

Report on the  
**Board of Examiners of  
Landscape Architects**  
Montgomery, Alabama



**Department of  
Examiners of Public Accounts**

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May 16, 2018

Representative Howard Sanderford  
Chairman, Sunset Committee  
Alabama State House  
Montgomery, AL 36130

Dear Representative Sanderford,

This report was prepared to provide information for use by the Sunset Committee in conducting its review and evaluation of the operations of the Alabama Board of Examiners of Landscape Architects in accordance with the *Code of Alabama 1975*, Section 41-20-9.

The report contains unaudited information obtained from the management, staff, and records of the Alabama Board of Examiners of Landscape Architects, in addition to information obtained from other sources.

Please contact me if you have any questions concerning this report.

Sincerely,



Ronald L. Jones  
Chief Examiner

**Examiner**  
Shundra Brown



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# **PROFILE**

## **Purpose/Authority**

The Board of Examiners of Landscape Architects was created by Act. No. 2396, Acts of Alabama 1971 to license and regulate the practice of landscape architecture. The Board licenses individuals and issues certificates of authorization to corporations and partnerships. Current statutory authority for the Board is found in the *Code of Alabama 1975*, Sections 34-17-1 through 34-17-27.

<b><u>Characteristics</u></b>	
<b>Members and Selection</b>	Three members appointed by the Governor with the advice and consent of the Senate.  <i>Code of Alabama 1975</i> , Section 34-17-2(a)
<b>Term</b>	Three year staggered terms. No term limits.  <i>Code of Alabama 1975</i> , Section 34-17-2(a)
<b>Qualifications</b>	Shall be registered landscape architects of recognized standing having engaged in the practice of landscape architecture in the State of Alabama for a period of two years or more at the time of their appointments and shall be residents of this state.  <i>Code of Alabama 1975</i> , Section 34-17-2(a)
<b>Racial Representation</b>	No statutory requirement  No minority race members serving
<b>Geographical Representation</b>	No statutory requirement
<b>Consumer Representation</b>	No statutory requirement
<b>Other Representation</b>	Membership of the board shall be inclusive and reflect the racial, gender, urban/rural, and economic diversity of the state.  <i>Code of Alabama 1975</i> , Section 34-17-2(a)

<b>Compensation</b>	<p>The members of the board shall receive no salary or other compensation for their services as members but shall be reimbursed for reasonable and necessary expenses incurred in carrying out their duties.</p> <p><i>Code of Alabama 1975, Section 34-17-2(b)</i></p>																																													
<b><u>Operations</u></b>																																														
<b>Administrator</b>	<p>Keith Warren, Executive Director</p> <p>The Board contracts with Warren &amp; Company Inc. for management services and office space. The current annual contract amount is \$24,000.</p>																																													
<b>Location</b>	<p>2777 Zelda Road Montgomery, AL 36106 Office hours: M-F 8:30 – 4:30</p>																																													
<b>Examinations</b>	<p>Applicants are required to pass the Landscape Architect Registration Exam (LARE), a national exam prepared and scored by the Council of Landscape Architectural Registration Boards (CLARB), which is comprised of members of state boards. The LARE is a four-part fully computerized exam which is administered three times a year over a two-week period in April, August and December at Pearson Vue Test Centers located in Montgomery, Birmingham, and Dothan. Exam fees are paid directly to CLARB.</p> <p>Applicants must also pass a supplemental examination administered by the board, testing an applicant’s knowledge of Alabama statutes as it relates to landscape architecture. Exam fees for the supplemental exam are paid directly to the Board.</p> <table border="1" data-bbox="537 1346 1317 1688"> <thead> <tr> <th colspan="5"><b>Exam I – Project and Construction Management</b></th> </tr> <tr> <th></th> <th>Pass</th> <th>Fail</th> <th>Total</th> <th>Pass%</th> </tr> </thead> <tbody> <tr> <td>Aug. 2015</td> <td>1</td> <td>0</td> <td>1</td> <td>100%</td> </tr> <tr> <td>Dec. 2015</td> <td>1</td> <td>0</td> <td>1</td> <td>100%</td> </tr> <tr> <td>Apr. 2016</td> <td>2</td> <td>0</td> <td>2</td> <td>100%</td> </tr> <tr> <td>Aug. 2016</td> <td>2</td> <td>3</td> <td>5</td> <td>40%</td> </tr> <tr> <td>Dec. 2016</td> <td>0</td> <td>1</td> <td>1</td> <td>0%</td> </tr> <tr> <td>Apr. 2017</td> <td>1</td> <td>0</td> <td>1</td> <td>100%</td> </tr> <tr> <td>Aug. 2017</td> <td>1</td> <td>1</td> <td>2</td> <td>50%</td> </tr> </tbody> </table>	<b>Exam I – Project and Construction Management</b>						Pass	Fail	Total	Pass%	Aug. 2015	1	0	1	100%	Dec. 2015	1	0	1	100%	Apr. 2016	2	0	2	100%	Aug. 2016	2	3	5	40%	Dec. 2016	0	1	1	0%	Apr. 2017	1	0	1	100%	Aug. 2017	1	1	2	50%
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Aug. 2015	1	0	1	100%																																										
Dec. 2015	1	0	1	100%																																										
Apr. 2016	2	0	2	100%																																										
Aug. 2016	2	3	5	40%																																										
Dec. 2016	0	1	1	0%																																										
Apr. 2017	1	0	1	100%																																										
Aug. 2017	1	1	2	50%																																										

<b>Exam II – Inventory and Analysis</b>				
	Pass	Fail	Total	Pass%
Aug. 2015	1	1	2	50%
Dec. 2015	2	1	3	67%
Apr. 2016	3	0	3	100%
Aug. 2016	2	1	3	67%
Dec. 2016	-	-	-	-
Apr. 2017	1	0	1	100%
Aug. 2017	0	1	1	0%

<b>Exam III – Design</b>				
	Pass	Fail	Total	Pass%
Aug. 2015	-	-	-	-
Dec. 2015	3	1	4	75%
Apr. 2016	0	1	1	0%
Aug. 2016	3	2	5	60%
Dec. 2016	1	3	4	25%
Apr. 2017	1	1	2	50%
Aug. 2017	1	0	1	100%

<b>Exam IV – Grading, Drainage and Construction Documentation</b>				
	Pass	Fail	Total	Pass%
Aug. 2015	-	-	-	-
Dec. 2015	-	-	-	-
Apr. 2016	1	1	2	50%
Aug. 2016	1	0	1	100%
Dec. 2016	0	2	2	0%
Apr. 2017	2*	0	2	100%
Aug. 2017	2*	0	2	100%

\*Applicants must pass all four parts of the examination before being allowed to apply for licensure. Of the nine individuals who took all four parts of the examination, three failed, and six passed.

The Board collects the educational institution information during the licensure application process.

Of those who passed all four portions of the examination, three were graduates of Auburn University; one was a graduate of Ohio State; and two have not applied for licensure.



	<table border="1" data-bbox="537 205 1317 432"> <thead> <tr> <th colspan="5"><b>Supplemental Exam</b></th> </tr> <tr> <th></th> <th>Pass</th> <th>Fail</th> <th>Total</th> <th>Pass%</th> </tr> </thead> <tbody> <tr> <td>FY 2014</td> <td>14</td> <td>0</td> <td>14</td> <td>100%</td> </tr> <tr> <td>FY 2015</td> <td>17</td> <td>0</td> <td>17</td> <td>100%</td> </tr> <tr> <td>FY 2016</td> <td>17</td> <td>0</td> <td>17</td> <td>100%</td> </tr> <tr> <td>FY 2017</td> <td>14</td> <td>0</td> <td>14</td> <td>100%</td> </tr> </tbody> </table> <p data-bbox="500 474 1409 541">The Supplement Examination is an open book questionnaire applicants complete during the application process.</p> <p data-bbox="500 583 1040 651"><b>Code of Alabama 1975</b>, Section 34-17-22 <b>Board Rule</b> 500-X-2-.04</p> <p data-bbox="500 693 792 722"><b>Source:</b> Administrator</p>	<b>Supplemental Exam</b>						Pass	Fail	Total	Pass%	FY 2014	14	0	14	100%	FY 2015	17	0	17	100%	FY 2016	17	0	17	100%	FY 2017	14	0	14	100%
<b>Supplemental Exam</b>																															
	Pass	Fail	Total	Pass%																											
FY 2014	14	0	14	100%																											
FY 2015	17	0	17	100%																											
FY 2016	17	0	17	100%																											
FY 2017	14	0	14	100%																											
<b>Licensees</b>	<p data-bbox="500 768 1000 798">263 licensees as of December 29, 2017</p> <p data-bbox="500 840 792 869"><b>Source:</b> Administrator</p>																														
<b>Licensee Demographics</b>	<p data-bbox="500 919 867 949">Data not collected by Board.</p>																														
<b>Reciprocity</b>	<p data-bbox="500 993 1430 1094">The Board may permit the practice of landscape architecture in this state under a landscape architect license issued under the laws of any other state or country upon submission of the following evidence:</p> <ol data-bbox="548 1100 1430 1314" style="list-style-type: none"> <li>1. The other state or country maintains a system and standard of qualifications and examinations for a landscape architect license which were substantially equivalent to those required in this state at the time the license was issued by the other state or country.</li> <li>2. The other state or country gives similar recognition and endorsement to landscape architect licenses of this state.</li> </ol> <p data-bbox="500 1356 1386 1423">The Board does not have any formal reciprocity agreements with any other state.</p> <p data-bbox="500 1465 1040 1495"><b>Code of Alabama 1975</b>, Section 34-17-26</p> <p data-bbox="500 1537 857 1566"><b>Source:</b> Executive Director</p>																														

<b>Renewals</b>	<p>Annually, on January 1<sup>st</sup></p> <p>Delinquent if not renewed by January 31<sup>st</sup> and subject to a \$50 penalty fee. License suspended if license fee and penalty not paid by March 15<sup>th</sup>.</p> <p>Online renewal is available. 73% of licensees renewed online in FY 2017.</p> <p><i>Code of Alabama 1975</i>, Section 34-17-24</p>
<b>Continuing Education</b>	<p>16 professional development hours is required for renewal.</p> <p><i>Code of Alabama 1975</i>, Section 34-17-20(b) <i>Administrative Rule</i> 500-X-2-14(4)(a)</p>
<b>Employees</b>	<p>The Board has no employees. The Board contracts with Warren &amp; Company Inc. for management services including an executive director.</p>
<b>Immigration</b>	<p>E-Verify – N/A SAVE - Partially compliant – (<i>See Significant Issue</i>)</p>
<b>Legal Counsel</b>	<p>Bettie Carmack, Assistant Attorney General, Attorney General’s Office</p>
<b>Subpoena Power</b>	<p>None except as provided by the Administrative Procedure Act, <i>Code of Alabama 1975</i>, Section 41-22-12 for hearings and contested cases.</p>
<b>Internet Presence</b>	<p><a href="http://abela.state.al.us/">http://abela.state.al.us/</a> Information available includes:</p> <ul style="list-style-type: none"> <li>• Home</li> <li>• Board</li> <li>• Board Meetings</li> <li>• Committee</li> <li>• Handbook</li> <li>• Applications &amp; Forms</li> <li>• Landscape Architects Search</li> <li>• CE Guidelines</li> <li>• Contact</li> </ul>
<b>Attended Board Member Training</b>	<p>No one attended the last Board member training held in 2014.</p>

<b><u>Financial</u></b>	
<b>Source of Funds</b>	Licensing fees.
<b>State Treasury</b>	Yes - Special Revenue Fund 0366  <i>Code of Alabama 1975</i> , Section 34-17-6
<b>Required Distributions</b>	No required distributions.
<b>Unused Funds</b>	The Board retains unused funds at fiscal year-end.

## **SIGNIFICANT ISSUES**

**Significant Issue 2018-01 - Two of the three board members responding to our survey stated that the fine for unethical practices and practicing without a license should be increased.** The *Code of Alabama 1975*, Section 34-17-5(b)(2) allows the Board to levy an administrative fine against a licensee of the board not to exceed \$250 per violation.

According to the Executive Director, this amount does not cover the administrative, investigative or legal fees generated for the complaint process. In addition, the Board currently does not have any language in their statutes to provide for violations concerning the practice of landscape architecture without a license. According to financial records reviewed, there were no fines levied against licensees for the past four fiscal years.

**Board’s Response** – Administrative Fines not to exceed \$250 per violation against a licensee is outdated and should be increased to a more current amount to allow the Board to offset the expenses incurred for investigation of complaints and for administrative hearings. The Board has made efforts to change this legislatively in the pass to no avail. The Board currently does not have any plans on pursuing legislation until there are other areas of the statute that need to be changed.

## **STATUS OF PRIOR FINDINGS/SIGNIFICANT ISSUES**

**Significant Issue 2014-01 - The Board is not in compliance with requirements of the Beason- Hammon Alabama Taxpayer and Citizen Protection Act (Alabama Immigration statute) to withhold licensure from applicants who do not demonstrate that they are United States citizens prior to issuance of their initial or renewal license.**

The Board does not require applicants indicating they are U.S. citizens on Board applications to provide documentation of their U.S. Citizenship prior to issuing a license. The Board does, require applicants indicating they are not citizens to provide proof of legal alien status prior to issuing an initial license. The Board is not requiring current licensees to provide documentation of their U.S. Citizenship or legal alien status prior to issuing renewal licenses.

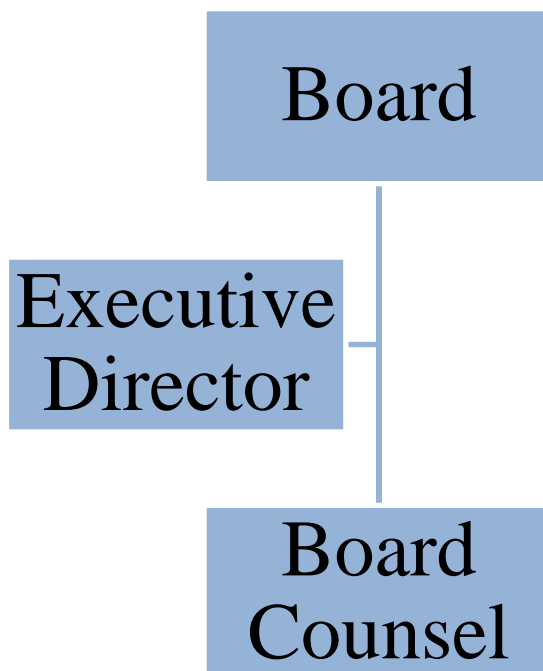
The Board has not completed enrollment in the Federal, Systematic Alien Verification for Entitlements (SAVE) program used to verify documentation presented by non-citizen applicants. According to the Board's Executive Secretary, the Board has applied for the program, but has yet to complete the process.

The *Code of Alabama 1975*, Section 34-17-21(3) of the Board's licensing law requires that as a prerequisite to licensure, applicants must be either citizens of the United States or legally present in the United States with appropriate documentation from the federal government. More specifically, Section 31-13-29(c)(1) of the Alabama Immigration statute requires that, "Any person entering into a public records transaction or attempting to enter into a public records transaction with this state or a political subdivision of this state shall be required to demonstrate his or her United States citizenship, or if he or she is an alien, his or her lawful presence in the United States to the person conducting the business transaction on behalf of this state or a political subdivision of this state." Section 31-13-29(g) lists documents to be used to verify citizenship. Section 31-13-3(10) provides that "a person shall be regarded as an alien unlawfully present in the United States only if the person's unlawful immigration status has been verified by the federal government pursuant to 8 U.S.C. § 1373(c)." and then lists documents to be used to verify lawful presence.

**Current Status 2018** - The Board has updated all application and renewal forms and are requiring legal documentation. However, the Board has not completed enrollment in the Federal, Systematic Alien Verification for Entitlements (SAVE) program used to verify documentation presented by non-citizen applicants.

**Board's Response** – The Board is currently working with the SAVE program to finalize the registration process and this should be complete by the Sunset Hearing scheduled for May 2018.

## ORGANIZATION



## PERSONNEL

The Board does not have employees. The Board contracts with Warren & Company Inc. for management services and office space. Keith Warren, president of Warren & Company Inc., serves as the Board’s executive director. The current annual contract amount is \$24,000.00.

### Legal Counsel

Bettie Carmack, Assistant Attorney General, Attorney General’s Office, provides legal services for the Board of Examiners of Landscape Architects.

## PERFORMANCE CHARACTERISTICS

### Number of Persons per Licensee in Alabama and Surrounding States

	<b>Population (estimate)*</b>	<b>Number of Licensees</b>	<b>Persons Per Licensee</b>
<b>Alabama</b>	<b>4,878,747</b>	<b>263</b>	<b>18,550</b>
Florida	20,984,400	1437	14,603
Georgia	10,429,379	848	12,299
Mississippi	2,984,100	272	10,971
Tennessee	6,715,984	352	19,080

\*Source: U.S. Census, July 1, 2017 Population Estimates

**Operating Disbursements per Licensee (FY 2017) - \$181.07**

**Notification of Board Decisions to Amend Administrative Rules**

The Board complied with notification procedures prescribed in the Administrative Procedure Act, which includes publication of proposed rules in the Administrative Monthly, and public hearings on proposed rules. Licensees are also notified through the Board’s website and via email.

**COMPLAINT HANDLING**

The Board’s *Administrative Rule* 500-X-2-.13 provides the procedures for documentation, receipt, and investigation of complaints received by the Board.

<b>Initial Contact/Documentation</b>	Complaints must be written, signed and notarized on the Board’s form. Any person may file a complaint including board members. Complaint forms are available on the Board’s website. The Board acknowledges receipt of complaint by letter.
<b>Anonymous Complaints Accepted</b>	Anonymous complaints are not accepted.
<b>Investigative Process and Probable Cause Determination</b>	Complaints are investigated by an investigator employed by Warren & Co. and the Board chair to determine probable cause. The Board chair recuses himself from further proceedings related to the complaint.
<b>Negotiated Settlements</b>	Yes. Negotiated settlements are accepted with guidance from the Board's Attorney.
<b>Notification of Resolution to the Complainant</b>	Once a resolution is determined, the complainant is notified by mail.
<i>Source:</i> Executive Director	

The Board had only one complaint. The complaint was received in FY 2017 and was resolved in 11 days.

**REGULATION IN CONJUNCTION WITH OTHER ENTITIES**

The Board is a member of the Council of Landscape Architectural Registration Boards (CLARB). CLARB develops professional standards and promotes uniform laws for the practice of landscape architecture among the states. CLARB also develops, grades, and owns the Landscape Architects Registration Examinations (L.A.R.E).

The Alabama Department of Agriculture and Industries issues Landscape Design permits allowing permittees to provide essentially the same service as landscape architects, with the exception of the preparation of plans and specifications for grading and drainage.

Licensed professional engineers, land surveyors, and architects regulated by other state licensing boards can engage in professional landscape architecture practices that are incidental to their profession.

## **FINANCIAL INFORMATION**

### **Source of funds**

The Board’s operating funds consist of licensing fees.

### **Fund**

The Board operates from Special Revenue Fund 0366 in the State Treasury, authorized by the *Code of Alabama 1975*, Section 34-17-6. Year-end balances are retained for the Board’s continuous use, subject to appropriations.

### **Schedule of Fees**

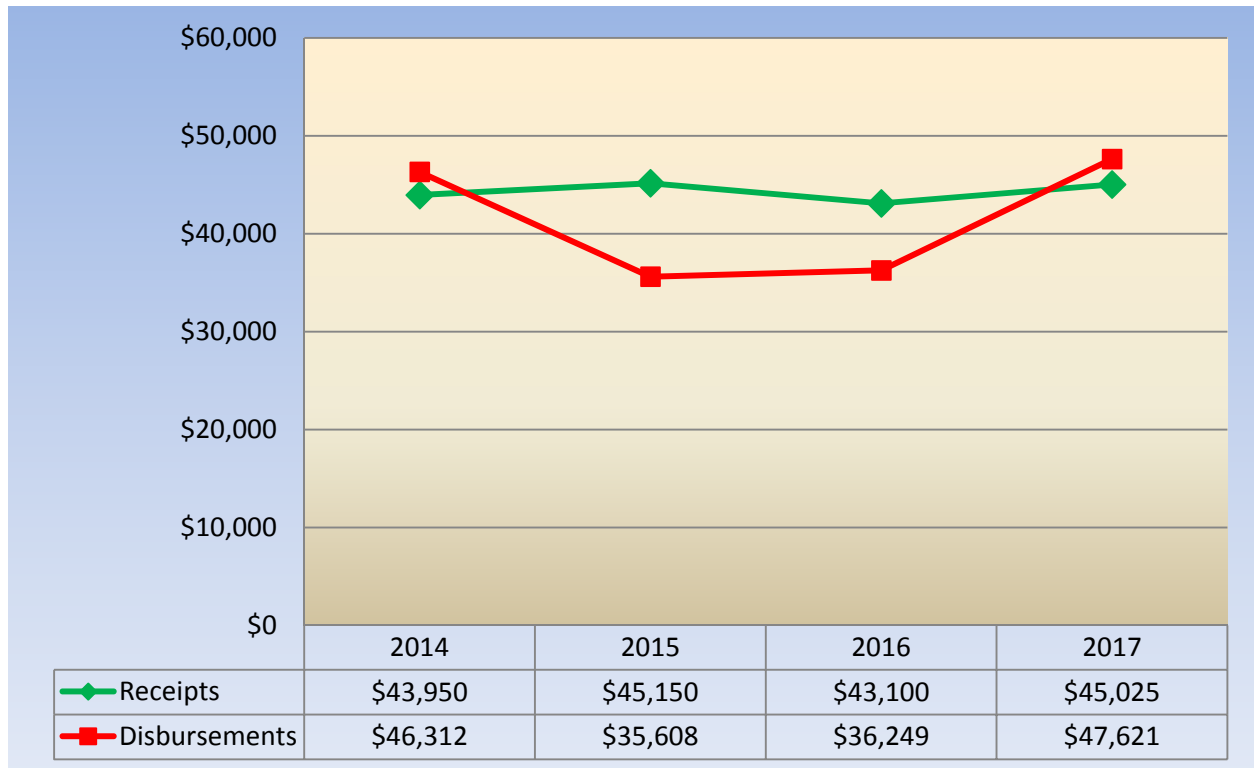
<b>Fee Type/Purpose</b>	<b>Statute Authority</b>	<b>Rule</b>	<b>Amount Authorized</b>	<b>Amount Collected</b>
Application Fee	34-17-25(1)	Set by Statute	\$75.00	\$75.00
Original Certificate Fee	34-17-25(3)	Set by Statute	\$50.00	\$50.00
Duplicate Certificate Fee	34-17-25(4)	Set by Statute	\$50.00	\$50.00
Annual License Fee	34-17-25(5)	Set by Statute	\$150.00	\$150.00
Reinstatement Fee	34-17-24(d)	500-X-2-.10(a)(c)(e)	\$275.00	\$275.00
Penalty Fee	34-17-25(6)	Set by Statute	\$50.00	\$50.00
Admin. Fee for Supplemental Exam	34-17-25(7)	500-X-2-.10(b)	\$150.00	\$150.00
Corporation/Partnership Original Cert.	34-17-4(c )(2)	500-X-2-.10(i)	Set by the Board	\$50.00
Corporation/Partnership Annual Renewal	34-17-4(c )(2)	500-X-2-.10(h)	Set by the Board	\$50.00

**Schedule of Receipts, Disbursements and Balances**  
 October 1, 2013 through September 30, 2017

	<b>2016-17</b>	<b>2015-16</b>	<b>2014-15</b>	<b>2013-14</b>
<b><u>Receipts</u></b>				
Licensing/Permit Fees	\$ 45,025.00	\$ 43,100.00	\$ 45,150.00	\$ 43,950.00
<b><u>Disbursements</u></b>				
Personnel	-	-	-	17,600.00
Employee Benefits	-	-	-	1,347.26
In-State Travel	364.26	186.94	79.68	486.90
Out-of-State Travel	1,263.83	2,444.45	1,294.42	-
Rental and Leases	-	-	-	3,000.00
Utilities and Communication	226.00	196.90	299.35	868.65
Professional Services	39,309.10	26,774.01	26,498.54	15,353.03
Supplies, Materials, and Operating Expenses	6,458.25	6,646.84	7,436.05	7,656.47
Total	<u>47,621.44</u>	<u>36,249.14</u>	<u>35,608.04</u>	<u>46,312.31</u>
Excess (Deficiency) of Receipts over Disbursements	(2,596.44)	6,850.86	9,541.96	(2,362.31)
Cash Balance at Beginning of Year	<u>41,494.36</u>	<u>34,643.50</u>	<u>25,101.54</u>	<u>27,463.85</u>
Cash Balance at End of Year	38,897.92	41,494.36	34,643.50	25,101.54
Reserved For Year End Obligations	<u>(6,538.73)</u>	<u>(29,845.62)</u>	<u>(12,500.00)</u>	<u>(6,039.92)</u>
Unreserved Cash Balance at Year End	<u>\$ 32,359.19</u>	<u>\$ 11,648.74</u>	<u>\$ 22,143.50</u>	<u>\$ 19,061.62</u>



**Operating Receipts vs. Operating Disbursements (Chart)**



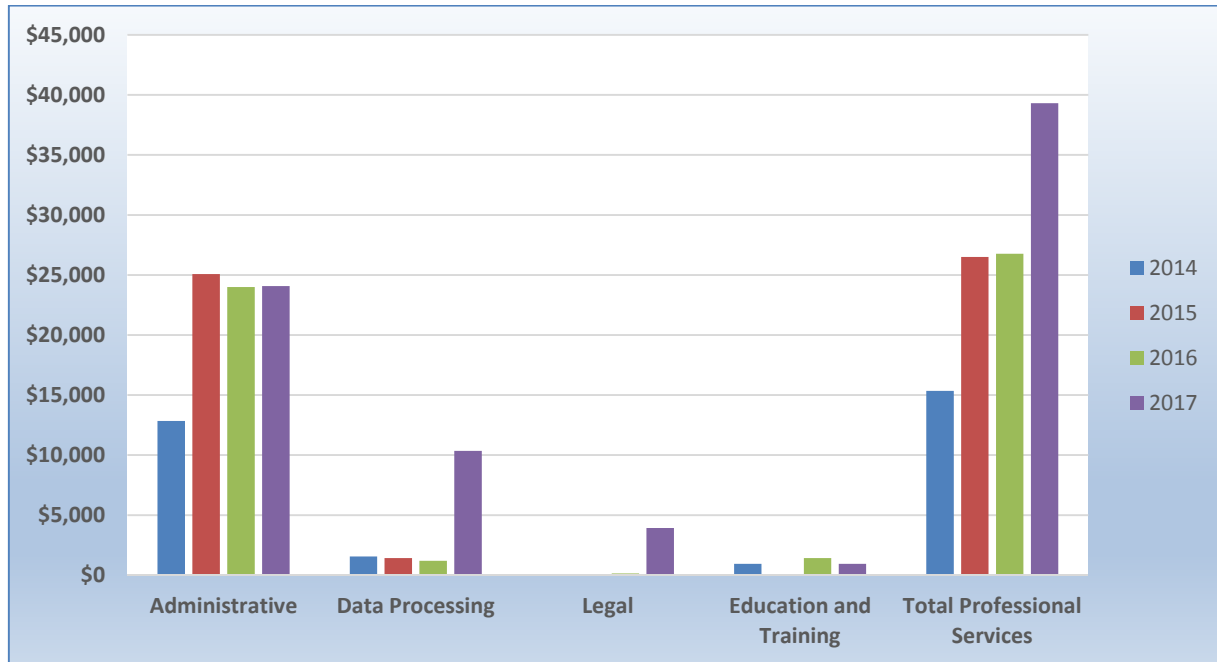
**SUMMARY SCHEDULE OF PROFESSIONAL SERVICE DISBURSEMENTS\***

As of September 30<sup>th</sup>

<b>Type Service</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>
Administrative	\$12,840.00	\$25,072.00	\$24,000.00	\$24,073.00
Data Processing	1,563.03	1,426.54	1,199.01	10,356.10
Legal	-	-	150.00	3,930.00
Education and Training	950.00	-	1,425.00	950.00
<b>Total</b>	<b>\$15,353.03</b>	<b>\$26,498.54</b>	<b>\$26,774.01</b>	<b>\$39,309.10</b>

\*A detailed schedule of professional service disbursements by vendor is presented in the appendices of this report.

**Professional Service Disbursement Chart**



## **QUESTIONNAIRES**

### **Board Member Questionnaire**

A letter was sent to all three members of the Board of Examiners of Landscape Architects requesting participation in our survey. All three participated in the survey.

**1. What are the most significant issues currently facing the Board of Examiners of Landscape Architects and how is the board addressing these issues?**

**Board Member #1** – “Communication with the legislature and other regulatory agencies. The Board has produced a brochure describing its mission and work to help bridge this gap.”

**Board Member #2** – “Maintaining the integrity of professional licensure for the health, safety and welfare of the public. The board is staying on top of issues that potentially affect licensing in Alabama & across the country and makes this information available to registrants.”

**Board Member #3** – “To increase diversity within our profession in Alabama and on our board and need to increase the monetary amount when a member is found guilty of violating one of our rules. We have no way to recoup the lawyer expense.”

**2. What, if any, changes to the Board’s laws are needed?**

**Board Member #1** – “An increase in the maximum fine to be commensurate with other professional boards and to provide flexibility in disciplinary action, if needed.”

**Board Member #2** – “Fines for unethical practices / practicing without a license should be higher”

**Board Member #3** – “None.”

**3. Is the Board adequately funded?**

Yes                      3                      100%

**Board Member #3** – “Except see my first comment.”

**4. Does the Board receive regular reports on operations from the Executive Director?**

Yes                      3                      100%

**5. Are you satisfied with the reports the Board receives from the Executive Director?**

Yes                      3                      100%

**6. Is the Board adequately staffed?**

Yes                      3                      100%

**7. Has the Board experienced any significant changes to its operations?**

**No                      3                      100%**

**8. Does the Board plan any significant changes in its operations?**

**No                      3                      100%**

**Licensee Questionnaire**

A letter was sent to one hundred licensees requesting their participation in our survey. Fifty participated in the survey. The percentages, where shown, are based on the number who responded to the questionnaire.

**1. Do you think regulation of your profession by the Board of Examiners of Landscape Architects is necessary to protect public welfare?**

<b>Yes</b>	<b>50</b>	<b>100%</b>
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**Respondent #5** – “Much of our work addresses improvements to streets with new streetscapes this requires interaction with transport design. On the simplest level we engage in the design of decks and other structures which need to be handled by competent practitioners. Registration shows that a person has some minimum qualifications.”

**Respondent #10** – “As a licensed landscape architect, we are charged with designing public outdoor spaces. This involves complying with handicap accessibility issues and other safety or public concerns. Regulations require that we are licensed and knowledgeable in these areas.”

**Respondent #33** – “The National Exam is a great standard for the licensure of Landscape Architecture. Beyond that, the continuing education requirement and what is available and relevant to Landscape Architecture is a real stretch. The greatest challenge is finding course relevance, not passing an irrelevant time consuming free on-line course, and printing a certificate to prove that you passed. It’s a wasteful administrative paper push. Every year, I consider not renewing my license.”

**Respondent #34** – “Much of what we do as landscape architects involves drainage, and storm water control which if not done properly could result in flooding. Many projects also involve the restoration and preservation of natural ecosystems which enhance biodiversity and natural habitat.”

**Respondent #39** – “The practice of landscape architecture should keep the public safe from hazards, protect and maximize the use of natural systems and resources, and prevent damage to public or private property from changes in the built environment. The education, experience, and examination required to earn a license ensures that licensed landscape architects can effectively protect the public and our communities from harm.”

**2. Do you think any of the Board’s laws, rules and policies are an unnecessary restriction on the practice of your profession?**

Yes	1	2%
<b>No</b>	<b>47</b>	<b>94%</b>
Unknown	1	2%
No Opinion	1	2%

**Respondent #33** – “See above. Too busy right now to continue my rant.”

**Respondent #34** – “Landscape architects are required to have adequate training to perform the tasks of a responsible environmental designer. My state license is an indication of my overall professional competency and enhances as opposed to restricting my practice.”

**Respondent #37** – “I wish they were more stringent.”

**3. Do you think any of the Board’s requirements are irrelevant to the competent practices of your profession?**

Yes	3	6%
<b>No</b>	<b>43</b>	<b>86%</b>
Unknown	1	2%
No Opinion	3	6%

**Respondent #33** – “Yes! The HSW requirement is a farce.”

**4. Are you adequately informed by the Board of changes to and interpretations of the board positions, policies, rules, and laws?**

<b>Yes</b>	<b>38</b>	<b>76%</b>
No	6	12%
Unknown	4	8%
No Opinion	2	4%

**Respondent #6** – “I am licensed in 4 states. One newsletter is typically sent out per year from Tenn. cannot remember one from LA and Alabama, but 1-2 a year via email would be good.”

**Respondent #8** – “Only been a member for a year and a half. Have not heard anything about any changes.”

**Respondent #33** – “I never hear anything from the board. I have no clue who they are, or what they do.”

**5. Has the Board performed your licensing and renewal in a timely manner?**

<b>Yes</b>	<b>49</b>	<b>98%</b>
No Opinion	1	2%

**Respondent #5** – “The board staff has always been a very helpful group. When issues have arisen they have always given me excellent service.”

**Respondent #10** – “I am licensed in 21 other states. This board does an excellent job.”

**Respondent #20** – “XXXXXXXXXX has always been helpful and efficient. She has always been polite and professional.”

**Respondent #33** – “I send a check and a pile of papers proving my CEU's and I receive a little card that allows me to continue to call myself a Registered Landscape Architect.”

**Respondent #37** – “Actually, Alabama is probably the most efficient licensing Board that I've ever come in touch with. I particularly like the extra correspondence they send to me as a reminder of renewal. It is most helpful.”

**6. Do you consider mandatory continuing education necessary for the competent practice of your trade?**

Yes	41	82%
No	6	12%
Unknown	3	6%

**Respondent #4** – “Materials and methods are constantly changing as does the general knowledge about the environment we live in. As landscape architects it is part of our due diligence to stay informed of state of the art approaches as they relate to our profession.”

**Respondent #5** – “I am practicing my profession every day using the skills I have been taught. As a professional I think it is incumbent upon me to learn the latest technology in the field. I would not need to be prodded by a legal requirement to keep my knowledge up to date.”

**Respondent #8** – “First year having to do it.”

**Respondent #10** – “Like a CPA, continuing education hours keeps licensed landscape architects current and always learning.”

**Respondent #20** – “Would like to see the requirement/license changed from an annual to a bi-annual requirement.”

**Respondent #33** – “The HSW credit hours found on-line are a joke. Very few offerings have anything to do with my practice of Landscape Architecture. It's just another bureaucratic requirement put in place by an overzealous administrative body.”

**Respondent #34** – “Yes! Like the practice of Law and Medicine, it is imperative that professionals stay current on new practice models and innovative techniques.”

**Respondent #37** – “Yes I do. Sadly, if CE was not required, employers would not help employees allowing them to take time for CE and helping with payment of CE. I firmly believe without it being required, design professionals would not be as up to date on trends and most importantly, requirements that are ever changing.”

**Respondent #45** – “The use of the term "Trade" is incorrect. Landscape Architecture is not a trade but profession regulated by the State of Alabama.”

**Respondent #49** – “Yes, but it has become highly commercialized as a business for profit. This has created some required ceu's that make no sense in some registrations and some of the classes are basically purchasing ceu's. The actual data learned is not legit!”

**7. What do you think is the most significant issue(s) currently facing your profession in Alabama and what is the Board doing to address the issue(s)?**

**Respondent #1** – “NO COMMENTS.”

**Respondent #2** – “no issues”

**Respondent #3** – “Competency of practitioners. The Board maintains an excellent policy of required education, examination and continuing education.”

**Respondent #5** – “As with most other states there is always a push by Architects and Engineers to restrict our ability to practice. The Board should be looking at ways to expand our practice areas.”

**Respondent #6** – “Unlicensed LA's being listed as such in phone books, on-line, and elsewhere - constant problem in every state and I don't know how to solve it nor know if Prof Board is taking these on as an issue.”

**Respondent #7** – “Unlicensed professionals providing work on projects that they are not licensed to do.”

**Respondent #8** – “HGTV and the idea that everyone can be a landscape designer and Landscape Architects aren't needed.”

**Respondent #10** – “The issue I see is unlicensed providers. The board is active in following the rules and regulations to protect the public from unlicensed providers.”

**Respondent #11** – “Possible sunset laws. The board needs to continue to advocate for licensure.”

**Respondent #12** – “Clearly defining roles & responsibilities in the consideration of Civil and Architecture licensing needs. The Board is currently taking no action in this matter.”

**Respondent #13** – “No Opinion, NA”

**Respondent #15** – “sunset licensure”

**Respondent #17** – “Our profession needs better lobbying/marketing at the design professional and municipal code level to help grow. We tend to be dismissed as unnecessary at these levels, yet our talents make a huge impact to the end users of our spaces.”

**Respondent #18** – “Ensuring those who claim to be landscape architects are licensed professionals.”

**Respondent #19** – “Green infrastructure technology is an important issue. Board requires half of CE (8 of 16 hours) to address health, safety and welfare.”

**Respondent #20** – “Global warming and the impacts on the local environment: How do we as a profession create smarter, sustainable landscapes? I'm not sure what the Board is doing to promote the profession. I saw some limited discussion from the meeting minutes about education. It's a small board and may rely on the AL ASLA chapter to fully inform the state legislature, local representatives and help to educate the public on how Landscape Architecture is a comprehensive vocation promoting not only aesthetic landscape elements but protecting the public welfare and enjoyment through sustainable landscape design and construction practices.”

**Respondent #23** – “No opinion.”

**Respondent #24** – “I'm not sure what the Board is doing about this issue at the moment but there are other professions that have the opinion and have actively sought to have the licensure process for Landscape Architects revoked.”

**Respondent #26** – “The licensing to practice defined tasks, such as grading and storm drainage design. None that I am aware of. Educating the local government agencies as to the state enabling legislation as it pertains to the practicing professionals is sorely needed in the state of Alabama.”

**Respondent #27** – “Protect our licensure.”

**Respondent #28** – “Competent education.”

**Respondent #29** – “The understanding of what Landscape Architects are responsible for with duties towards the public in regards to Health, Safety, and Welfare is generally unknown by regulators.”

**Respondent #30** – “To assure competence for those representing to be Landscape Architects. As a registered LA in several states, Alabama has the 48th most demanding CEU requirement (only Fla and Calif exceed Alabama's requirement). This is paramount toward competency.”

**Respondent #31** – “The influence of the engineering and architecture professions over that of landscape architects in Alabama. I am not sure if the board is addressing the issue.”

**Respondent #32** – “Maintaining relevant licensure law and enforcing licensure.”



**Respondent #33** – “I have no idea. I don't perceive any significant issue facing the profession.”

**Respondent #35** – “The fact that architects can provide the services that LA's provide with the training that our profession must have to qualify to hold a license. This robs LA's of opportunity and diminishes the value of our profession.”

**Respondent #37** – “Deregulation of the design professions is HUGE including landscape architecture. But LA's are not landscapers or nurserymen and that is where confusion exists. The requirements for LA's in Alabama are not easy, nor should they be as LA's are involved in many aspects of regulations and laws pertinent to public safety and welfare.”

**Respondent #38** – “The most significant issue is the attempt of unlicensed landscaping contractors, plant sellers, gardeners, etc. to confuse the general public as to why a landscape architect should be licensed. The obvious answer is that the landscape architect, through education, experience and examination has the knowledge and experience to protect the public health, safety and welfare.”

**Respondent #39** – “Deforestation and water pollution are major issues for rural Alabama. Development review in most towns is inadequate. Civil engineers and Landscape Architects must be required to stamp plans prior to the issuance of any permits.”

**Respondent #40** – “Local regulatory limitations on provided grading and drainage designs. No known action by the Board.”

**Respondent #43** – “NA”

**Respondent #44** – “No comments.”

**Respondent #45** – “Any effort to remove the Board or its regulatory authority by people who don't know what they are doing.”

**Respondent #48** – “Landscape "designers" who don't have any regulations, taking business.”

**Respondent #49** – “Public awareness of what we do!”

**Respondent #50** – “Sunset ting licensure.”

Did Not Respond                      13

**8. Do you think the Board and its staff are satisfactorily performing their duties?**

<b>Yes</b>	<b>40</b>	<b>80%</b>
No	2	4%
Unknown	5	10%
No Opinion	3	6%

**Respondent #7**– “1. Lack of representation from across the state. 2. The time on the board is only supposed to be for three years but there are members of this board that have been in place for over ten years.”

**Respondent #12** – “Little to no comment from the board, their meetings, or minutes of the discussion and meetings they have. No records have been shared.”

**Respondent #20** – “I'm answering this with yes but I'm unsure of the board's comprehensive role. If the board's role is to solely administer the license and the overseeing and review of Continuing Education/professional development units/ LA-CES then they are doing their job. The staff has from the day I applied and received my first license has always been helpful, informative and efficient.”

**Respondent #26** – “The staff is very prompt in response to returning phone & e-mail messages. The board needs reorganized to engage and inform the practitioners in the state.”

**Respondent #33** – “I don't know what their duties are, so I have no way of knowing whether they're performing them or not.”

**Respondent #37** – “The executive director is very responsive, much more so than the other states I am licensed in.”

**9. Has any member of the Board or its staff asked for money (other than normal fees), services, or any other thing of value in return for performing a board service for you?**

<b>No</b>	<b>49</b>	<b>98%</b>
Yes	1	2%

**Complainant Questionnaire**

A letter was sent to one complainant requesting participation in our survey.

**1. How was your complaint filed with the Board of Examiners of Landscape Architects?**

Email                    1                    100%

**2. Was receipt of your complaint promptly acknowledged?**

Yes                    1                    100%

**3. If you answered yes to question 2, approximately how long after you filed your complaint were you contacted by the Board?**

Unknown                1                    100%

**4. Was the Board employee who responded to your complaint knowledgeable and courteous?**

Both                    1                    100%

**Complainant #1** – “██████████ is great and very helpful.”

**5. Did the Board communicate the results of investigating your complaint to you?**

Unknown                1                    100%

**Complainant #1** – “Not sure other than a letter was I ‘contacted’ by the Board. ██████████ assisted me with a garden designer calling themselves a landscape architect and mentioned he had been notified.

**6. Do you think the Board did everything it could to resolve your complaint?**

Unknown                1                    100%

**7. Were you satisfied with your dealings with the Board?**

Yes                    1                    100%

## **APPENDICES**

### **Applicable Statutes**

#### **Section 34-17-1 Definitions.**

For purposes of this chapter, the following words and phrases shall have the respective meanings ascribed by this section:

(1) BOARD. The Alabama State Board of Examiners of Landscape Architects.

(2) LANDSCAPE ARCHITECT. A person who is engaged or offers to engage in the practice of landscape architecture, as hereinafter defined in this state.

(3) LANDSCAPE ARCHITECTURE. The performance of professional services such as consultation, investigation, research, planning, design, preparation of drawings and specifications and responsible 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, planting, naturalistic and aesthetic values, the settings and approaches to structures or other improvements, the setting of grades and determining drainage and providing for standard drainage structures, and the consideration and determination of environmental problems of land including erosion, blight, and other hazards. This practice shall include the design of such tangible objects and features as are incidental and necessary to the purpose outlined herein but shall not include the design of structures or facilities with separate and self-contained purposes such as are ordinarily included in the practice of engineering or architecture, and shall not include the making of land surveys of final plats for official approval or recordation. Nothing contained herein shall preclude a duly licensed landscape architect from performing any of the services described in the first sentence of this subsection in connection with the settings, approaches, or environment for buildings, structures, or facilities. Nothing contained in this chapter shall be construed as authorizing a landscape architect to engage in the practice of architecture, engineering, or land surveying as these terms are defined in Section 34-17-27.

(Acts 1971, No. 2396, p. 3819, §1.)

#### **Section 34-17-2 Board of Examiners of Landscape Architects - Creation; composition; compensation.**

(a) There is created the Alabama Board of Examiners of Landscape Architects which shall consist of three members. The board shall be appointed by the Governor with the advice and consent of the Senate. In appointing members to the board, the Governor shall select those persons whose appointments, to the extent possible, ensure that the membership of the board is inclusive and reflects the racial, gender, urban/rural, and economic diversity of the state. The members of the board, after the appointment of the original board, shall be registered landscape architects of recognized standing having engaged in the practice of landscape architecture in the State of Alabama for a period of two years or more at the time of their appointments and shall be citizens of this state. The terms of office of the members shall be three years, of which one term expires each year. Any vacancy occurring at any time in the membership of the board shall be filled by the Governor appointing a successor for the unexpired term.

(b) The members of the board shall receive no salary or other compensation for their services as members but shall be reimbursed for reasonable and necessary expenses incurred in carrying out their duties.

(c) The board shall elect annually from its members a chair and a secretary, and the board shall hold at least two or more meetings each year.

(d) Each member of the board shall take the oath of office as prescribed by the Constitution of Alabama of 1901.

(Acts 1971, No. 2396, p. 3819, §7; Act 2003-60, p. 91, §3; Act 2011-166, p. 315, §3.)

**Section 34-17-3 Board of Examiners of Landscape Architects - Powers and duties generally.**

(a) The board shall have the powers and duties listed in this section.

(b) The board shall have such employees as may be provided in the annual state budget.

(c) The board may make, adopt, and amend such rules and regulations as it deems necessary to carry out the provisions of this chapter.

(d) The board shall hold at least one meeting per year for the purpose of examining candidates for registration as landscape architects. It may hold such other meetings and hearings as required for the proper performance of its duties under this chapter.

(e) The board may adopt a seal for use in transacting its official business.

(f) The board shall keep a record of its proceedings and shall make an annual report thereon to the Governor.

(g) For the purpose of enforcing the provisions of this chapter, the board:

(1) May conduct investigations and hold hearings concerning any matter covered by this chapter at any time or place within the State of Alabama.

(2) May administer oaths and affirmations, examine witnesses, and receive evidence.

(Acts 1971, No. 2396, p. 3819, §8.)

**Section 34-17-4 Corporation or partnership not to be licensed or registered to practice; practice deemed personal right; final drawings, etc., to bear signature and seal; partnerships and corporations authorized as vehicle for practice.**

(a) A corporation or partnership, as such, may not be licensed or registered to practice landscape architecture, but may, if issued a certificate of authorization by the board, use any form of the title "landscape architect" in connection with the corporate or partnership name.

(b) The right to engage in the practice of landscape architecture is a personal right, based upon the qualifications of the individual evidenced by his or her license and is not transferable. All final drawings, specifications, plans, reports, or other papers or documents involving the practice of landscape architecture, as defined in Section 34-17-1, when issued or filed for public record, shall be dated and bear the signature and seal of the landscape architect or landscape architects who prepared or approved them.

(c) Nothing in subsections (a) and (b) of this section shall be construed to prevent the formation of partnerships and corporations as a vehicle for the practice of landscape architecture subject to all the following conditions:

(1) The practice of or offer to practice landscape architecture for others as defined in Section 34-17-1 by individual landscape architects licensed under this chapter through a corporation as officers, employees, or agents, or through a partnership as partners, officers, employees, or agents, or the offering or rendering of landscape architecture services by a corporation or partnership through individual landscape architects licensed under this chapter is permitted, subject to the provisions of this chapter if all the following requirements are satisfied:

a. One or more of the corporate officers in the case of a corporation, or one or more of the partners in the case of a partnership, is designated as being responsible for the professional

services described in Section 34-17-1 of the corporation or partnership and is a landscape architect under this chapter.

b. All personnel of the corporation or partnership, who act in its behalf as landscape architects, are licensed under this chapter.

c. The corporation or partnership has been issued a certificate of authorization by the board, as hereinafter provided.

The requirements of this chapter shall not prevent a corporation and its employees from performing landscape architectural services for the corporation, subsidiary, or affiliated corporations.

(2) A corporation or partnership desiring a certificate of authorization shall file with the board an application on forms provided by the board listing relevant information, including the names and addresses of all officers and members of the corporation, or officers and partners of the partnership, and also of an individual or individuals duly licensed to practice landscape architecture in this state who shall be in responsible charge of the practice of landscape architecture in this state through the corporation or partnership, and other information required by the board, accompanied by an original authorization fee to be determined by the board. A form, giving the same information, shall accompany the annual renewal fee to be determined by the board. In the event there is a change in any of these persons during the year, the change shall be designated on the same form and filed with the board within 30 days after the effective date of the change. If all of the requirements of this section are met, the board shall issue a certificate of authorization to the corporation or partnership, and the corporation or partnership shall be authorized to contract for and to collect fees for landscape architectural services.

(3) No corporation or partnership shall be relieved of responsibility for conduct or acts of its agents, employees, or officers by reason of its compliance with this section, nor shall any individual practicing landscape architecture as defined in Section 34-17-1 be relieved of responsibility for landscape architectural services performed by reason of his or her employment or relationship with such corporation or partnership.

(Acts 1971, No. 2396, p. 3819, §10; Acts 1995, No. 95-283, p. 523, §3.)

**Section 34-17-5** Grounds for disciplinary actions.

(a) Each of the following facts shall constitute a ground for disciplinary action:

(1) That the holder of a certificate of registration is practicing in violation of the provisions of this chapter or the rules and regulations of the board;

(2) That the holder of a certificate has obtained the certificate by fraud or misrepresentation, or that the person named in the certificate has obtained it by fraud or misrepresentation;

(3) That the holder of a certificate is impersonating a landscape architect or former landscape architect of the same or similar name, or is practicing under an assumed, fictitious or corporate name;

(4) That the holder of a certificate has aided or abetted in the practice of landscape architecture any person not authorized to practice landscape architecture under the provisions of this chapter;

(5) That, in the practice of landscape architecture, the holder of a certificate has been guilty of fraud or deceit;

(6) That, in the practice of landscape architecture, the holder of a certificate has been guilty of negligence or willful misconduct;

(7) That the holder of a certificate has been guilty of gross incompetence; or

(8) That the holder of a certificate has affixed his or her signature to plans, drawings, specifications, or other instruments of service which have not been prepared by him or her or under his or her immediate and responsible direction or has permitted his or her name to be used

for the purpose of assisting any person, not a landscape architect, to evade the provisions of this chapter.

(b) For violations of the preceding subsection, or for violations of the provisions of this chapter, or for violations of board rules and regulations, the board shall have the following disciplinary powers:

- (1) To reprimand a board licensee;
- (2) To levy an administrative fine against a licensee of the board not to exceed \$250 per violation;
- (3) To refuse to issue a certificate to an applicant of the board;
- (4) To suspend a licensee's certificate for a definite period of time; or
- (5) To revoke the certificate of a licensee. The board shall by rule and regulation adopt a disciplinary code.

(Acts 1971, No. 2396, p. 3819, §12; Acts 1991, No. 91-152, p. 191, §3.)

**Section 34-17-6 Landscape Architect's Fund.**

The secretary of the board shall receive and account for all moneys derived under the provisions of this chapter and shall not later than the tenth day of each month pay all such moneys collected during the previous month to the State Treasurer, who shall keep such moneys in a separate fund to be known as the "Landscape Architect's Fund." Such fund shall be kept separate and apart from all other moneys in the Treasury and shall be paid out for the expenses and compensation of the board and for enforcing this chapter only by warrant of the Comptroller upon the Treasurer, upon itemized vouchers, approved by the president and attested by the secretary of the board; provided, that no funds shall be withdrawn or expended except as budgeted and allotted according to the provisions of Article 4 of Chapter 4 of Title 41 of this Code. Under no circumstances shall the total amount of warrants issued by the Comptroller in payment of the expenses and compensation of the board and of enforcing this chapter exceed the amount provided therefor by the Legislature in the general appropriation bill.

(Acts 1971, No. 2396, p. 3819, §15.)

**Section 34-17-7 Penalties.**

Any person who, without possessing a valid, unrevoked certificate as provided in this chapter, uses the title or term "landscape architect" in any sign, card, listing, advertisement, or in any other manner implies or indicates that he or she is a landscape architect, as defined in this chapter, shall be guilty of a Class A misdemeanor and, upon conviction thereof, shall be punished as provided by law. All fines collected pursuant to this section shall be remitted by the court or officer collecting them to the State Treasurer and credited to the Landscape Architect's Fund in the State Treasury.

(Acts 1971, No. 2396, p. 3819, §11; Act 99-91, p. 107, §3.)

**Section 34-17-20 Required.**

(a) In order to safeguard public welfare, health, and property and to promote public good, any person practicing or offering to practice landscape architecture, privately or in public service, shall be required to submit evidence that he or she is qualified to practice as hereinafter provided. It shall be unlawful for any person to practice landscape architecture or to use the term or title "landscape architect" or "registered landscape architect" unless duly licensed under the provisions of this chapter.

(b) The state board shall adopt a program of continuing education for its licensees not later than October 1, 1993, and after that date no licensee shall have his or her active license renewed

unless, in addition to any other requirements of this chapter, the minimum continuing annual education requirements are met. It is further provided that the continuing education program herein required shall not include testing or examination of the licensees in any manner. (Acts 1971, No. 2396, p. 3819, §12; Acts 1991, No. 91-152, p. 191, §3; Act 2012-431, p. 1188, §1.)

**Section 34-17-21 Qualifications of applicant.**

For licensing as a landscape architect, the following evidence shall be submitted that the applicant:

- (1) Is at least 19 years of age.
- (2) Has, before making application to the board, completed the course of study in and been graduated from a college or school of landscape architecture approved by the board. The application for examination shall be accompanied by proof of actual practical experience in landscape architectural work of a grade and character satisfactory to the board. Each complete year of study in an approved college or school of landscape architecture shall be accepted in lieu of one year of practical experience, and the applicant shall submit evidence of sufficient additional acceptable experience to total five years of combined education and practical experience. The master's or doctoral degree in landscape architecture shall fulfill the requirements for five years combined education and practical experience. The applicant shall also submit proof of one additional year of practical experience sufficient to total six years of combined education and practical experience. In lieu of graduation from an accredited college or school of landscape architecture, and the practical experience in addition thereto, an applicant may be admitted to the examination upon presenting evidence of at least eight years of actual practical experience in landscape architectural work of a grade and character satisfactory to the board. In order to qualify for the exemption from the requirement to obtain a degree in landscape architecture based on eight years of practical experience, an applicant must have begun accepting practical experience prior to August 1, 2012.
- (3) Is a citizen of the United States or, if not a citizen of the United States, is a person who is legally present in the United States with appropriate documentation from the federal government. (Acts 1971, No. 2396, p. 3819, §3; Acts 1991, No. 91-152, p. 191, §3; Acts 1995, No. 95-283, p. 523, §3; Act 2011-166, p. 315, §3; Act 2012-431, p. 1188, §1; Act 2013-210, p. 478, §1(b).)

**Section 34-17-22 Examinations - Schedule; conduct.**

Examinations for the license shall be held by the board at least once each year. The board shall adopt rules and regulations covering the subjects and scope of the examinations, shall publish appropriate announcements and shall conduct the examinations at the times designated. Except as hereinafter provided in this chapter to the contrary, every applicant for licensing as a landscape architect shall be required, in addition to all other requirements, to establish by a board approved examination, which may be digital, his or her competence to plan, design, specify, and supervise the installation of landscape projects. Each board approved examination may be supplemented by such oral examinations as the board shall determine.

(Acts 1971, No. 2396, p. 3819, §4; Act 2012-431, p. 1188, §1.)

**Section 34-17-23 Examinations - Exemptions.**

The board may exempt from examination an applicant who holds a license of certificate to practice landscape architecture issued to him or her upon examination by a legally constituted board of examiners of any other state or Washington, D.C. or any other territory or possession



under the control of the United States; provided, that such requirements of the state in which the applicant is registered are equivalent to those of this state.  
(Acts 1971, No. 2396, p. 3819, §5.)

**Section 34-17-24 Fees - Payment; receipt.**

(a) Every landscape architect shall pay an annual license fee to the board. 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.

(b) If the annual license fee is not paid before it becomes delinquent a penalty of \$50.00 shall be added to the amount thereof per year.

(c) If the annual license fee and penalty are not paid before the fifteenth day of March in the year in which they become due, 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 or her address as it appears on the records of the board. The notice of delinquency shall state that upon the expiration of time herein allowed his or her certificate will be suspended unless, within that time, the annual license fee and penalty are remitted.

(d) After the certificate has been suspended, it may be reinstated upon the payment of the annual license fee and such proof of the landscape architect's qualifications as may be required in the sound discretion of the board.

(e) The board shall issue a receipt to each landscape architect promptly upon payment of the annual license fee.

(Acts 1971, No. 2396, p. 3819, §13; Acts 1982, No. 82-345, p. 498, §4; Act 2012-431, p. 1188, §1.)

**Section 34-17-25 Fees - Amount.**

The fees prescribed by this chapter shall be in the following amounts:

(1) The fee for application to the board is seventy-five dollars (\$75).

(2) The fee for examination or reexamination shall be in an amount as established by the board in order to cover all costs of examination, but in no event shall the fee exceed the actual cost of preparing and administering the examination.

(3) The fee for an original certificate is fifty dollars (\$50).

(4) The fee for a duplicate certificate is fifty dollars (\$50).

(5) The annual license fee is one hundred fifty dollars (\$150).

(6) The penalty fee is fifty dollars (\$50), as provided in Section 34-17-24.

(7) The fee for administration of the supplemental examination on the statutes governing the practice of landscape architecture in Alabama is one hundred fifty dollars (\$150).

(Acts 1971, No. 2396, p. 3819, §14; Acts 1982, No. 82-345, p. 498, §4; Acts 1987, No. 87-157, p. 217, §3; Acts 1991, No. 91-152, p. 191, §3; Acts 1995, No. 95-283, p. 523, §3; Act 2003-60, p. 91, §3; Act 2012-431, p. 1188, §1.)

**Section 34-17-26 Reciprocity.**

The board, subject to the provisions of this chapter and the rules and regulations of the board promulgated thereunder prescribing the qualifications for a landscape architect license, may permit the practice of landscape architecture in this state under a landscape architect license issued under the laws of any other state or country, upon payment of the current fee established by the board, and upon submission of all of the following evidence satisfactory to the board:

(1) That the other state or country maintained a system and standard of qualifications and examinations for a landscape architect license which were substantially equivalent to those required in this state at the time the license was issued by the other state or country.

(2) That the other state or country gives similar recognition and endorsement to landscape architect licenses of this state.

(Acts 1971, No. 2396, p. 3819, §6; Acts 1995, No. 95-283, p. 523, §3.)

**Section 34-17-27 Exemptions.**

This chapter shall not be construed to require licensing in the following cases:

(1) The practice of landscape architecture by any person who acts under the supervision of a registered landscape architect or by an employee of a person lawfully engaged in the practice of landscape architecture and who in either event does not assume responsible charge of design or supervision;

(2) The practice of architecture by a duly registered professional architect and the doing of landscape architectural work by a registered architect or by an employee under supervision of a registered architect, when such work is incidental to their practice;

(3) The practice of engineering by a duly registered professional engineer and the doing of landscape architectural work by a registered engineer or by an employee under supervision of a registered engineer, when such work is incidental to their practice;

(4) The practice of surveying by a duly registered professional land surveyor and the doing of landscape architectural work by a registered professional land surveyor or by an employee under supervision of a registered professional land surveyor, when such work is incidental to their practice;

(5) The practice of landscape architecture by employees of the United States government while engaged within this state in the practice of landscape architecture for the government;

(6) The practice of planning as customarily done by regional or urban planners;

(7) The practice of arborists, foresters, gardeners, home builders, and horticulturists; or

(8) The practice of any nurseryman, general or landscape contractor, such practice to include design, planning, location, and arrangements of plantings or other ornamental features.

(Acts 1971, No. 2396, p. 3819, §9.)

## Professional Services by Vendor

	2014	2015	2016	2017
<b>Administrative Services</b>				
Department of Finance	\$ -	\$ -	\$ -	\$ 13.00
Kwik Kopy Shop	-	-	-	60.00
Laura A Head	-	72.00	-	-
Legislative Reference Service	840.00	-	-	-
Leigh Moorer	-	1,000.00	-	-
Warren & Co Inc	12,000.00	24,000.00	24,000.00	24,000.00
<b>Total Administrative Services</b>	<b>12,840.00</b>	<b>25,072.00</b>	<b>24,000.00</b>	<b>24,073.00</b>
<b>Data Processing / STAARs</b>				
Department of Finance	1,563.03	1,426.54	1,199.01	10,356.10
<b>Total Data Processing / STAARs</b>	<b>1,563.03</b>	<b>1,426.54</b>	<b>1,199.01</b>	<b>10,356.10</b>
<b>Legal Services</b>				
Attorney General's Office	-	-	150.00	3,930.00
<b>Total Legal Services</b>	<b>-</b>	<b>-</b>	<b>150.00</b>	<b>3,930.00</b>
<b>Education and Training</b>				
CLARB	950.00	-	-	-
Council of Landscape Architectural Registration Boards Inc.	-	-	1,425.00	950.00
<b>Total Education and Training</b>	<b>950.00</b>	<b>-</b>	<b>1,425.00</b>	<b>950.00</b>
<b>Total Professional Services</b>	<b>\$ 15,353.03</b>	<b>\$ 26,498.54</b>	<b>\$ 26,774.01</b>	<b>\$ 39,309.10</b>

Board Members

ALABAMA BOARD OF EXAMINERS OF  
LANDSCAPE ARCHITECTS

December 29, 2017

Shundra Brown  
Examiners of Public Accounts  
Post Office Box 302251  
Montgomery, AL 36130-2251

Dear Mrs. Brown,

Please find the following individuals that have served on the Board during the examination period.

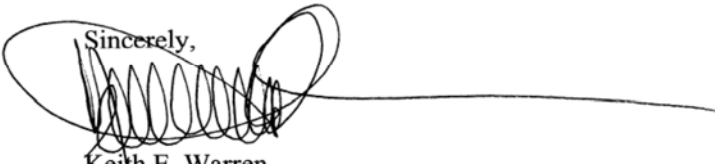
Lawrence L. Bates, Chair  
Alexander City, Alabama  
Appointed: 7/21/16  
Confirmed: 5/17/17  
Expiration: 1/3/19

Lea Ann Macknally, Secretary  
Birmingham, Alabama  
Appointed: 1/8/15  
Confirmed: 3/5/15  
Expiration: 1/3/18

Lois S. Mash  
Birmingham, Alabama  
Appointed: 2/10/14  
Confirmed: 2/13/14  
Expiration: 1/3/17

Please do not hesitate to contact me should you need any additional information or have any questions.

Sincerely,



Keith E. Warren  
Executive Director

2777 Zelda Road, Montgomery, AL 36106 Phone: 334-262-1351 Fax: 334-263-6115  
landscapeboard@alstateboard.com

*Response to Significant Issues*

ALABAMA BOARD OF EXAMINERS OF  
**LANDSCAPE ARCHITECTS**

March 26, 2018

Maria L. Catledge  
Director, Operational Division  
Examiners of Public Accounts  
State of Alabama  
Post Office Box 302251  
Montgomery, AL 36130-2251

Dear Ms. Catledge,

Please find the following responses to the significant and prior significant issues outlined in your report dated March 23, 2018.

**Significant Issue 2018-01**


Administrative Fines not to exceed \$250 per violation against a licensee is outdated and should be increased to a more current amount to allow the Board to offset the expenses incurred for investigation of complaints and for administrative hearings. The Board has made efforts to change this legislatively in the past to no avail. The Board currently does not have any plans on pursuing legislation until there are other areas of the statute that need to be changed.

**Prior Significant Issue 2014-01**

The Board is currently working with the SAVE program to finalize the registration process and this should be complete by the Sunset Hearing scheduled for May 2018.

Thank you for your assistance and cooperation during this audit and please do not hesitate to contact me should you need any additional information or documentation.

Respectfully submitted,

  
Keith E. Warren  
*Executive Director*

2777 Zelda Road, Montgomery, AL 36106 Phone: 334-262-1351 Fax: 334-263-6115  
landscapeboard@alstateboard.com