

CHAPTER 158
[Engrossed Senate Bill No. 217]
LANDSCAPE ARCHITECTURE

AN ACT Relating to landscape architecture; providing for the licensing and registration of landscape architects; and providing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. In order to safeguard human health and property, and to promote the public welfare, any person in either public or private capacity practicing or offering to practice landscape architecture for hire, shall be required to submit evidence that he is qualified so to practice and shall be registered under the provisions of this act.

NEW SECTION. Sec. 2. It shall be unlawful for any person to use, or advertise the title landscape architect, landscape architecture, or landscape architectural, unless such person has duly registered under the provisions of this act.

NEW SECTION. Sec. 3. The following words and phrases as hereinafter used in this act shall have the following meanings:

"Director" means the director of motor vehicles of the state of Washington.

"Board" means the state board of registration for landscape architects.

"Landscape architect" means a person who engages in the practice of landscape architecture as hereinafter defined. A person practices landscape architecture within the meaning and intent of this act who performs for hire professional services such as consultations, investigations, reconnaissance, research, planning, design or teaching supervision in connection with the development of land areas where, and to the extent that, the dominant purpose of such services is the preservation, enhancement, or determination of proper land uses, natural land features, ground cover and planting, naturalistic and aesthetic values, the settings and approaches to structures or other improvements, or natural drainage and erosion

control. This practice shall include the location, design, and arrangement of such tangible objects as pools, walls, steps, trellises, canopies, and other nonhabitable structures, and such features as are incidental and necessary to the purposes outlined herein. It involves the design and arrangement of land forms and the development of outdoor space including, but not limited to, the design of public parks, playgrounds, cemeteries, home and school grounds, and the development of industrial and recreational sites.

NEW SECTION. Sec. 4. There is created a state board of registration for landscape architects. The board shall consist of three landscape architects and two members from closely related professions and/or trades. Members of the board shall be appointed by the governor and must be residents of this state having the qualifications required by this act.

Members of the board must, while serving on the board, be actively engaged in their profession or trade and, immediately preceding appointment, have had at least five years experience in responsible charge of work or teaching within their profession or trade.

NEW SECTION. Sec. 5. The members of the first board shall serve for the following terms:

One member for one year, one member for two years, one member for three years, one member for four years, and one member for five years from the date of appointment or until successors are duly appointed and qualified. Every member of the board shall receive a certificate of his appointment from the governor and before beginning his term of office shall file with the secretary of state his written oath or affirmation for the faithful discharge of his official duties. On the expiration of the term of each member, the governor shall appoint a successor to serve for a term of five years, or until his successor has been appointed and qualified: PROVIDED, That no member shall serve more than ten consecutive years.

The governor may remove any member of the board for cause. Vacancies in the board for any reason shall be filled by appointment

for the unexpired term. In carrying out the provisions of this act, the members of the board shall receive twenty five dollars per day as compensation and shall be reimbursed for expenses according to the provisions of RCW 43.03.050 and 43.03.060, such funds to be provided from the landscape architects' account in the state general fund.

NEW SECTION. Sec. 6. The board shall adopt rules for its own organization and procedure and such other rules as it may deem necessary to the proper performance of its duties. Three members of the board shall constitute a quorum for the conduct of any business of the board.

The board may conduct hearings concerning alleged violations of the provisions of this act. In conducting such hearings the chairman of the board, or any member of the board acting in his place, may administer oaths or affirmations to witnesses appearing before the board, subpoena witnesses and compel their attendance, and require the production of books, records, papers and documents. If any person shall refuse to obey any subpoena so issued, or shall refuse to testify or to produce any books, records, papers or documents so required to be produced, the board may present its petition to the superior court of the county in which such person resides, setting forth the facts, and thereupon the court shall, in any proper case, enter a suitable order compelling compliance with the provisions of this act and imposing such other terms and conditions as the court may deem equitable.

NEW SECTION. Sec. 7. The following will be considered as minimum evidence satisfactory to the board that the applicant is qualified for registration as a professional landscape architect.

The applicant must have completed a course of study in landscape architecture and have been graduated from a college or school approved by the board as offering a curriculum in landscape architecture, or the equivalent thereof, in any form of training, as determined by the board. Each complete year of study in any registered college or school of landscape architecture may be accepted in

lieu of one year of equivalent training.

He must have a minimum of seven years in any combination of training and experience, and shall present proof to the director of passing such written examinations as may be prescribed by the board.

Registration under this act shall be on an individual, personal basis, and the director shall not register any firm, company, partnership, corporation, nor any public agency. Corporate practice is not permitted under the provisions of this act.

NEW SECTION. Sec. 8. Application for registration shall be filed with the director prior to the date set for examination and shall contain statements made under oath showing the applicant's education and a detailed summary of his practical experience, and shall contain not less than five references, of whom three or more shall be landscape architects having personal knowledge of his landscape architectural experience.

The application fee shall be forty dollars: PROVIDED, That twenty dollars shall accompany the application as a nonrefundable examination fee, and twenty dollars for issuance of the certificate.

The application fee for reexamination shall be forty dollars of which twenty dollars shall be nonrefundable and twenty dollars payable for issuance of the certificate, and must be filed with the director not less than six days prior to the date set for examination.

At any time within the first two years following the effective date of this act, the board shall certify for registration, without examination, any applicant who submits proof that he has had at least a combination of education and experience substantially equivalent to six years of practice in landscape architecture prior to the effective date of this act.

NEW SECTION. Sec. 9. Examinations of applicants for certificates of registration shall be held at least annually or at such times and places as the board may determine. The board shall determine from the examination and the material submitted with the applications whether or not the applicants possess sufficient knowledge,

ability and moral fitness to safely and properly practice landscape architecture and to hold themselves out to the public as persons qualified for that practice.

The scope of the examination and methods of procedure shall be prescribed by the board with special reference to landscape construction materials and methods, grading and drainage, plant materials suited for use in the northwest, specifications and supervisory practice, history and theory of landscape architecture relative to landscape architectural design, site planning and land design, subdivision, urban design, and a practical knowledge of botany, horticulture and similar subjects related to the practice of landscape architecture.

Applicants who fail to pass any subjects shall be permitted to retake the examination in the subjects failed, a minimum passing grade in each subject shall be seventy percent with an average in all subjects of seventy-five percent. A passing grade in any subject area shall exempt the applicant from examination in that subject for five years: PROVIDED, That failure to complete successfully the entire examination within five years will result in requiring a retake of the entire examination. A certificate of registration shall be granted by the director to all qualified applicants who shall be certified by the board as having passed the required examination and as having given satisfactory proof of completion of the required experience.

NEW SECTION. Sec. 10. The director may, upon payment of a filing and investigation fee including the current registration fee in amount as determined by the board, grant a certificate or registration without examination to any applicant who is a registered landscape architect in any other state or country whose requirements for registration are at least substantially equivalent to the requirements of this state for registration by examination, and which extends the same privileges of reciprocity to landscape architects registered in this state.

NEW SECTION. Sec. 11. Certificates of registration shall ex-

pire on the last day of June following their issuance or renewal. The board shall set the yearly fee for renewal which shall not be less than fifty dollars. Renewal may be effected during the month of June by payment to the director of the required fee.

In case any registrant fails to pay the renewal fee before thirty days after the due date, the renewal fee shall be the current fee plus an amount equal to one year's fee at the discretion of the board: PROVIDED, That any registrant in good standing, upon fully retiring from landscape architectural practice, may withdraw from practice by giving written notice to the director, and may thereafter resume practice at any time upon payment of the then current annual renewal fee. Any registrant, other than a properly withdrawn licensee, who fails to renew his registration for a period of one year may reinstate only on reexamination as is required for new registrants.

NEW SECTION. Sec. 12. The director may refuse to renew, or may suspend or revoke, a certificate of registration to use the titles landscape architect, landscape architecture, or landscape architectural in this state upon the following grounds:

- (1) The holder of the certificate of registration is impersonating a practitioner or former practitioner.
- (2) The holder of the certificate of registration is guilty of fraud, deceit, gross negligence, gross incompetency or gross misconduct in the practice of landscape architecture.
- (3) The holder of the certificate of registration permits his seal to be affixed to any plans, specifications or drawings that were not prepared by him or under his personal supervision by employees subject to his direction and control.
- (4) The holder of the certificate has committed fraud in applying for or obtaining a certificate.

NEW SECTION. Sec. 13. Any person may prefer charges of fraud, deceit, gross negligence, incompetency, or misconduct against any registrant. Such charges shall be in writing and shall be sworn

to by the person making them and shall be filed with the director.

All charges unless dismissed by the director as unfounded or trivial, shall be heard by the board within three months after the date on which they have been preferred.

Action of suspension, revocation, or refusal to renew, by the director, shall be based upon the findings of the board after charges and evidence in support thereof have been heard and determined.

NEW SECTION. Sec. 14. Upon the recommendations of the board, the director may restore a license to any person whose license has been suspended or revoked. Application for the reissuance of a license shall be made in such a manner as indicated by the board.

A new certificate of registration to replace any certificate lost or destroyed, or mutilated may be issued by the director, and a charge of one dollar shall be made for such issuance.

NEW SECTION. Sec. 15. The director shall issue a certificate of registration upon payment of the registration fee as provided in this act to any applicant who has satisfactorily met all requirements for registration. All certificates of registration shall show the full name of the registrant, shall have a serial number and shall be signed by the chairman and the secretary of the board, and by the director.

Each registrant shall obtain a seal of a design authorized by the board, bearing the registrant's name and the legend, "registered landscape architect." All sheets of drawings and title pages of specifications prepared by the registrant shall be stamped with said seal.

NEW SECTION. Sec. 16. It shall be unlawful for anyone to stamp or seal any document with the seal after the certificate of registrant named thereon has expired or been revoked, or while the certificate is suspended.

NEW SECTION. Sec. 17. Any person violating any of the provisions of this act shall be guilty of a misdemeanor.

NEW SECTION. Sec. 18. The board is authorized to apply for

relief by injunction without bond to restrain a person from the commission of any act which is prohibited by this act. The members of the board shall not be personally liable for their action in any such proceeding or in any other proceeding instituted by the board under the provisions of this act. The board, in any proper case, shall cause prosecution to be instituted in any county or counties where any violation of this act occurs, and shall aid in the prosecution of the violator.

NEW SECTION. Sec. 19. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Passed the Senate April 16, 1969
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CHAPTER 159
[Engrossed Senate Bill No. 228]
PUBLIC ASSISTANCE--FUNERAL EXPENSES

AN ACT Relating to public assistance; and amending section 74.08.120, chapter 26, Laws of 1959, as amended by section 1, chapter 102, Laws of 1965 ex. sess. and RCW 74.08.120.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 74.08.120, chapter 26, Laws of 1959 as amended by section 1, chapter 102, Laws of 1965 ex. sess. and RCW 74.08.120 are each amended to read as follows:

The term "funeral" shall mean the proper preparation and care of the remains of a deceased person with needed facilities and appropriate memorial services, including necessary costs of a lot or cremation and all services related to interment and the customary memorial marking of a grave.

The department is hereby authorized through the county offices to assume responsibility for the funeral of deceased persons dying without assets sufficient to pay for the minimum standard funeral herein provided: PROVIDED, HOWEVER, That the director may furnish funeral assistance in other cases if the assets are left to a sur-