture and landscape architecture
23 may be for terms shorter than six years.



3.13.2023

Support For House Bill NO. 1465

Dear House Committee Members,

My name is Haley Lind, and I am writing in support of the amendments to House Bill 1465 presented by Craig Larson and introduced by Representative Longmuir on March 13th, 2023.

The changes to the bill would designate the State Board to have three architects, one landscape architect and one public member. The importance of having both landscape architects as well as architects on the State Board of Architecture and Landscape Architecture will be a great step in securing the long-term interests of the profession. I look forward to growing my career here in North Dakota and am excited to see where the future of landscape architecture is headed in this state.

I respectfully ask for your support of the amendments to House Bill 1465.

Sincerely,

A handwritten signature in black ink that reads 'Haley Lind'. The signature is written in a cursive, flowing style.

Haley Lind, ASLA

Project Designer, AGL Landscape Architects

Adjunct Professor, NDSU, Department of Landscape Architecture

Emerging Professionals Chair, Nebraska Dakotas Chapter ASLA



March 13, 2023

The Honorable Doug Larsen Chairman
Senate Industry and Business Committee
State Capitol
600 East Boulevard Avenue
Bismarck, ND 58505

Dear Chairman Larsen and Committee Members,

The North Dakota Section of the Nebraska-Dakotas Chapter of the American Society of Landscape Architects (Nebraska-Dakotas ASLA) support amendments to HB 1465 as presented on March 13th testimony by Craig Larson and introduced by Representative Longmuir, which strengthens the State Board of Architecture and Landscape Architecture. We urge you to vote yes to the proposed amendments and pass HB 1465.

Proposed amendments to House Bill 1465 would modify the total number of State Board of Architecture and Landscape Architecture seats from three to five. It would designate three seats for architects, one for landscape architects, and one for a member of the general public. These changes would improve the board in several ways. First, it would provide landscape architecture subject matter expertise that's needed to adequately set standards for landscape architecture practice requirements, review landscape architect licensure applications, and help investigate complaints against unlawful practice. Secondly, increasing and diversifying the board's subject matter expertise will make the board more adept at regulating and overseeing the professions, including answering questions that relate to practice overlap between the two professions.

Landscape architects play a vital role in stewarding the health, safety, and welfare of the people of North Dakota. The professional practice includes the design of multimodal transportation systems, parks and outdoor recreation spaces, nature-based infrastructure projects, and projects that help communities both prepare for and recover from natural disasters. The expertise that we bring to the design table truly benefits the communities we live in and the State of North Dakota that we love. Our work can be seen throughout North Dakota, such as Broadway Square in Downtown Fargo, the proposed Theodore Roosevelt Presidential Library in Medora, the Capital Grounds in Bismarck, and hundreds of other public and private projects in North Dakota communities big and small. Our ethic of public health and safety is part of the proud legacy of landscape architecture in the state of North Dakota.



Once again, Nebraska-Dakotas ASLA asks that you support HB 1465 to strengthen the State Board of Architecture and Landscape Architecture. The changes proposed by this bill will strengthen, increase, and diversify the board's subject matter expertise, thereby ensuring that the unique perspectives of both professions and the public are represented.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Brandriet".

Chris Brandriet

President

Nebraska-Dakotas ASLA Chapter

A handwritten signature in black ink, appearing to read "Brad Garcia".

Brad Garcia

North Dakota Section Chair

Nebraska-Dakotas ASLA Chapter

12 March 2023

North Dakota Senate Industry and Business Committee
Senator Doug Larson, Chair

Testimony in Support of House Bill 1465 as Amended

Chairman Larson and Members of the North Dakota Senate Industry and Business Committee, it is with great pleasure, and with a long-term commitment to the greater good of the public that is served by the allied and synergistic disciplines of Architecture and Landscape Architecture, that I share these thoughts in support of HB 1465 as amended.

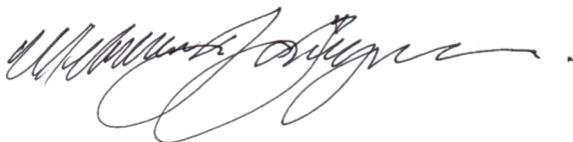
The profession of Landscape Architecture is not represented on the current State Board, this bill would ensure representation by Landscape Architects, which in turn would improve the Board's ability to regulate and oversee both Architecture and Landscape Architecture. The language as it stands, and has passed in the House, does not make certain that a Landscape Architect will be added to the Board. The proposed amendment allows for the addition of two (2) new members to the Board—one (1) a Landscape Architect and one (1) a Member At Large.

As the State of North Dakota continues to evolve, grow, and mature; and lead in supporting advancements in design and construction, this bill, as amended, would advance and strengthen the regulatory work of the State Board of Architecture and Landscape Architecture by providing for representation by a Landscape Architect on it.

As background, the Landscape Architecture Program at NDSU has a proud and enduring legacy of educating new practitioners who have established themselves and flourished. As one of the founders of the Program, it is time to see the profession represented on the governing body that regulates the profession in the state—it is a natural progression. Approving this bill will signal to all Landscape Architects that there are ongoing opportunities in North Dakota that are supported by its' legislators and its' governing body.

An affirmative vote to move this bill forward is to the direct benefit of the citizens of North Dakota and the quality of their communities. Landscape Architects are collaborative, by nature, as members of teams that ensure public safety, protect natural resources, and sustainably manage the natural and built environs that surround us.

Thank you for your consideration and support of House Bill 1465. Please provide a DO PASS recommendation as amended.

A handwritten signature in black ink, appearing to read "Mathew J. Torgerson", with a long, sweeping horizontal line extending to the right.

Mathew J. Torgerson

NDSU graduate in Horticulture / Landscape Design option.

Former NDSU Assistant Professor of Landscape Architecture during the time (1989-1997) that the Program earned its' initial national accreditation for its' Bachelor of Landscape Architecture (BLA) degree. Co-leader of the effort to get accreditation with Dennis Colliton, Program Chair.

Former Workplace Environs Manager for Great Plains Software during the time that the Fargo Campus came to fruition and the worldwide manager of the Great Plains Software real estate portfolio after Great Plains Software went public.

Former Senior Real Estate Portfolio Manager for Microsoft Corporation with responsibilities that included designing, building, and operating the Microsoft Fargo Campus. The Microsoft Fargo Campus Master Plan is the work of a Landscape Architect.

Testimony Presented on HB 1465 to the Senate Industry and Business Committee

Senator Doug Larsen, Chair

By

Wendy Van Duyne, appointed member of the Capitol Grounds Planning Commission, volunteer member of the Planning and Zoning Commission for the City of Bismarck, and Registered Landscape Architect #112 in the State of North Dakota

Chair and members of the North Dakota Senate Industry and Business Committee, today I share my testimony in support of HB 1465, which would provide an opportunity to include Landscape Architecture representation to the North Dakota State Board of Architecture and Landscape Architecture (The State Board). The oversight of The State Board ensures that constituents of North Dakota are served by qualified, licensed professionals in the professions of Architecture and Landscape Architecture. No one can deny the important role that The State Board plays to protect the health safety and welfare of the public, and I thank them for their work in supporting the integrity of the design professions that shape our communities.

The buildings we inhabit have a profound influence on our daily lives. Similarly, the parks, trails, and natural amenities of North Dakota elevate our everyday experience and can positively influence the quality of life for our residents today.

When I was appointed as a Landscape Architect representative to the Capitol Grounds Planning Commission in 2018, I was proud to learn about the important influence that the Landscape Architecture profession has had on these grounds. As a registered Landscape Architect, I also volunteer my time as a member of the Bismarck Planning and Zoning Commission and have had the privilege to see how my fellow Landscape Architects are improving our City. Working alongside Architects and Engineers, my Landscape Architecture colleagues are influencing new ways of approaching development that better utilizes existing infrastructure, preserves our natural resources, diversifies housing opportunities, and presents community amenities that help attract and retain new residents to our communities.

I share these examples with you to underscore the impact these practitioners have had in the State of North Dakota and to emphasize the need for appropriate representation of the Landscape Architecture profession on The State Board. This legislation would open the door for appropriate representation of Landscape Architects on the board that oversees our profession in the State of North Dakota.

As an appointed member of the Capitol Grounds Planning Commission, a volunteer member of the Bismarck Planning and Zoning Commission, and a Registered Landscape Architect in North Dakota, I urge you to support amendments to HB 1465, as presented on March 13th testimony by Craig Larson and introduced by Representative Longmuir, to change the state board from 3 members to 5 members, with one member being a Landscape Architect and one member being a public member.

Senate Industry and Business Committee

Senator Doug Larsen, Chair

by

Nicole Crutchfield, Planning Director City of Fargo,
Registered Landscape Architect #39, State of North Dakota,
Director at Large, Council of Landscape Architecture Board

Chair and Members of the Committee,

Today as a State Registered Landscape Architect, I seek your support of HB 1465, with the inclusion of the amendment to include one registered landscape architect and one public member to the State Board of Architecture and Landscape Architecture.

This bill seeks the inclusion of a registered landscape architect as a representative on the State Board of Architecture and Landscape Architecture. Currently the state law does not allow for this. The House approved a redrafted bill earlier this session, however as the bill sits today, there is ambiguity on the requirement for landscape architecture representation on the Board.

Recently, after the bill was approved at the House of Representatives, registered landscape architects collaborated with architects and representatives of architecture regulation to develop adjustments to the existing bill. These amendments include, changing language to:

- 1) Modify the three person board to a five person board with one new position as a landscape architect and the second new position as a public member.

The majority of the professional landscape architects residing in the State of North Dakota, under national and legal guidance from American Society of Landscape Architects and the Council of Landscape Architecture and Registration Boards, coordinated this proposed amendment with representatives of the architecture profession and we believe all parties agree on this proposed amendment. This amendment is also in keeping with how landscape architecture is typically regulated as a profession nation-wide.

By having a State Architecture board of 3 architects (as currently reflected in the law), and adding one new landscape architect, and one new public member, the public is guaranteed full representation and oversight to protect the public in health safety and welfare.

Please show your support of HB 1465 and the proposed amendment with a DO PASS.



March 13, 2023

The Honorable Doug Larsen, Chairman
Senate Industry and Business Committee
State Capitol
600 East Boulevard Avenue
Bismarck, ND 58505

Dear Chairman Larsen and Committee Members,

On behalf of the American Society of Landscape Architects, I write in support of House Bill 1465, which strengthens the State Board of Architecture and Landscape Architecture. We urge you to vote yes on Representative Longmuir's proposed amendment and pass HB 1465.

Founded in 1899, ASLA is the professional association for landscape architects in the United States, representing more than 15,000 members, with chapters in all 50 states and the District of Columbia. Licensed in all 50 states and the District of Columbia, landscape architects design multimodal transportation systems, nature-based stormwater management systems, parks, living shorelines, walkable neighborhoods, and community masterplans.

ASLA supports the proposed amendment to House Bill 1465, which would modify the total number of State Board of Architecture and Landscape Architecture seats from three to five. Three seats would be designated for architects, one for a landscape architect, and one for a member of the general public. These changes would align North Dakota with national best practices and would improve the board in several ways. First, it would provide landscape architecture subject matter expertise that's needed to adequately set standards for landscape architecture practice requirements, review landscape architect licensure applications, and help investigate complaints. Secondly, increasing and diversifying the board's subject matter expertise will make the board more adept at regulating and overseeing the professions, including answering questions that relate to practice overlap between the two professions.

Once again, I ask that you vote yes on Representative Longmuir's proposed amendment and pass HB 1465 in order to strengthen the State Board of Architecture and Landscape Architecture. Passing this bill will align North Dakota with national best practices,

thereby ensuring that the unique perspectives of both professions and the public are represented.



Sincerely,

Elizabeth Hebron

Elizabeth Hebron, Hon. ASLA
Director, State Government Affairs



www.agl-la.com

March 13, 2023

SUPPORT FOR HOUSE BILL NO. 1465

Dear Chairman Larson and Senate Industry and Business Committee Members,

Landscape architecture became formally recognized as a licensed profession in the United States during the 1950s and it wasn't until the early 2000's when the landscape architects title and practice act was signed into law in North Dakota. Since then, there have been over 170 landscape architects who have applied and become licensed to practice within North Dakota. There are currently over 120 active licenses held in North Dakota.

Landscape architecture is regulated by the State Board of Architecture and Landscape Architecture. The Board currently consists of 3 Architect members. The amended bill would add one Landscape Architect and one public member.

Because of the breadth and scope in which our profession is able to practice and the growth of newly licensed professional landscape architects in our State, it is an opportune time to add a qualified Landscape Architect to the State Board of Architecture and Landscape Architecture which oversees and governs our profession.

Thank you for your consideration and support of House Bill 1465. We ask that you provide a DO PASS recommendation to the amended bill.

Kind Regards,

A handwritten signature in black ink that reads 'BRYAN J. LEININGER'.

Bryan Leininger
Past President
Nebraska/Dakotas Chapter of the American Society of Landscape Architects

March 13, 2023

HB1465

Senate Industry and Business Committee

Testimony in support of HB1465 and recommended amendments

Jolene Rieck, PLA

Licensed Landscape Architect ND #8

Bismarck, North Dakota

Chairman Larsen and members of the committee, my name is Jolene Rieck and I am the Director of Landscape Architecture for the West Region at WSB, whose office is located in Bismarck. I have previously served as the National Licensure Committee Chair for the American Society of Landscape Architects and hold North Dakota Landscape Architecture License #8.

The purpose of licensing design professionals is to protect public health, safety and welfare. Landscape architects are licensed in all 50 states and in the District of Columbia. The enforcement of licensure is an act of state licensure boards, including North Dakota. In the rare instance where an issue arises, it is the duty of the licensure board to investigate the complaint and to provide a fair adjudication process.

The current board scenario does not provide a fair and equitable representation of landscape architects when reviewing licensure complaints. The purpose of HB1465 is to ensure that in the event of an adjudication process, a complaint against a landscape architect is heard by at least one landscape architecture member on the board. In many states, a best practice is to have at least two landscape architects appointed to a board so that in the event of a conflict of interest or an absence, the process has at least one licensed landscape architect on the panel.

Another strategy is to appoint a non-design professional as a public member of the board. The proposed language change presented here today would provide that as an option. During an adjudication process, the public member can provide an external lens to the process, providing public representation.

Please consider the amendments set forth before this committee to ensure equity and parity in the process to protect public health, safety and welfare. Thank you for your consideration.

For more information on Landscape Architecture Licensure, please visit:

<https://www.asla.org/licensureadvocacy.aspx>

Testimony in Support of HB 1465
Senate Industry and Business Committee
March 13, 2023

Chairman Larsen and Members of the Committee,

My name is Mike Krumwiede and I am here today representing the ND State Board of Architecture and Landscape Architecture. For the past 26 years, our firm (the Staiger Consulting Group) has served as the board's Executive Director Team and provided central office functions. Among our many responsibilities, the licensing function is primary. Our board is in support HB 1465 with the House changes and asks that you give the bill a Do Pass recommendation as amended.

To give a little history the ND State Board of Architecture and Landscape Architecture did not always include Landscape Architecture. When Landscape Architects were added in the state they were placed under the State Board of Architecture in order to offer a means by which they could be licensed. At that time the make up of the board was looked at and it was determined that because we had not known how many would be licensed to leave the make up of the board as it sits today with 3 Architect members.

Since that time we have had an increase from 0 to 114 Landscape Architects licensed in the state. Of that 114 only 22 are residents of North Dakota. To give a full picture of how this compares to the whole of licenses issued, we currently have 1270 Architects and Landscape Licensed in the State. That would make the 114 Landscape Architects making up only 9% of all licenses issued. Furthermore, due to the bill requiring that to serve on the board you need to be an active practice as a principal architect in the state, we currently have 182 in state Architects and Landscape Architects, of which only 22 are Landscape Architects. This is a percentage of only 12 percent being licensed Landscape Architects. House Bill 1465 as amended would better reflect the ratio of Architects to Landscape Architects in the State of North Dakota.

The ND State Board of Architecture and Landscape Architecture does feel it represents the Landscape Architecture profession by designating one of it's current members as a representative of ND to the Council of Landscape Architectural Registration Boards or CLARB. CLARB is the licensing standard organization and the administrator of the Landscape Architect Registration Examination. (L.A.R.E.) The current member of the board who is the representative to CLARB actually has a minor in Landscape Architecture.

The Board relies on architect members to provide subject matter expertise. Architect members review architect applications, assist with rulemaking procedures, investigate bad actors and consumer complaints, and more. We feel any reduction in the number of architect members may impact the Board's ability to carry out its mission to protect the public.

In summation we feel that this bill as amended does propose a true representation of Architecture and Landscape Architecture in the state and we would ask for your DO PASS recommendation on HB 1465. Thank you for your consideration and I will stand for any questions.