

On Long Island, N.Y., a self-styled golf course designer turned in a commendable job in his first effort at an 18-hole layout. When it came time to pay the bill, the membership lined up behind its lawyer-president, who refused payment, saying that the designer was not included under Article 148. The surprised designer took the case to court and lost!



Course architects being bulldozed?

by Stan Sousa

A little known law—Article 148, Chapter 1082 of New York State's Education Law—makes it illegal for approximately 90 per cent of established golf course architects to ply their trade in that state.

New York is not alone, however. Florida, Michigan, Ohio and most recently Connecticut, which passed an Article 148-type law in 1968, have similar laws. More states are expected to follow suit with the ultimate result being that a majority of today's best known golf course architects and big name pros who dabble in design will be banned from doing business.

The New York statute, passed by the legislature in 1960, mandates that the practice of landscape architecture (this includes golf course design), be limited to professional engineers, land surveyors, building architects and licensed landscape architects. The section defines a landscape architect as one "who performs professional services such as consultation, investigation, reconnaissance, research, planning, design, or responsible supervision in connection with the development of land areas . . ."

These are the duties of the golf course architect. If he is neither a licensed landscape architect, nor fits the other job descriptions, he is risking a fine or even a jail term if he continues to practice that profession.

The law varies from state to state. For example, in Florida the secretary of the Board of Landscape Architects told a veteran golf course architect in no uncertain terms that he could not legally design in that state unless he held a landscape architect's license.

In New York, the Public Works Law even supplements the Education Law in this field by stating that no one without the license may plan a municipal job carrying more than \$5,000 in construction costs. It also has the provision that should unlicensed work be performed, the municipality is entitled to recover all fees paid. This applies to private party contracts too.)

Getting a license is no snap, according to William

F. Mitchell, a Huntington Station, N.Y., designer, who holds one. Mitchell had designed more than 100 courses when he discovered he was ineligible to work in the state where he maintains offices.

He discovered this by being knocked out of a municipal job on the basis of the law. "I made up my mind right then that I needed a landscape architect's license to stay in business. I only hope other designers across the country recognize the increase in this type of legislation and take steps to either stop it or join it."

Most designers have literally learned their profession from the ground up. Up to now, experience and reputation have won them the vast majority of golf course design work in the country. In New York state, however, a designer needs more than experience to get a landscape architect's license.

Every applicant must appear before a state board of examiners. Preliminary ground rules say he must be at least 25 years of age, a citizen of the United States, be of good moral character and be at least a high school graduate. He must prove he has either been graduated from a college or school registered by a department that offers an approved curriculum in landscape architecture or its equivalent. He must also submit, before admission to the examination, evidence of practical experience in landscape architecture work acceptable to the board. (Each complete year of study may be accepted in lieu of one year's experience.) The applicant must submit evidence that gives him a total of eight years.

The architect without formal training must show 12 years of practical experience before being allowed to take the examination. He then faces a written test geared to "seek out competency to plan, design and supervise the installation of landscape projects." The board of examiners may also require the applicant to submit to an oral exam as well.

Once approved, the golf course architect receives



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a landscape license that is renewable every two years and a list of licensed compatriots, with the request that he inform the state education department of "any persons known to be practicing landscape architecture whose names do not appear on the list."

To those without licenses, in New York, a penalty of not less than \$100 or more than \$500 or imprisonment of not more than one year or both awaits them. It is also illegal for an architect to use another's seal unless he is a regular employee of the man holding the license.

Mitchell calls the law "ironic," because it safeguards work for building architects, land surveyors and professional engineers—none of whom has the background and experience needed to layout golf courses in accordance with the rules of the game. Mitchell notes the American Society of Golf Course Architects has failed to take a stand on the law. "I doubt if 10 per cent of its members are even aware of the situation that may deprive them of their livelihoods."

One answer, Mitchell feels, is to amend the law to include practicing golf course architects whose work has been satisfactorily rated by the United States Golf Assn. □



Expansion Drive: At the opening of MacGregor's new golf distribution center in North Woburn, Mass., were: (l. to r.) Harold J. Curtis, treasurer of Everett Co-Operative Bank; Carroll McGill and Robert McGill, vice president and president, respectively of Robert Realty Trust; Dale Chambers, MacGregor pro golf salesman; John X. Davoren, Secretary of State of Mass.; Joe Bellino, former Navy football star who is now president of Kustom-In-Plant Food Corp., and Robert Kellermann, manager of the center.

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