

PENNSYLVANIA HOUSE OF REPRESENTATIVES
PROFESSIONAL LICENSURE COMMITTEE

- - - - -
TUESDAY, MARCH 4, 2008
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IN RE: SENATE BILL 612

BEFORE: HON. MIKE STURLA, (D)CHAIRMAN
HON. BILL ADOLPH, (R) CHAIRMAN
HON. NICK KOTIK, MEMBER
HON. TOM YEWIC, MEMBER
HON. STAN SAYLOR, MEMBER
HON. JAMES WANSACZ, MEMBER

Held at Temple University, Feinstone
Lounge, Philadelphia, Pennsylvania, commencing at 1:15
p.m., on the above date, before Virginia Mack,
Professional Court Reporter and Notary Public.

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TESTIFIERS:

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CARL KELEMEN, RLA, FASLA, Trustee
ASLA Pennsylvania/Delaware Chapter

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JOHN WANNER, Executive Director
ASLA Pennsylvania/Delaware Chapter

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1 P R O C E E D I N G S

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3 CHAIRMAN STURLA: Let's get the meeting
4 started here, the meeting of the House Professional
5 Licensure Committee.

6 My name is Representative Sturla. I'm
7 joined by Republican Chairman Adolph. I'll let the
8 other members introduce themselves then I have some
9 housekeeping business to take care of also.

10 MEMBER KOTIK: Nick Kotik, Allegheny
11 County.

12 MEMBER STEVENSON: Dick Stevenson,
13 Mercer and Butler County.

14 MEMBER YEWIC: Tom Yewic, Cambria and
15 Somerset Counties.

16 CHAIRMAN STURLA: I want to enter into
17 the record testimony that we have, written testimony was
18 presented by State Senator Stewart Greenleaf, who is the
19 prime sponsor of this legislation and BPOA Commissioner,
20 Basil Merenda, we have that and that will be given to
21 the stenographer also.

22 With that, we'll get to our panel.

23 This is legislation about landscape
24 architects, so our Panel is consisting of Carl Kelemen,

1 who is a Trustee with ASLA Pennsylvania/Delaware Chapter
2 and John Wanner who is Executive Director of ASLA
3 Pennsylvania/Delaware Chapter.

4 Gentlemen, you can proceed.

5 MR. KELEMEN: Good afternoon. Can
6 everybody hear me okay?

7 CHAIRMAN STURLA: Yes.

8 MR. KELEMEN: I'm Carl Kelemen. I'm not
9 sure which hat I'm wearing today. As you mentioned, I'm
10 Trustee of the Pennsylvania/Delaware Chapter of American
11 Society Landscape Architects, who is a professional
12 organization. We tried to help get this thing pushed
13 along and contacted Senator Greenleaf, who is the
14 sponsor, as you know.

15 I'm also a small business owner in the
16 state. I have a partner, and we have five people
17 working there. We're landscape architect and planners.
18 I'm also, obviously, an individual who is registered in
19 the stated as a landscape architect. I also carry
20 registrations in New Jersey and Delaware.

21 I wanted to say, in terms of my
22 education, I went to school at Temple University, out in
23 Ambler. I got a two-year degree -- at the time it was
24 only a two-year degree -- in landscape design. I got a

1 landscape degree, a Bachelor of Landscape Architecture
2 from the State University of New York and a Bachelor of
3 Environmental Studies from the State University of New
4 York, up in Syracuse.

5 I've been licensed in Pennsylvania since
6 1981 and I took the national exam at that time, known as
7 the UNE, today it's the LARE. In 1993, I got registered
8 in Delaware and then '94, I was registered in New
9 Jersey, both by reciprocity.

10 The main reason that I'm concerned about
11 this particular piece of legislation, there's two parts
12 to it, one is to eliminate the grandfather's clause, the
13 so-called grandfather's clause, which allows a candidate
14 to sit for licensure by interview alone. While that was
15 appropriate when the law was first implemented, we feel
16 that it has long since out-lived its usefulness.

17 The other part of it is to upgrade our
18 continuing education requirements from 10 to 24
19 continuing education units per licensing cycle, which is
20 two years. The rationale for all that is that the
21 states around us all have requirements that are similar
22 to that and with us at 10 continuing units per two-year
23 cycle, our concern was that the states around us would
24 no longer consider our licenses in parity with their own

1 so that would put professional practitioners, like
2 myself, in jeopardy of not having our licenses
3 recognized by the other states.

4 In my personal case, I don't need to get
5 those licenses, I already have them and I just need to
6 maintain the continuing education requirements for those
7 states, but for other practitioners, like my partner,
8 who is not registered in multiple states, he would not
9 be able to get it.

10 Well, our concern was that he would not
11 be able to get licensure by parody, that he would in
12 fact have to sit for the exam if our continuing
13 education and licensure requirements were not equal to
14 the other states around us.

15 New Jersey, by the way, is going through
16 an upgrade right now to go through a Practice Act from a
17 Title Act. New York has a Practice Act, Delaware has a
18 Practice Act, Ohio has a Practice Act, Maryland has a
19 Practice Act. So we are all in parody in that respect,
20 but it was the continuing education that was
21 considerably different, so we were concerned about that.

22 In terms of the continuing education
23 itself -- well, actually, let me talk about the exam for
24 a couple of moments. Another hat that I wear is I'm a

1 part-time grader with CLARB, who is the administrator of
2 the licensure examination in Pennsylvania and many other
3 states as well. So go down to where ever they're
4 holding the licensure exam review sessions and we do our
5 grading. We grade the exams for the candidates to see
6 whether or not they are qualified to practice the
7 profession. And of course, we test on various aspects,
8 and they're all related, in some fashion, to health,
9 safety and welfare of the general public, which is
10 obviously the entire background and basis for licensure
11 in the first place.

12 We test on grading, we test on storm
13 water management and storm water management concepts.
14 We test on site layout, pedestrian and vehicular
15 circulation and conflicts inherent therewith and safety
16 and comprehension of governmental regulations, which
17 include zoning ordinances and land development
18 ordinances and things of that nature that are constantly
19 being updated, hydraulics, which become a part of not
20 only storm water management, but other things like
21 irrigation systems that we design and so forth.

22 And environmental assessment, which is
23 becoming a big, big issue. Permits, which deal with
24 weapons and storm water crossings and all kinds of

1 things like that and of course plant material use.
2 That's actually a pretty minor part of what we do in
3 terms of the practice, at least in my office. So those
4 are just some of the things that are tested on and the
5 concerns that we have, as far as making sure that we
6 have good continuing education to support the different
7 technologies that are inherent with the new regulations
8 and with our current understandings of environmental
9 systems and so forth.

10 It has changed a lot since I went to
11 school. I graduated in 1975 from the State University
12 of New York so you can imagine that a lot of things have
13 changed since then. The environmental impact statement
14 was still a royal pain at that time. It wasn't even
15 considered to be a good legislation by a lot of the
16 practitioners simply because it was another big hoop
17 that they had to go jump through. Today we're seeing
18 the value of having gone that way, and the understanding
19 that it brings of environmental systems and we've come
20 to a much better understanding of what we're actually
21 doing to the earth in our practices and the way we live.

22 One of the things that ASLA promotes is
23 continuing education. We're trying here to promote the
24 whole idea of raising the bar for the profession as a

1 profession so that we could do a better job serving our
2 clients and the general public.

3 We recently had an issue with a
4 candidate who was really a draftsman for one of our
5 professional offices -- it turns out they were in the
6 western end of the state -- and this person had been
7 doing the drafting thing for ten years in a firm with
8 landscape architects and applied and got permission to
9 take the exam. One of the concerns we have about this
10 particular route is that what he was really trying to do
11 is get licensed strictly by interview. The exam
12 committee -- or the Board rather -- refused him that
13 opportunity because they didn't feel he was qualified,
14 but they said that he could sit for the exam.

15 So what this does now is it removes the
16 idea that somebody can just say, I've been hanging
17 around this industry for awhile and I want to get a
18 license. If you want to get a license, you take the
19 exam and it's that simple. And that's the way all of
20 states around us are going and that's the way the other
21 professions are going, the sister professions,
22 engineering, architecture, surveying, geologists and so
23 forth. In order to get a license, you have to sit for
24 the exam. And the preferred method is by getting a

1 degree from an accredited institution in your chosen
2 field.

3 In any event, the concern was that this
4 particular individual was strictly addressed, had no
5 design experience and didn't understand the technical
6 aspects of the profession. So there was a concern
7 there, and of course, the exam will tell whether or not
8 he is qualified because if he doesn't pass it, he won't
9 get a license.

10 During the last couple of decades, as I
11 mentioned, there has been a lot of things changing and
12 many of the states in the country -- there are now 26,
13 by the way -- who have continuing education
14 requirements. I was looking at the website the other
15 day for the American Society of Landscape Architects,
16 that's ASLA.org, they have a whole page dedicated to
17 licensure. You can go in there and see what all of the
18 state requirements are throughout the country and who
19 has licensure and who doesn't. There are actually 49
20 states who have licensure, only Vermont doesn't have
21 licensure, but 26 of those states have continuing
22 education requirements and when you add them all up, the
23 average requirement is 12 continuing education units per
24 year.

1 And part of what we were doing in our
2 request to make this 24 per cycle is to bring it into
3 line with all the rest of the states -- with the average
4 of the states that have 12 per year is average -- they
5 vary from 8 to about 18, I think it is, per year in some
6 states.

7 Over the course of my career, I have
8 seen a lot of changes in the industry and they include
9 -- and technology is one of the big things -- the advent
10 of -- the use of when I first graduated, we didn't have
11 computers in the offices, we didn't even have them. We
12 were drawing everything still by hand. Today we do
13 virtually nothing going out of our office by hand,
14 that's a major change in the way I do business. It's a
15 major change in what I have to understand and be
16 conversant with in order to practice the profession of
17 landscape architecture.

18 There are lots of neat little things and
19 tools that I can use today that were not even dreamed of
20 then. The internet has been a wealth of information
21 available to us, in terms of geographic information,
22 systems GIS, which our office is starting to put
23 together a whole GIS package for one of the townships
24 that we work with, which will include all of their storm

1 water systems and all of there other public utilities
2 and on a GIS system so that they can have a clear
3 understanding of what is and what isn't available and
4 where there are problems or potential problems in the
5 community that may involve flooding and things of that
6 nature. So we're using these tools and they have
7 dramatically impacted the way our profession can work
8 today.

9 So continuing education has become a
10 very important part of keeping us up-to-date with those
11 kinds of issues.

12 I think I can stop at this point. I
13 invite questions, if you have any, and I thank you very
14 much for letting me speak.

15 CHAIRMAN STURLA: John, you want to do
16 your testimony then we will --

17 MR. WANNER: Absolutely. Thank you
18 Chairman Sturla, Chairman Adolph and Members of the
19 Committee for taking time to learn a little bit more
20 about landscape architecture and Senate Bill 612 in
21 particular.

22 For those of you who don't know me or
23 may be pretending not to know me, I'm John Wanner. I am
24 the President of Wanner Associates. We provide

1 association management services in addition to lobbying
2 services, which is something I'm not sure everybody is
3 aware of, and in those cases, we provide all of the
4 staff services for these various associations and
5 societies. I have served as the Executive Director of
6 the Pennsylvania/Delaware Chapter of the American
7 Society of Landscape Architects for, I would say, about
8 20-something years. 1985, I think, is when I was given
9 the title and we have had a great relationship ever
10 since.

11 The bill itself, as Carl has already
12 pointed out, has two provision, really one, increasing
13 the number of hours required for continuing education
14 and the other one is really a clean up piece of
15 eliminating, what I would consider, to be a defunct
16 grandfather's clause.

17 I worked on the legislation about a
18 decade ago where we initially require continuing
19 education for landscape architects. It's been in place,
20 it works very well. Actually, I have a much better
21 process than many of the other Boards. I know the first
22 wave -- because, as you know, I represent other groups.
23 The first wave of continuing ed, a lot of these
24 organizations are required to submit to the Board every

1 single course that they want to offer, and it's a
2 pre-approval on a course by course basis and I'm
3 familiar with a couple of medical boards that still do
4 that.

5 Landscape architect's system is the
6 pre-approved course providers and as long as the course
7 is relevant to the professional practice of the
8 landscape architect, if it's offered by a pre-approved
9 provider it's accepted. So it's worked very well. Even
10 back in the late '90s when we first passed the
11 continuing education piece, we had asked for more than
12 10 hours. I think 10 hours is what we came down with.
13 Frankly, back then it wasn't as common as it is today.
14 There weren't as many states that required it for
15 landscape architects.

16 I remember having long discussions with
17 representative Bill Lloyd, I know a lot of you had, and
18 Bill never left any stone unturned so at the end of the
19 day, we ended up with 10 hours, even though we wanted a
20 little bit more. This proposal takes it up to 24. Carl
21 has already given you some idea of what other states
22 require, particularly contiguous states and that's what
23 drives it today as much as it did a decade ago where old
24 licenses in multiple states, it becomes really very

1 cumbersome to have to meet the continuing education
2 requirements in multiple jurisdictions.

3 Last session we enacted 24 continuing
4 education credit hours required for professional
5 engineers land surveyors, geologists and so I think this
6 is very consistent. Some states have more. I don't
7 know, I think some of the Boards and Licenses that have
8 had continued it for a long time, you see it ratchet up
9 over time. I guess the accountants are probably the
10 best example of that, but we feel comfortable that 24 is
11 the right number for right now.

12 And in my testimony I have given you a
13 couple of the contiguous states and what their
14 requirements are. I have also shared with your staff,
15 Representative Sturla, information on all the other
16 states and their licensing requirements, particularly as
17 it applies to continuing education.

18 The other piece of the Bill was actually
19 brought to our attention by some of the current members
20 of the Landscape Architect's Registration Board. This
21 provision that we refer to as the grandfather's clause
22 has probably outlived its usefulness, landscape
23 architects initially licensed back in 1965.

24 Most of the time, when you have a

1 grandfather clause it's in association with a newly
2 regulated group and it has some point where it's no
3 longer valid. What they have told me is that they
4 haven't issued a license like this for some time and
5 that it really just gives false hope to an applicant who
6 thinks they may have found a way to get a license
7 without sitting for an exam.

8 While we would always defend the right
9 for someone to come through a non-traditional route, you
10 know, maybe they didn't get a degree, but they have
11 experience, to sit for the exam, it's really asking a
12 lot of the Board members to, in a 15-minute interview,
13 decide that this individual really knows enough about
14 the profession to issue him a license without any
15 testing.

16 So it was based on their request that we
17 add this to their continuing education bill that we were
18 going to introduce anyway, that's why it's here. I
19 haven't heard anything different from the Department Of
20 State to indicate they've changed their mind or they're
21 not in support of that. So those are the two elements
22 of the Senate Bill 612.

23 I don't want to talk at you a long time,
24 so I'll conclude with that and open it up to questions

1 you might have for Carl or I.

2 CHAIRMAN STURLA: I note we have been
3 joined by Representative Wansacz.

4 Are there questions from members?
5 Representative Adolph.

6 MEMBER ADOLPH: Thank you, Mr. Chairman.
7 Good afternoon, gentlemen. Thank you for your
8 testimony. Just a couple of quick questions regarding
9 the grandfathering clause. How many landscape
10 architects do we have licensed right now?

11 MR. KELEMEN: I don't know the precise
12 number.

13 MR. WANNER: I'm going to give you a
14 guesstimate because I haven't looked at that for awhile,
15 but I believe it's under 800, but somewhere between 700
16 and 800 is my educated guess.

17 MR. KELEMEN: That would be active
18 licenses.

19 MEMBER ADOLPH: Out of that 800, how
20 many of those licensees acquired the licenses via the
21 grandfather clause?

22 MR. KELEMEN: I can only think of one
23 who may still have an active license, and that was a
24 nursing members.

1 MR. WANNER: Because I have not heard of
2 this clause being, what some Boards used to refer to as,
3 the oral exam, I haven't heard of a license being issued
4 by this Board under those circumstances for many years.

5 MEMBER ADOLPH: So that one fellow,
6 we're not going to hear from him? We're not taking his
7 license away?

8 MR. KELEMEN: That's my understanding.

9 MEMBER ADOLPH: He is still going to be
10 grandfathered in.

11 MR. KELEMEN: Yes. This is
12 perspectively.

13 MR. WANNER: Once you have a license,
14 you have the license unless you lose it for some
15 disciplinary reason.

16 MEMBER ADOLPH: And my understanding,
17 from your testimony, is that an individual who would
18 like to be a licensed landscape architect, they're no
19 longer trying to obtain licensing without taking the
20 exam, even though that's the law now?

21 MR. WANNER: The law has a number of
22 specific provisions on how you can obtain a license.
23 The more traditional route that I think you see most
24 individuals come through is having a degree, having a

1 certain number of years of experience and then taking
2 the exam. There is still a provision where you don't
3 have to have a degree, you can have more years of
4 experience and take the exam. Then there is this
5 provision that we're suggesting be deleted where it is
6 basically come in, submit a resume to the Board, answer
7 a few questions and see if the Board is willing to grant
8 you the license without any exam.

9 MEMBER ADOLPH: Because you may have
10 been working for a licensed landscape architect for the
11 last 10 years or something of that nature.

12 MR. KELEMEN: Exactly.

13 MEMBER ADOLPH: But these applicants are
14 not applying for licenses anymore because one has not
15 been grant to them?

16 MR. WANNER: I think the Board is
17 refusing them, is the impression I got. And I don't
18 want to talk for the Board. I apologize, but that was
19 clearly the impression they gave me.

20 MEMBER ADOLPH: But I guess my question
21 to John or Carl, are there still individuals trying to
22 obtain licensing this way even though the Board is not
23 granting them?

24 MR. WANNER: I would say they probably

1 do see them every once in a while. Again, the
2 impression I got was the Board members expressed, sort
3 of, an uncomfortable feeling because they occasionally
4 would have someone say I just want to come in and meet
5 for the oral exam and they feel like they're wasting
6 their time because they don't feel comfortable issuing
7 this license without an exam.

8 MEMBER ADOLPH: I can understand that.

9 MR. WANNER: I think there probably are
10 some applicants that still pop up like that, yes.

11 MEMBER ADOLPH: But none has been
12 granted in recent years?

13 MR. WANNER: That's what I'm told.

14 MR. KELEMEN: According to the Chair of
15 the Board, I talked to him and he said he can't remember
16 the last time one was granted and he's been on the Board
17 for over five years, so I don't how long it's been, but
18 it's been at least that long.

19 MEMBER ADOLPH: Thank you very much.

20 CHAIRMAN STURLA: Thank you. I note we
21 have also been joined by Representative Saylor and then
22 go to Representative Stevenson for a question.

23 MEMBER STEVENSON: Thank you, Mr.
24 Chairman and thank you both for your testimony.

1 As someone who really doesn't know a
2 whole lot about the field, can you tell me what is the
3 line that separates the landscape architects from
4 someone who provides landscape services? For example,
5 are there certain services that the average landscape
6 business cannot provide, that a landscape architect can
7 provide that you must use only a landscape architect
8 for? Is there a line there somewhere?

9 MR. KELEMEN: Yes. The way it shakes
10 out is really on health, safety, welfare issues.

11 Landscape architects are trained to do
12 grading design, that is movement of the earth, for storm
13 water management purposes for drainage purpose to comply
14 with ADA, various issues like that. We are qualified to
15 deal with storm water issues, the control of storm
16 water. We are qualified to deal with sidewalks and
17 pedestrian pathways and trails and roads, and things of
18 that nature where pedestrians and vehicles come into
19 conflict. The license allows us to do this. A
20 non-licensed individual is not permitted to do that.

21 MEMBER STEVENSON: How is that
22 prevented? Is that in the Statute?

23 MR. KELEMEN: It's in the Statute, yes,
24 because -- well, the traditional landscape person is --

1 many people think of it, I know the general public -- we
2 still have some issues about perception with the general
3 public and they think that I come out and mow their lawn
4 for them, but in fact I don't. And somebody who does
5 lawn mowing and tree planting and things like that is a
6 landscape contractor, and they are not qualified, by
7 training, to do what we do.

8 MEMBER STEVENSON: Do they still do it
9 on occasion? I mean they do grading earth and stuff?

10 MR. KELEMEN: Well, they move the earth
11 around based on the plants that we provide. It's a
12 matter of implementation versus a matter of
13 understanding the process by which the water moves.

14 MEMBER STEVENSON: So a nursery man or a
15 landscaper is not permitted, under Statute, to move
16 earth without any landscape design cleared by The
17 Department.

18 MR. KELEMEN: That's my understanding,
19 yes.

20 MR. WANNER: If I can put a finer point
21 on it, another one of the roles I serve in is as
22 Executive Director of Professional Engineers' Society,
23 and a landscape architect is probably more similar to a
24 civil engineer than any other profession. They're doing

1 a lot of the same types of work Carl mentioned, storm
2 water management, erosions and sedimentation designs.
3 "Design" is really the operative word. If we're just
4 talking about earth moving or a planting design, you
5 will find contractors doing that. You will find people
6 that are allowed to call themselves planting designers,
7 I think, and there really has not been any sort of
8 historical conflict between landscape architects and the
9 folks that provide that service.

10 If you look at the Act, there is a
11 definition of the practice of landscape architecture.
12 This is a Practice Act so if it falls under that
13 category of practice of landscape architecture, it
14 should be performed by a landscape architect or someone
15 who is exempt from the provisions because they might be
16 an engineer.

17 I see very commonly in the design firms,
18 the consulting firms, big engineering firms a lot of
19 their land development staff are landscape architects
20 now. In fact I know a big firm, here in Philadelphia,
21 Pennoni Associates, the head of their land development
22 practice is a landscape architect. So a lot of times
23 people look at this as sort of a cross between an
24 architect and a landscaper or a landscape contractor,

1 and really they are much, much closer in terms of
2 practice to a civil engineer.

3 MEMBER STEVENSON: You said
4 traditionally there has not been any conflict between
5 the landscaper and the architect, with this change in
6 the legislation that is being proposed here, do you
7 anticipate there will be any conflict there either with
8 the landscapers or within your own profession? Are
9 there members of your own profession who will object to
10 this or feel that this is going too far, that type of
11 thing?

12 MR. WANNER: My sense is that on the
13 grandfather's clause it will not create any additional
14 conflict or any conflict to start with, for that matter.
15 There is always a segment of every profession, when you
16 start talking about mandatory continuing education, they
17 don't want to do it. I have seen this with other
18 groups, so I won't say that 100 percent of the
19 practicing landscape architects, in Pennsylvania, they
20 would want the increase in the hours, but in general you
21 would find most of them in support of it and the society
22 certainly supports it.

23 MEMBER STEVENSON: Thank you very much.
24 Thank you, Mr. Chairman.

1 CHAIRMAN STURLA: Thank you.

2 Representative Kotik.

3 MEMBER KOTIK: Thank you, Mr. Chairman
4 and thank you, gentlemen, for your testimony.

5 I would just like to take a little
6 different tact because I'm intrigued by your testimony
7 as far as your work dealing with storm water management.
8 Could you just elaborate for the education of the
9 Committee about how we are doing here in Pennsylvania on
10 that subject.

11 MR. KELEMEN: Well, until recently I
12 would have said we were light years behind everybody
13 else. Shortly after I graduated from college I had the
14 opportunity to work for the Fairfax County Park
15 Authority in Virginia. Many of you may have heard of
16 them, they were really out there, and Fairfax County had
17 a storm water ordinance in the late 1970s that told the
18 developers there was no such thing as an increase in
19 run-off after development. We had to hold everything or
20 deal with all of the storm water on property.

21 This was only really brought into play
22 here with the Phase 2 that was introduced just a couple
23 of years ago. I would like to say that we caught up
24 very quickly, and while we're still doing a little

1 struggling with exactly what the conservation districts
2 and how they interpret it and how DEP interprets it,
3 there is still a little bit of growing pains there
4 between members of the profession process and members of
5 those organizations in terms of how the regulation is to
6 be implemented, but I think we have really come up a
7 long way, and we're doing a lot more.

8 Our office, in particular, is doing a
9 lot more stuff with groundwater recharge and we're doing
10 green roof and we're doing other kinds of techniques,
11 such as that, that really include careful thinking about
12 what the storm water does before it leaves the site
13 rather than after.

14 For years ago, when I was in school, the
15 concept was well you get that water, grab it in a pipe
16 and get it off your site as fast as you can and into a
17 stream some place and then we started thinking about
18 this a little bit and all of sudden realized you know
19 what, everybody lives down hill and if I'm dumping water
20 off my site as fast as it comes in or faster, now that I
21 have built on it, that means that somebody downstream is
22 catching a lot more water than they use to, and it's
23 going to cause some serious problems and in fact we have
24 seen that.

1 This Phase 2 that's been implemented now
2 has really gone a long way towards helping us convince
3 the developers, who are kind of reluctant to do it in
4 many respects, because it does cost more money to do,
5 but we're dragging them along in their understanding and
6 they're now starting to grab on to it and make it a real
7 thing for them because now they can see they can turn it
8 into features, land features within their developments
9 that now make some sense and become amenities that they
10 can now build into price and create some additional
11 profits. It's coming around. It will be a little
12 longer yet before it gets there, but it's coming.

13 CHAIRMAN STURLA: Representative
14 Wansacz, you have questions?

15 MEMBER WANSACZ: Chairman Adolph got the
16 answers for me.

17 CHAIRMAN STURLA: Okay. Any members?

18 I have a couple of questions, actually a
19 couple of comments and some questions.

20 I moved about 1972, I must have been in
21 second grade then, but I visited a landscape architect
22 shop and I remember him showing me his license. I think
23 they were like Number 1 and 3 or 3 and 5 something like
24 that. So it's come a ways since then, but you were

1 talking about the test that's given. Is there anything
2 in the test that looks at passive solar and how that's
3 affected by landscaping, and I ask that because we now
4 have lead certification for buildings.

5 I know, as someone who has a Bachelor of
6 Environmental Design, that the way I landscape a
7 building can significantly change the amount of energy
8 used in that building. Is that part of the test?

9 MR. KELEMEN: It actually is now. And
10 now that, just for your information and the background,
11 the American Society of Landscape Architects is working
12 with the National Arboretum, in Washington, and the Lady
13 Bird Johnson Wild Flower Center and has created
14 something they call sites, which is a lead only, lead
15 for sites only program and certification system.
16 They're working on that now. It was just released
17 actually in October for testing.

18 CHAIRMAN STURLA: Do you have any clue
19 when that will be coming on-line?

20 MR. KELEMEN: It's on-line.

21 CHAIRMAN STURLA: Okay. So we can take
22 a look at that. Do we use that in Pennsylvania?

23 MR. KELEMEN: Not yet.

24 CHAIRMAN STURLA: Okay. It might be

1 something you want to look into.

2 MR. KELEMEN: Well, the individual
3 practitioners, that's an optional thing, it's individual
4 practitioners.

5 CHAIRMAN STURLA: The next question I
6 have, I'm looking at the piece of legislation here and I
7 get the increase in the hours, but when I look at the
8 way this is written out on Page 2 and I guess maybe
9 there are parts of this Bill that we don't have that
10 aren't changed, but it looks like my only option to
11 actually have a person graduate from an approved
12 institution is in part of the language we're taking out
13 because before if they were -- if I'm looking at lines 4
14 through 11. It says "or applicant who has 10 years of
15 active experience as a landscape architect and is a
16 graduate of an approved institution. " And we're
17 eliminating that language and we're also eliminating "or
18 who has 15 years of active experience even though not a
19 graduate of an approved institution. If in the opinion
20 of the Board the experience is such that... " you know.

21 So I understand that there was no
22 requirement for an exam here, but are we now saying you
23 used to be able to have 10 years experience and have
24 graduated from an approved institution and you can get a

1 license. Now you don't need to have to graduate from an
2 institution but you just have to pass the test, is that
3 what --

4 MR. WANNER: No. Your first guess was
5 correct. There are parts of the Act that are not
6 reprinted here in this Bill because they are not being
7 changed. They parody this language from section to
8 section and this one that's scheduled to be deleted was
9 the section that dealt with not having to take the test.

10 I'm going by memory, but we had this
11 discussion, internally, sometime ago and I'm fairly
12 certain that you'll see that exact same language in the
13 proceeding paragraphs that aren't shown in the Bill
14 because they're not being changed.

15 CHAIRMAN STURLA: Okay. So you would
16 actually have to have graduated from an approved
17 institution as well as pass the test?

18 MR. KELEMEN: That's correct.

19 MR. WANNER: There is still an
20 experience route though. Probably the way I answered
21 previously confused that. If you look at it in total,
22 the other two paths to licensure still exist. The
23 accredited school, taking the exam, the years of
24 experience, taking the exam and that remains unchanged,

1 but I will look into it again and double check just to
2 be certain and I'll communicate with your staff to make
3 sure that we haven't had an oversight, but I'm fairly
4 certain that that's the case, that you still have those
5 other two avenues to get the license.

6 CHAIRMAN STURLA: I know, from personal
7 experience, that in architecture you can no longer do
8 the years of experience and take the exam because I fell
9 into that category. Not only can't you do a four-year
10 degree plus the experience and the exam, you have to do
11 a five-year degree now plus the three years experience,
12 plus the four-day exam.

13 What kind of opposition will we run into
14 if we said you had to have the degree and the experience
15 and the exam?

16 MR. WANNER: What you're really saying
17 is you have to have a degree. We talked about that and
18 considered putting it in this bill, but I sense there
19 was some resistance in the Senate. So rather than bog
20 this piece of legislation down with that, my suspicion,
21 and correct me if I'm wrong, Carl, is that ASLA would
22 support that approach. That's definitely the trend.

23 I know right now, on a national level,
24 the engineers are looking at requiring a master's degree

1 or an additional 30 credits on top of the accredited
2 undergraduate. I don't know that that will never come
3 to pass in Pennsylvania, but it's a debate that's going
4 on.

5 The PE license in Pennsylvania you can
6 still go through purely through an experience route with
7 no degree so there is some precedent, I suppose.

8 CHAIRMAN STURLA: The Practice Acts in
9 the surrounding states, do they require a degree?

10 MR. KELEMEN: Yes, they do.

11 CHAIRMAN STURLA: So if we're concerned
12 about us having reciprocity with our surrounding states,
13 that would be something we might want to consider?

14 MR. KELEMEN: At some point.

15 MR. WANNER: I think the practical way
16 that would play out is, as a licensee from Pennsylvania,
17 if you had the degree and got the license that way, you
18 would not have a reciprocity problem. If you had gotten
19 the license without the degree and then applied, they
20 would -- I would very strongly suspect, deny you
21 reciprocity for those individuals only. That's kind of
22 the way it typically works.

23 CHAIRMAN STURLA: Okay.

24 MR. KELEMEN: If I may just add

1 something, for clarification, on your question, Mr.
2 Adolph. The ideal of the licensure, why wouldn't
3 somebody go the experience route? Frankly, it's a much
4 longer route in terms of time. I can take the college
5 degree, 4 or 5 year degree an accredited program and in
6 two years I can then sit for the exam.

7 If I go strictly the experience route,
8 I'd have to do an absolutely minimum of 10 years before
9 I can even apply for the exam. So it cuts out at least
10 three years of that time.

11 CHAIRMAN STURLA: Representative Saylor.

12 MEMBER SAYLOR: Chairman Sturla ticked
13 my mind on a question I have, actually, two or three of
14 them. One is how many institutions in Pennsylvania
15 offer this degree continuing ed credits?

16 MR. KELEMEN: Five -- I'm sorry, your
17 question again?

18 MEMBER SAYLOR: How many institutions in
19 the State of Pennsylvania offer landscape architectural
20 or continuing ed credit and where are they located?

21 MR. KELEMEN: Continuing ed credits are
22 different. There are five accredited programs in
23 landscape architecture within the state. There is
24 Philadelphia University, here in the City; Temple

1 University; the University of Pennsylvania; Penn State,
2 of course, and Chatham University in Pittsburgh are the
3 five approved schools. There is actually another one
4 looking to get a program, but we'll see how that goes.
5 Delaware Valley College, up in Doylestown.

6 MEMBER SAYLOR: What about continuing
7 ed?

8 MR. WANNER: The continuing ed is
9 available many, many places. There is a regulation that
10 the Board developed for pre-approved course providers.
11 That includes the Society of Landscape Architects as
12 well as other sister societies in architecture and
13 engineering. All the universities that offer
14 educational programs or degrees in landscape
15 architecture, the Urban Land Institute, the Planning
16 Association. It's a fairly significant list and then if
17 you're not on that list, you can apply for a course and
18 we've seen -- is it Lawnwood Gardens regularly offers
19 things like that?

20 MR. KELEMEN: Lawnwood.

21 MR. WANNER: There are really quite a
22 lot of them. One of the things we've talked about is
23 trying to have a central clearinghouse of information
24 where landscape architects can get these courses on our

1 website, but it's a constantly moving target because
2 there are a lot of them out there.

3 MEMBER SAYLOR: I'm just concerned that
4 it isn't exactly a map of most of our universities and
5 colleges in Pennsylvania to get a degree. My concern is
6 coming from the building industry, so I hear. I know
7 how busy you get and it's tough to find time in your
8 schedule when you're very busy, this seems to be a
9 perfect time to get your continuing ed credits. The
10 distance that somebody would have to travel, and that
11 kind of thing, to get the credits and how long they
12 would have to be away from the business is my concern.

13 MR. KELEMEN: There is actually a
14 provision within the continuing education regulation
15 that permits you to get some continuing education
16 credits by research and preparing papers and teaching
17 and things of that nature. You can't get it all, but
18 you can get a couple of credits.

19 MR. WANNER: On-line as well, if I'm not
20 mistaken.

21 MR. KELEMEN: Yes, and on-line as well
22 distance learning.

23 MEMBER SAYLOR: Okay. Thank you.

24 CHAIRMAN STURLA: Any other questions?

1 MR. WANNER: Just one aside that have
2 nothing to do with the legislation, but Members of the
3 Committee might be interested to learn the National
4 meeting of the American Society of Landscape Architects
5 is in Philadelphia -- what are the dates?

6 MR. KELEMEN: October 3rd through 8th.

7 MR. WANNER: And it's a fairly big
8 convention.

9 MR. KELEMEN: We're expecting 6,000
10 people.

11 MR. WANNER: It gives us an opportunity
12 to show off Pennsylvania a little bit to landscape
13 architects around the country.

14 CHAIRMAN STURLA: Are you suggesting we
15 have legislation by then?

16 MR. WANNER: It's my work.

17 MR. KELEMEN: That's yet another hat
18 that I wear. I'm actually the Chair of the Committee
19 that's hosting the meeting.

20 MR. WANNER: By October, I'll be
21 cautiously optimistic. Again, I would like to thank you
22 for, not only the hearings, but I see that you have got
23 a committee meeting scheduled next week and the Bill is
24 on the agenda, so thank you very much.

1 MR. KELEMEN: If anybody has any desire,
2 I have some photographs of some projects and plans and
3 things like that's all on my computer I can share with
4 you. They give you an idea of the kinds of things that
5 we do in our office.

6 CHAIRMAN STURLA: Thank you. With that,
7 we will adjourn the meeting.

8 MEMBER ADOLPH: So moved.

9 (Whereupon, the above-entitled matter
10 was adjourned at 1:51 p.m., this date.)

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C E R T I F I C A T E

I hereby certify that the
proceedings and evidence are contained
fully and accurately in the
stenographic notes taken by me on the
hearing of the within cause and that
this is a correct transcript of the
same.

VIRGINIA JONES-ALLEYNE
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