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COMMITTEES

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

September 27, 1999

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INDEPENDENT REGULATORY
REVIEW COMMISSION

John R. McGinley, Jr., Chairman
Independent Regulatory Review Commission
14th Floor, Harristown 2
333 Market Street
Harrisburg, PA 17101

Dear Chairman McGinley:

This is to advise you that the House Professional Licensure Committee met today, and submits the following comments pertaining to the regulations considered by the Committee:

The Committee voted to take no formal action until final-form regulations are promulgated on Regulation 16A-414. However, the Committee submits the following comments:

1. The Committee is requesting additional information as to the category of "certification of licensure, registration or scores." The Committee is questioning under what circumstances the Board would "certify" an examination score. In the fee report form, the explanations as to what functions the Board staff performs for certification and verification are identical. The Committee requests an explanation as to the distinction between these two categories and what accounts for the differential in fees.
2. The fee report forms list a total estimated cost for each service based on a formula of staff time expended plus average administrative overhead. However, in all cases the proposed fee to be charged is rounded up to the nearest five dollar increment. The Committee is requesting an explanation as to why the proposed fees are rounded up, and are not the actual cost of services as estimated by the Board.
3. The administrative overhead costs for certification of scores, license or registration and verification of license or registration are listed as \$9.76 while all other services are listed as \$17.78. The Committee is requesting an explanation as to what accounts for the difference in administrative overhead costs.

The Committee voted to take no formal action until final-form regulations are promulgated on Regulation 16A-566. However, the Committee offers the following comments:

1. The Committee notes that the fee for initial license application for private real estate school would be significantly reduced. The Committee requests a detailed explanation of the application review process, whether the application review process would be changed from the current process, and what accounts for the reduction of fee.
2. The fee report forms list a total estimated cost for each service based on a formula of staff time expended plus average administrative overhead. However, in most cases the proposed fee to be charged is rounded up to the nearest five dollar increment. The Committee is requesting an explanation as to why the proposed fees are rounded up, and are not the actual cost of services as estimated by the Board.
3. The administrative overhead costs for certification of license history is listed as \$9.76 and while all other services are listed as \$13.56. The Committee is requesting an explanation as to what accounts for the difference in administrative overhead costs.

The Committee voted to take no formal action until final-form regulations are promulgated on Regulation 16A-615. However, the Committee submits the following comments:

1. The Committee is requesting additional information as to the category of "certification of licensure or scores." The Committee is questioning under what circumstances the Board would "certify" an examination score. In the fee report form, the explanations as to what functions the Board staff performs for certification and verification are virtually identical. The Committee requests an explanation as to the distinction between these two categories and what accounts for the differential in fees.
2. The fee report forms list a total estimated cost for each service based on a formula of staff time expended plus average administrative overhead. However, in all but a few cases, the proposed fee to be charged is rounded up to the nearest five dollar increment. The Committee is requesting an explanation as to why the proposed fees are rounded up, and are not the actual cost of services as estimated by the Board.

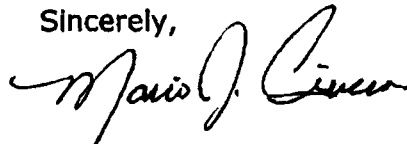
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Independent Regulatory Review Commission
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3. The administrative overhead costs for certification of license or examination scores and verification of license or permit are listed as \$9.76 while all other services are listed as \$32.96. The Committee is requesting an explanation as to what accounts for the difference in administrative overhead costs.

4. The Committee notes that the fee for application for licensure and Board interview under 15.54(b)(2), 15.54 (b)(3) or 15.56(a)(3) would be increased significantly. The Committee is requesting a more detailed explanation as to the reason and need for such an increase.

Please feel free to contact my office if any questions should arise.

Sincerely,



Mario J. Civera, Chairman
House Professional Licensure Committee

MJC/sms

Enclosures

cc: Robert J. Crouner, R.A., President
State Architects Licensure Board
Rita Halverson, Chairperson
State Real Estate Commission
David M. DuTot, LA, Chairman
State Board of Landscape Architects
Hon. Kim H. Pizzigrilli, Secretary of the Commonwealth
Department of State

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Regulation 16A-615

State Board of Landscape Architects

PROPOSAL: Regulation 16A-615 amends 49 PA Code, Chapter 15, regulations of the State Board of Landscape Architects. The amendment makes revisions to the schedule of Board fees by raising the application fees for licensure, raising the fee for certification of licensure or scores, and creating fees for verification of licensure and application for temporary permit.

The proposed Rulemaking was published in the Pennsylvania Bulletin on August 14, 1999. The Professional Licensure Committee has until October 4, 1999, to submit comments on the regulation.

ANALYSIS: Pursuant to Sec. 5 of the Landscape Architects Registration Law, 63 P.S. Sec. 905, the Board is required to meet expenditures through revenues raised by fees, fines and civil penalties. The Board is required to increase fees so that projected revenues will meet or exceed projected expenditures. Fees for various services provided directly to applicants or licensees are based upon the actual charge of providing the service requested. The Board does not currently charge a fee for verification of licensure, nor does it currently charge a fee for application for temporary permit. Section 6 of the Act and Sections 15.54 and 15.56 of the Board's regulations provide for seven routes to licensure as a landscape architect. Four groups of candidates are not required to appear before the Board for an interview, and the costs of review and approval of these groups are identical. Three groups of candidates are required to appear before the Board for an interview and the costs of review and approval of these groups is identical.

The Board proposes to amend Sec. 15.57 to change registration by "reciprocity" to registration by "endorsement," since neither the Act nor regulations require reciprocal agreements with other jurisdictions. The terminology of Sec. 15.12 would also be changed from "application for licensure without examination with proof of licensure" to "application for licensure by endorsement" in that the Board finds the current terminology to be confusing. The Board states that the following fees would be changed to reflect the actual cost of providing the service:

<u>Application/Service</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Application for Licensure Under 15.54 (b)(1), 15.54(b)(2), 15.54(b)(3) or 15.56(a)(3)	\$ 40.00	\$ 60.00
Application for Licensure and Board Interview Under 15.54(b)(4), 15.56(a)(1) or 15.56(a)(2)	\$255.00	\$350.00
Certification of Licensure or Scores	\$ 15.00	\$ 25.00
Verification of Licensure	\$ 0.00	\$ 15.00

RECOMMENDATIONS: It is recommended that the Professional Licensure Committee take no formal action until final form regulations are promulgated. However, the Committee submits the following comments:

- (1) The Committee is requesting additional information as to the category of "certification of licensure or scores". The Committee is questioning under what circumstances the Board would "certify" an examination score. In the fee report form, the explanations as to what functions the Board staff performs for certification and verification are virtually identical. The Committee requests an explanation as to the distinction between these two categories and what accounts for the differential in fees.
- (2) The fee report forms list a total estimated cost for each service based on a formula of staff time expended plus average administrative overhead. However, in all but a few cases, the proposed fee to be charged is rounded up to the nearest five dollar increment. The Committee is requesting an explanation as to why the proposed fees are rounded up, and are not the actual cost of services as estimated by the Board.
- (3) The administrative overhead costs for certification of license or examination scores and verification of license or permit are listed as \$9.76 while all other services are listed as \$32.96. The Committee is requesting an explanation as to what accounts for the difference in administrative overhead costs.

House of Representatives
Professional Licensure Committee
September 7, 1999