

BEFORE THE DEPARTMENT OF LABOR AND INDUSTRY  
AND THE BOARD OF ARCHITECTS AND LANDSCAPE ARCHITECTS  
STATE OF MONTANA

In the matter of the amendment ARM ) NOTICE OF PUBLIC HEARING ON  
24.101.413 renewal dates and ) PROPOSED AMENDMENT  
requirements and 24.114.401 fee )  
schedule )

TO: All Concerned Persons

1. On February 18, 2010, at 10:00 a.m., a public hearing will be held in room 430, 301 South Park Avenue, Helena, Montana to consider the proposed amendment of the above-stated rules.

2. The Department of Labor and Industry (department) will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Architects and Landscape Architects (board) no later than 5:00 p.m., on February 12, 2010, to advise us of the nature of the accommodation that you need. Please contact Brooke Jasmin, Board of Architects and Landscape Architects, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2351; Montana Relay 1 (800) 253-4091; TDD (406) 444-2978; facsimile (406) 841-2309; e-mail dlibsdescmt.gov.

3. GENERAL REASON STATEMENT: The department has determined it is reasonably necessary to amend ARM 24.101.413 to change the renewal frequency for architects from biennially to annually to coincide with amendments to ARM 24.114.401, the board's renewal rule. Annual collection of license revenue complies with the Department of Administration's fiscal guidelines for recording revenue. Entities that renew on a biennial schedule and receive their entire renewal revenue in one year must hold half of the revenue and record it in the second year of the renewal cycle in order to avoid budget shortfalls. Annual renewal will eliminate the need to defer half the revenue until the following year, thereby simplifying the accounting process. Additionally, the board concluded that annual renewals will serve to remind licensees to renew in a more timely fashion and to inform the board office of address changes more frequently. The board is optimistic that this change will reduce the number of architects with terminated and expired licenses that may be practicing without a valid license. This change will affect an estimated 1268 licensees and will result in no revenue change.

4. The department is proposing to amend the following rule. The rule proposed to be amended provides as follows, stricken matter interlined, new matter underlined:

24.101.413 RENEWAL DATES AND REQUIREMENTS (1) through (5)(a) remain the same.

(b)	Architects	Architects	<del>Biennially, Even Numbered Years</del> <u>Annually</u>	June 30
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(c) through (7) remain the same.

AUTH: 37-1-101, 37-1-141, MCA

IMP: 37-1-101, 37-1-141, MCA

5. The board is proposing to amend the following rule. The rule proposed to be amended provides as follows, stricken matter interlined, new matter underlined:

24.114.401 FEE SCHEDULE (1) through (1)(b) remain the same.

(c) ~~Biennial~~ Annual renewal 410 55

(d) through (5) remain the same.

AUTH: 37-1-131, 37-1-134, 37-65-204, MCA

IMP: 37-1-134, 37-1-141, 37-65-307, 37-66-309, MCA

6. Concerned persons may present their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to the Board of Architects and Landscape Architects, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2309, or by e-mail to dlibs@mt.gov, and must be received no later than 5:00 p.m., February 26, 2010.

7. An electronic copy of this Notice of Public Hearing is available through the department and board site on the World Wide Web at [www.architect.mt.gov](http://www.architect.mt.gov). The department strives to make the electronic copy of this Notice conform to the official version of the Notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the Notice and the electronic version of the Notice, only the official printed text will be considered. In addition, although the department strives to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems, and that technical difficulties in accessing or posting to the e-mail address do not excuse late submission of comments.

8. The board maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this board. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies the person wishes to receive notices regarding all board administrative rulemaking proceedings or other administrative proceedings. The request must indicate whether e-mail or standard mail is preferred. Such written request may be sent or delivered to the Board of Architects and Landscape Architects, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, faxed to the office at (406) 841-2309, e-

mailed to dlibsdark@mt.gov, or made by completing a request form at any rules hearing held by the agency.

9. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

10. Colleen White, attorney, has been designated to preside over and conduct this hearing.

BOARD OF ARCHITECTS AND  
LANDSCAPE ARCHITECTS  
BAYLISS WARD, PRESIDENT

/s/ DARCEE L. MOE  
Darcee L. Moe  
Alternate Rule Reviewer

/s/ KEITH KELLY  
Keith Kelly, Commissioner  
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State January 19, 2010