

**HOUSE . . . . . No. 2027**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Frank I. Smizik***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

**An Act Relative to the Licensure of Landscape Architects.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>	<i>1/21/2011</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	<i>2/4/2011</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>1/28/2011</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>1/31/2011</i>
<i>Alice K. Wolf</i>	<i>25th Middlesex</i>	<i>2/3/2011</i>

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By Mr. Smizik of Brookline, a petition (accompanied by bill, House, No. 2027) of Frank I. Smizik and others relative to the licensure of professional landscape architects. Environment, Natural Resources and Agriculture.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 4856 OF 2009-2010.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act Relative to the Licensure of Landscape Architects.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1 Section 99 of Chapter 112 of the General Laws, is hereby amended by  
2 inserting after the first sentence of the first paragraph the sentence “No person shall practice or  
3 offer to practice landscape architecture in the commonwealth, unless such person shall have  
4 secured from the board a certificate of registration as a landscape architect.”

5           SECTION 2 Said section 99, is hereby further amended by inserting after the first  
6 paragraph the following paragraphs: The following persons and activities are exempted from the  
7 provisions of this chapter: Any architect registered under the provisions of chapter 112; and any  
8 professional engineer registered under section 45 of chapter 13. Nothing in this chapter shall  
9 prohibit a vendor of goods and services, including but not limited to irrigation designers, general  
10 or landscape contractors, nursery staff, gardeners, landscape gardeners, landscape

11 preservationists, landscape historians, and masons from providing drawings or graphic diagrams  
12 necessary for the proper layout of their goods or materials, or shall prevent a landscape designer  
13 who has been certified through appropriate industry programs from engaging in, for a fee, the  
14 design of outdoor spaces utilizing plant materials and incidental grade alterations, soils, soil  
15 amendments, paving, and/or building materials or arranging for installation of the same. Nothing  
16 in this chapter shall be construed in any manner to prohibit any person from making plans,  
17 drawings, or specifications for the personal use and enjoyment of any property owned by them.  
18 Notwithstanding the provisions of this section, no person exempted under this section or engaged  
19 in activities exempted under this section shall use the title "landscape architect" unless such  
20 person complies with the provisions of this chapter.

21 SECTION 3 Section 101 of Chapter 112 of the General Laws, is hereby amended in  
22 clause (a) by removing the following words “is at least twenty-three years of age” and changing  
23 the word ‘he’ to ‘he/she.’

24 SECTION 4 Section 101 of Chapter 112 of the General Laws, is hereby amended by  
25 striking out, in lines 5-6, the words “he is a citizen of the United States or has legally declared  
26 his intention of so becoming”