

Nebraska State Board of Landscape Architects
Board Meeting Minutes – August 30, 2023, 9:00 a.m.
215 Centennial Mall South, Lincoln NE

CALL TO ORDER

Chairperson Seacrest called the meeting to order at 9:06 a.m. and noted the location of the Open Meetings Act. Notice of the meeting was published in the Lincoln Journal Star on August 16, 2023, and on the Board's website under the Open Meetings Act.

Roll Call: Jonathan Hauck, Regan Pence, Bradley Swerczek, Jennifer Seacrest, Absent: Derek Miller, Kristina Engler

Staff Present: Jean Lais, Administrative Programs Officer (APO)

PUBLIC COMMENT/APPOINTMENTS

Legislative

Draft Statute and Rules Revision

APO Lais provided the materials from the April meeting and copies of the Council of Landscape Architect Registration Boards' (CLARB) Model Law and Model Regulation language. Also provided were the draft revisions staff believe are needed to bring Nebraska's statutes and rules in line with the CLARB Uniform Licensure Standard (Uniform Standard).

Engler entered the meeting at 9:20 a.m.

After discussion, the members made the following additional statute revisions based on the Uniform Standard:

- § 81-8,196(3)(f) – References – Delete – Not required under the Uniform Standard
- § 81-8,196(5) – Licensure by Licensed Experience – Delete as the Uniform Standard only requires two years of experience to qualify for licensure, which defines what qualifies for landscape architecture experience. – The pathway was originally added to give individuals who did not meet the CLARB Standards of Eligibility for CLARB Certification a way to qualify for licensure in Nebraska.

Other staff-recommended statute revisions being made are:

- § 81-8,196(2) and (3)(c) – Adding the Canadian accredited degrees as preferred degrees for education
- § 81-8,196(3)(e) – Changing the required experience from three to two years
- § 81-8,200 – Removing the date references related to the switch to biennial renewals

After discussion, the members made the following additional rules revisions:

- Rule 2.1.3 – References – Delete – Not required under the Uniform Standard
- Rule 3.1.1 – CLARB Record – Delete – Not required under the Uniform Standard
- Rule 3.1.3 – References – Delete – Not required under the Uniform Standard
- Rule 3.2.2 – Revise to remove references

Other staff-recommended rules revisions being made:

- Rule 1.3.1 – Fees – Delete annual renewal-related fees
- Rule 1.14.1 – Examinations – Delete – evaluation of non-accredited degrees will be done by CLARB under the Uniform Standard
- Rule 6.1 – PDH Hours – Remove date references related to the switch to biennial renewals

The Board is still reviewing comity licensure related to rules to revise the application process for non-CLARB certificates or record holders to align with the Uniform Standard. The Uniform Standard provides the means for an applicant to only show evidence acceptable to the Board that they are licensed in another jurisdiction in good

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standing. Currently, the Board receives a 29% discount on its annual CLARB dues for requiring a CLARB record for licensure. If the Board moves not to require a record for comity licensure, it may affect its annual dues. APO Lais will inquire how this would affect dues.

The Board discussed the timing of a bill to make the statute revisions. It was determined that due to the timing and length of the 2024 legislative session, the Board will most likely wait until the 2025 session to have the revisions introduced.

The Board directed APO Lais to send the revisions as discussed to the American Society of Landscape Architects (ASLA) Nebraska/Dakotas Chapter and CLARB for comment. Any comments received will be reviewed and discussed at the October meeting.

Rules Occupational Board Reform Act (OBRA) Review Interim Study

A copy of LR222 introduced by Senator Brewer was provided. The resolution calls for an interim study of the mandatory five-year review of the credentialing requirements for landscape architects under the Occupational Board Reform Act. APO Lais provided a draft response to the related survey. A hearing has been scheduled for September 22, 2023, at 1:00 p.m. in Room 1507 at the State Capital Building. Only invited parties will be allowed to testify. Miller will be testifying on the Board's behalf.

Revisions were made to the *Public Purpose and Assumptions Underlying License Creation*, the explanation as to why the Board believes the regulations have been effective, and the potential harm if the occupation is no longer licensed. The revisions included additional examples of work performed by landscape architects.

CLARB provided a spreadsheet of the licensing requirements, which will be converted to a PDF with a link to the interactive jurisdictional map on CLARB's website.

Motion by Hauck, second by Engler, to approve the OBRA survey response as discussed and revised. Voting Yes: Swerczek, Engler, Hauck, Pence, Seacrest; Voting No: None; Absent: Miller

ADJOURNMENT

Chair Seacrest adjourned the meeting at 11:20 a.m.

 10.31.2023
Board Member