

APA-1
07/04

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. 500 Department or Agency Board of Landscape Architects
Rule No. 500-X-2-.08
Rule Title: Fees - Payment, Receipt

 New X Amend _____ Repeal _____ Adopt by Reference _____

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? _____ No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? ----- Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? _____ No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? _____ No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? _____ No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? _____ Yes

Does the proposed rule have an economic impact? _____ No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer *Leis Moore*
Date 8/02/2012

(DATE FILED)
(STAMP)

ALABAMA BOARD OF LANDSCAPE ARCHITECTS

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Landscape Architects

RULE NO. & TITLE: 500-X-2-.08 Fees - Payment, Receipt

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: Delete paragraph (1) and paragraph (2a) entirely. Since the Board is no longer administering the licensure exams, these paragraphs are no longer necessary. Renumber the paragraphs accordingly.

Change the renewal deadline date from June 30 to March 15 as a result of legislation passed during the 2012 Regular Session and clean up confusing language that implies renewals aren't on a yearly basis.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Oral or written comments may be submitted to the Board of Landscape Architects, 5950 Carmichael PL, Suite 109-A, Montgomery, AL 36117. Phone: 334-262-1351. Email: LandArchBoard@knology.net

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: October 5, 2012

CONTACT PERSON AT AGENCY: Leigh Moorer, Administrator, Board of Landscape Architects, 5950 Carmichael PL, Suite 109-A, Montgomery, AL 36117. Phone: 334-262-1351. Email: LandArchBoard@knology.net.


Administrator

500-X-2-.08 Fees - Payment, Receipt.

~~(1) An application fee and fee for examination or reexamination, in an amount as provided in Rule 500-X-2-.10, shall accompany each application for examination or reexamination. Should the applicant's request for examination or reexamination be rejected, the application fee will be retained by the Board to cover the cost of processing the application. The fee for examination or reexamination will be refunded to the applicant.~~

(2) (1) An application fee, a fee for an original certificate and an annual license fee, in an amount as provided in Rule 500-X-2-.10, shall accompany each application for license. Should the applicant's request for license be rejected, the application fee will be retained by the Board to cover the cost of processing the application. The fee for the original certificate and the first annual license fee will be refunded to the applicant.

~~(a) An applicant who has paid an application fee for examination or reexamination will be exempt from paying an additional application fee for license unless the applicant previously had been licensed in the state and the license had been revoked or suspended.~~

(3) (2) An application fee, a fee for an original certificate of authorization and the first annual renewal license fee for a certificate of authorization, in an amount as provided in Rule 500-X-2-.10, shall accompany each application for certificate of authorization. Should the applicant's request for certificate of authorization be rejected, the application fee will be retained by the Board to cover the cost of processing the application. The fee for the original certificate of authorization and the first annual renewal license fee for the certificate of authorization will be refunded to the applicant.

(4) (3) An annual license fee for residents of the State of Alabama shall be paid to the Board by every landscape architect who is a resident of the state. The fee shall be due and payable on the first day of January of each year and shall become delinquent after the thirty-first day of January.

~~(5) (4) An annual license fee for nonresidents of the State of Alabama shall be paid to the Board by every landscape architect who is a nonresident of the state. The fee shall be due and payable on the first day of January of each year and shall become delinquent after the thirty-first day of January.~~

~~(6) (5) If the annual license fee is not paid before the date in which it becomes delinquent as defined in Rule 500-X-2-.08 (8), a penalty in an amount as provided in Rule 500-X-2-.10 shall be added to the amount thereof.~~

~~(7) (6) If the annual license fee and penalty are not paid before the thirtieth day of June in the year in which they become due by the fifteenth of March each year, the landscape architect's certificate shall be suspended from and after the expiration of 30 days from the date of mailing of notice of such delinquency by registered or certified mail, return receipt requested, postage prepaid and addressed to the landscape architect at his address~~

as it appears in the records of the Board. The notice of delinquency shall state that upon the expiration of time herein allowed his certificate will be suspended, unless within said time, the annual license fee and penalty are remitted.

~~(8)~~ (7) After the certificate has been suspended, the landscape architect shall reapply for certification as provided in Rule 500-X-2-.02; provided, however, that the Board may, in its discretion, waive any further examination of such an applicant.

~~(9)~~ (8) Any fees and/or penalties mailed to the Board will be considered delinquent if postmarked after the date of delinquency as provided in this rule.

~~(10)~~ (9) The Board shall issue a receipt to each landscape architect promptly upon payment of the annual license fee.

Author: William R. Sorensen

Statutory Authority: Code of Ala. 1975, §§34-17-1, et seq.

History: Filed October 1, 1981.

Amended: Filed March 27, 1992.

Amended: Filed November 1, 2006; effective December 6, 2006.

Amended: Filed October 5, 2012.