



**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF LANDSCAPE ARCHITECTS**

(717) 782-8528

116 PINE STREET  
P. O. BOX 2649  
HARRISBURG, PA  
17105-2649

July 30, 1999

The Honorable Mario J. Civera, Jr., Majority Chairman  
Professional Licensure Committee  
Pennsylvania House of Representatives  
315-D Main Capitol  
Harrisburg, PA 17120

RE: Proposed Regulation  
State Board of Landscape Architects  
Application Fees: 16A-615

Dear Representative Civera:

Enclosed is a copy of a proposed rulemaking package of the State Board of Landscape Architects pertaining to application fees.

The Board will be pleased to provide whatever information your Committee may require during the course of its review of the rulemaking.

Sincerely,

A handwritten signature in black ink, reading "David M. DuTot".

David M. DuTot, LA, Chairman  
State Board of Landscape Architects

DMD/BSM/bgw  
Enclosures

c: Hon. Kim Pizzigrilli, Secretary of the Commonwealth  
Department of State  
C. Michael Weaver, Deputy Secretary of Regulatory Programs  
Department of State  
Steven V. Turner, Chief Counsel  
Department of State  
Joyce McKeever, Deputy Chief Counsel  
Department of State  
Dorothy Childress, Commissioner  
Bureau of Professional and Occupational Affairs  
Ruth D. Dunnewold, Senior Counsel in Charge  
Bureau of Professional and Occupational Affairs  
Beth Sender Michlovitz, Counsel  
State Board of Landscape Architects  
State Board of Landscape Architects

FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to  
form and legality: Attorney General

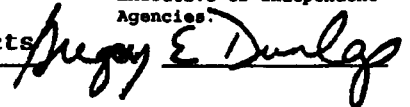
Copy below is hereby certified to be a true and correct  
copy of a document issued, prescribed or promulgated by:

Copy below is approved as  
to form and legality.  
Executive or Independent  
Agencies:

  
(DEPUTY ATTORNEY GENERAL)

State Board of Landscape Architects

(AGENCY)



JUN 15 1999.

DATE OF APPROVAL

DOCUMENT/FISCAL NOTE NO. 16A-615

DATE OF ADOPTION: \_\_\_\_\_

BY: \_\_\_\_\_

David M. DuTot, LA

6/1/99

DATE OF APPROVAL

(Deputy General Counsel  
(Chief Counsel,  
Independent Agency  
(Strike inapplicable  
title)

TITLE: Chairman

(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

[ ] Check if applicable  
Copy not approved.  
Objections attached.

[ ] Check if  
applicable. No Attorney  
General approval or  
objection within 30 day  
after submission.

NOTICE OF PROPOSED RULEMAKING  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF LANDSCAPE ARCHITECTS  
49 PA. CODE, CHAPTER 15  
APPLICATION FEES

The State Board of Landscape Architects (Board ) proposes to amend its regulation at 49 Pa. Code §15.12 by revising certain application fees and making editorial changes as set forth in Annex A.

**A. Effective date**

The amendments will be effective upon publication of the final form regulation in the Pennsylvania Bulletin.

**B. Statutory Authority**

The amendments are authorized under Section 5 of the Landscape Architects' Registration Law, Act of January 24, 1966, P.L. (1965) 1527, as amended, 63 P.S. §905.

**C. Background and Purpose**

The Landscape Architects' Registration Law requires the Board to set fees by regulation so that revenues meet or exceed expenditures over a biennial period. General operating expenses of the Board are funded through biennial license renewal fees. Expenses related to applications or services which are provided directly to individual licensees or applicants are excluded from general operating revenues and are funded through fees in which the cost of providing the service forms the basis for the fee.

In a recent systems audit of the operations of the Board within the Bureau of Professional and Occupational Affairs, the fees for services to licensees and applicants were analyzed to determine if the fees reflected the actual cost of providing the services. Actual cost calculations are based upon the following formula:

$$\begin{array}{r} \text{number of minutes to perform the function} \\ \times \\ \text{pay rate for the classification of personnel performing the function} \\ + \\ \text{a proportionate share of administrative overhead.} \end{array}$$

The analysis determined that the fees for applications for licensure when a board interview is not required, licensure when a board interview is required, and certification of licenses or examination scores did not accurately reflect the actual cost of providing the services. Fees in these categories have not been revised since 1988, and current fees fell short of the cost to provide the service. Fees are also proposed for applications for temporary permits and verification of licensure. Temporary permits allow landscape architects licensed in another jurisdiction, whose standards for

licensure are equivalent to those of Pennsylvania, to practice in the Commonwealth an aggregate of 30 days in one calendar year pursuant to Section 8(2) of the Landscape Architects' Registration Law, 63 P.S. §908(2), and the Board's regulation at 49 Pa. Code §15.23. The analysis determined that although the Board has been expending funds to review qualifications and extraterritorial standards, as well as to verify licensure, no fees had heretofore been charged. Rather, the costs had been absorbed by biennial renewal fees paid by all licensees. In this proposal, fees for the various services identified would be adjusted to allocate costs to those who apply for the services. The Board will continue to apportion its enforcement and operating costs to the general licensing population when the Board makes its biennial reconciliation of revenue and expenditures. Editorial changes are also proposed to better describe the fee changes proposed by this regulation.

**D. Description of Proposed Amendments**

Section 6 of the Landscape Architects' Registration Law, 63 P.S. §906, and the Board's regulations at 49 Pa. Code §§15.54 and 15.56 outline seven routes to licensure as a landscape architect.

Four groups of candidates for licensure are not required to appear before the Board. 49 Pa. Code §15.54(b)(1) provides for licensure by examination for an applicant who holds an undergraduate degree in landscape architecture and two years of practical experience. 49 Pa. Code §15.54(b)(2) provides for licensure by examination for an applicant with an undergraduate degree in landscape architecture, one year of graduate education in landscape architecture and one year of practical experience. 49 Pa. Code §15.54(b)(3) provides for licensure by examination for an applicant with an undergraduate degree in a subject other than landscape architecture, a graduate degree in landscape architecture and two years of practical experience. 49 Pa. Code §15.56(a)(3) provides for licensure without examination for an applicant who has passed the examination in another state with a score approved by the Board and met the education and other practical experience requirements of the Act.

Candidates applying for licensure in the following three categories must appear for a Board interview. 49 Pa. Code §15.54(b)(4) provides for licensure by examination for an applicant with no applicable landscape architecture degree but eight years of practical experience. 49 Pa. Code §15.56(a)(1) provides for licensure without examination for an applicant with an undergraduate degree in landscape architecture and ten years of experience. 49 Pa. Code §15.56(a)(2) provides for licensure without examination for an applicant with no degree in landscape architecture but fifteen years of practical experience.

Because the costs of review and approval involved in the first four categories are identical, the fee has been described as an application for licensure under §15.54(b)(1), 15.54(b)(2), 15.54(b)(3) or 15.56(a)(3). Likewise, because the costs to review and approve applications in the

final three categories are identical, the fee designation is an application for licensure and Board interview under §15.54(b)(4), 15.56(a)(1) or 15.56(a)(2).

Moreover, the costs to process applications for licensure by endorsement under Section 6 of the Act (63 P.S. §906) and 49 Pa. Code §15.57 for applicants who are licensed in other jurisdictions whose standards for licensure are equivalent to those of Pennsylvania have remained consistent since 1988 at \$45.00 per application. Accordingly, no fee change has been proposed for this service. Editorial changes are proposed to accurately describe the type of licensure and the fee. Current regulatory language at §15.57 provides for registration by "reciprocity." However, neither the Act nor the regulation require reciprocal arrangements with other jurisdictions. Accordingly, the Board proposes to substitute the accurate term "endorsement" for "reciprocity" in §15.57. Likewise, the current language at §15.12 refers to a fee for "application for licensure without examination with proof of licensure." The Board finds this description confusing and proposes that the fee be referred to simply as a fee for "application for licensure by endorsement."

The following table outlines the affected application fees and proposed changes:

<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-	\$15.00
Application for temporary permit	-0-	\$45.00

E. Compliance with Executive Order 1996-1

In accordance with the requirements of Executive Order 1996-1 (February 6, 1996), in drafting and promulgating the regulation the Board considered the least restrictive alternative to regulate costs for services requested by licensees and applicants.

F. Fiscal Impact and Paperwork Requirements

The proposed amendments will have no adverse fiscal impact on the Commonwealth or its

political subdivisions. The fees will have a modest fiscal impact on those members of the private sector who apply for services from the Board. The amendments will impose no additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

G. Sunset Date

The Board continuously monitors the cost effectiveness of its regulations. Therefore, no sunset date has been assigned.

H. Regulatory Review

Pursuant to Section 5(a) of the Regulatory Review Act, the Act of June 30, 1989 (P.L. 73, No. 19), as amended, 71 P.S. §745.5(a), the Board submitted a copy of this proposed regulation on July 30, 1999, to the Independent Regulatory Review Commission and the Chairmen of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee. In addition to submitting the regulation, the Board has provided the Commission and the Committees with a copy of a detailed regulatory analysis form prepared by the Board in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

If the Commission has any objections to any portion of the proposed regulation, it will notify the Board within ten days after the expiration of the Committee review period. Such notification shall specify the regulatory review criteria which have not been met by that portion. The Act specifies detailed procedures for review, prior to final publication of the regulation, by the Board, the General Assembly and the Governor, of objections raised.

I. Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed amendments to Shirley S. Klinger, Board Administrator, State Board of Landscape Architects, P. O. Box 2649, Harrisburg, PA 17105-2649, within 30 days of publication of this proposed rulemaking. Please reference No. 16A-615 (Application Fees), when submitting comments.

ANNEX A  
TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS  
PART I. DEPARTMENT OF STATE  
SUBPART A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
CHAPTER 15. STATE BOARD OF LANDSCAPE ARCHITECTS

\* \* \*

APPLICATION PROCEDURES

\* \* \*

§15.12. Fees.

Following is the schedule of fees charged by the Board:

- [(1) Application for examination.....\$40
- (2) Certification of licensure or scores.....\$15
- (3) Fee per section of licensing examination:

(i) June 1999:

Section A.....	\$40
Section B.....	\$75
Section C.....	\$150
Section D.....	\$125
Section E.....	\$150

(ii) December 1999:

Section A.....	not administered
Section B.....	not administered
Section C.....	\$160
Section D.....	\$130
Section E.....	\$160

(iii) June 2000:

Section A.....	\$40
Section B.....	\$80



16A-615  
April 27, 1999

Section C.....	\$160
Section D.....	\$130
Section E.....	\$160
(4) Administration of examination for one section or more.....	\$45
(5) Application for licensure without examination:	
(i) With proof of licensure.....	\$45
(ii) Without proof of licensure.....	\$255
(6) Duplicate certificate fee.....	\$5
(7) Biennial registration fee.....	\$125]
<u>Application for licensure under §15.54(b)(1), 15.54(b)(2), 15.54(b)(3) or 15.56(a)(3).....</u>	<u>\$60</u>
<u>Application for licensure and Board interview under §15.54(b)(4), 15.56(a)(1) or 15.56(a)(2).....</u>	<u>\$350</u>
<u>Application for licensure by endorsement.....</u>	<u>\$45</u>
<u>Application for temporary permit.....</u>	<u>\$45</u>

Fee per section of licensing examination:

June 1999:

<u>Section A.....</u>	<u>\$40</u>
<u>Section B.....</u>	<u>\$75</u>
<u>Section C.....</u>	<u>\$150</u>
<u>Section D.....</u>	<u>\$125</u>
<u>Section E.....</u>	<u>\$150</u>

December 1999:

<u>Section A.....</u>	<u>not administered</u>
<u>Section B.....</u>	<u>not administered</u>
<u>Section C.....</u>	<u>\$160</u>
<u>Section D.....</u>	<u>\$130</u>

Section E.....\$160

June 2000:

Section A.....\$40  
Section B.....\$80  
Section C.....\$160  
Section D.....\$130  
Section E.....\$160

Administration of examination for one section or more.....\$45

Verification of licensure.....\$15

Certification of licensure or scores.....\$25

Duplicate certificate fee.....\$5

Biennial registration fee.....\$125

\* \* \*

EXAMINATIONS

\* \* \*

§15.57. Registration by [reciprocity] endorsement.

(a) *General requirements.* An applicant who has passed the LARE, holds an unexpired license from another state or foreign county, has a graduate or under graduate degree in landscape architecture from an approved institution or college and possesses 2 years of practical experience in landscape architecture, of a grade or character satisfactory to the Board, may be granted [reciprocal] registration by endorsement following the [filling] filing of an application and a Board review of the applicant's comprehensive work sample.

(b) [*Reciprocal registration*] Endorsement.

(1) An applicant who requests [reciprocal] registration by endorsement shall [be required to] submit with the application an official certification of registration in the applicant's home state, territory or country from the secretary of the examining or registration board or other certifying

official, stating on what basis registration was granted, whether by oral or written examination or exemption, and whether the registration is in good standing at the time of the application for registration in this Commonwealth.

(2) An applicant who requests [reciprocal] registration by endorsement shall submit with the application complete information relative to training, education and experience as may be required by the Board.

(c) *Exception.* An applicant who received a license from another jurisdiction, without having passed the LARE examination, is not entitled to registration by [reciprocity] endorsement.

# Regulatory Analysis Form

This space for use by IRRC

(1) Agency

Department of State, Bureau of Professional and  
Occupational Affairs, State Board of Landscape Architects

(2) I.D. Number (Governor's Office Use)

16A-615

IRRC Number:

(3) Short Title

Application Fees

(4) PA Code Cite

49 Pa. Code §§15.12 and 15.57

(5) Agency Contacts & Telephone Numbers

Primary Contact: April L. McClaine, Counsel  
State Board of Landscape Architects  
(717)783-7200

Secondary Contact: Joyce McKeever, Deputy Chief  
Counsel  
(717)783-1088

(6) Type of Rulemaking (check one)

☒ Proposed Rulemaking  
☐ Final Order Adopting Regulation  
☐ Final, Proposed Omitted

(7) Is a 120-Day Emergency Certification  
Attached?

☒ No  
Yes: By the Attorney General  
Yes: By the Governor

(8) Briefly explain the regulation in clear and nontechnical language.

The regulation amends the fee schedule for the State Board of Landscape Architects by revising fees for applications for licensure where a Board interview is not required, licensure where a Board interview is required and certification of licenses or examination scores. New fees are added for applications for temporary permits and verification of licensure. The new fees are needed because the current fees established in 1988 no longer reflect the cost of providing the enumerated services.

(9) State the statutory authority for the regulation and any relevant state or federal court decisions.

The regulatory amendments are adopted under Section 5 of the Landscape Architects' Registration Law, Act of January 24, 1966, P.L. (1965) 1527, as amended, 63 P.S. §905.

## Regulatory Analysis Form

(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

**Yes. The Board is required by statute to adopt regulations setting fees. See Item No. 9 for the specific law.**

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

**The enabling statute of the Board requires that the Board set fees by regulation so that revenues meet or exceed expenditures over a biennial period. The operating expenses of the Board are generally borne by the licensee population through biennial renewal revenue. Expenses related to services which are provided directly to individual licensees or applicants are excluded from general operating revenues so that only the licensee who uses a particular service pays for a service being provided to him or her. By this regulation, the cost of providing the service will be apportioned to users, rather than burdening the entire licensee population.**

(12) State the public health, safety, environmental or general welfare risks associated with nonregulation.

**Nonregulation could potentially adversely impact the fiscal integrity of the Board. If left unregulated, the costs of providing these services would be borne by the general licensing population, some of whom did not or would not receive a benefit from the service.**

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

**The licensing population generally will benefit by having costs of services which are utilized by only a portion of the licensees or applicants paid by those actually using the service.**

## Regulatory Analysis Form

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

**The Board has identified no group of individuals or entities who will be adversely affected by the regulation. Applicants for services or licenses will be required to bear the up-to-date costs of providing the services involved.**

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

**Applicants for licensure when a Board interview is not required, licensure when a Board interview is required, certification of licensure or scores, verification of licensure and temporary permits will be required to pay the applicable fees. The Board estimates that approximately 75 persons will avail themselves of one or more of the enumerated services in a two-year period.**

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

**This regulation does not place requirements on licensees concerning their conduct or compliance with state law regarding the performance of a licensing duty under licensing statutes. The regulation embodies the fees which capture the cost of providing the service an applicant or licensee requests. Therefore, the information requested in this item is not applicable.**

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

**The Board estimates that 75 persons will avail themselves of one or more of the enumerated services within a biennial period. Total aggregate additional cost for the regulated community for a biennial period would be approximately \$2,075. However, only those requesting the services will be affected. No legal, accounting or consulting procedures will be implicated in complying with the regulatory amendments.**

## Regulatory Analysis Form

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

**Local governments would not be affected by the regulation.**

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

**The Board will not incur an increase in administrative costs by implementing the regulation. Indeed, the regulatory amendments will permit the Board to recoup the costs of providing the enumerated services.**

## Regulatory Analysis Form

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
<b>SAVINGS:</b>	\$	\$	\$	\$	\$	\$
Regulated						
Local Government						
State Government						
Total Savings						
<b>COSTS:</b>						
Regulated	\$1,037.50	\$1,037.50	\$1,037.50	\$1,037.50	\$1,037.50	\$1,037.50
Local Government						
State Government						
Total Costs						
<b>REVENUE LOSSES:</b>						
Regulated						
Local Government						
State Government						
Total Revenue Losses						

(20a) Explain how the cost estimates listed above were derived.

The cost estimates are based upon the following number of persons which the Board estimates will avail themselves of the specified service over a fiscal year (one-half biennium) period multiplied by the additional cost to the applicant for the service:

a) application for licensure-interview not required	10 X \$20 = \$200.00
b) application for licensure - interview required	5 X \$95 = 475.00
c) certification of licensure or scores	10 X \$10 = 100.00
d) verification of licensure	10 X \$15 = 150.00
e) application for temporary permit	2.5 X \$45 = 112.50

Total aggregate cost

\$1,037.50



## Regulatory Analysis Form

(20b) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3	FY -2	FY -1	Current FY
See attached fee report forms.				

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

**The amendments to the existing regulations will assure that the costs of providing the specified services to certain applicants and licensees will be borne by individuals who receive the service.**

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

**No nonregulatory alternatives were considered because the Board's enabling statute requires the Board to promulgate regulations to establish fees or changes thereto.**

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

**See No. 22 above.**

## **Regulatory Analysis Form**

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

**No federal licensure standards apply.**

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

**These questions are not applicable to this regulation. Because the fees established by the regulation represent the Board's actual costs in providing the services requested, it is not possible to compare the costs with those of other states.**

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

**This regulation will have no effect on other regulations of the Board or other state agencies.**

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

**The Board reviews its regulatory proposals at regularly scheduled public meetings.**

### Regulatory Analysis Form

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

**No changes to reporting, recordkeeping or other paperwork is required by this regulation.**

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

**The Board has perceived no special needs of any subset of its applicants or licensees for whom special accommodations should be made.**

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

**The regulation will be effective upon publication as final rulemaking in the *Pennsylvania Bulletin*.**

(31) Provide the schedule for continual review of the regulation.

**The Board reviews its revenues and costs of its programs on a fiscal year and biennial basis.**

---

## FEE REPORT FORM

**Agency:** State - BPOA

**Date:** 03/10/99

**Contact:** C. Michael Weaver

**Phone No.** 783-7194

### **Fee Title, Rate and Estimated Collections:**

Application for Licensure - Interview Not Required: \$60.00

Estimated Biennial Revenue: \$1,200.00 (20 applications x \$60.00)

### **Fee Description:**

The fee will be charged to every applicant who applies for licensure when an interview is not required to determine eligibility to sit for the examination.

### **Fee Objective:**

The fee should (1) offset the identifiable costs incurred by the State Board of Landscape Architects to review and process an application for licensure when an interview is not required and (2) defray a portion of the Board's administrative overhead.

### **Fee-Related Activities and Costs:**

Board staff - process application	(1.00 hr)	23.19
Administrative Overhead:		<u>32.96</u>
	Total Estimated Cost:	\$56.15
	Proposed Fee:	\$60.00

### **Analysis, Comment, and Recommendation:**

It is recommended that a fee of \$60.00 be established for processing an application for licensure when an interview is not required to determine eligibility to sit for the examination.

Board Staff: receives application, reviews for completeness, contacts applicant to obtain any missing information and/or documents. When application is complete applicant is authorized to be scheduled for the examination.

## FEE REPORT FORM

**Agency:** State - BPOA

**Date:** 03/10/99

**Contact:** C. Michael Weaver

**Phone No.** 783-7194

### Fee Title, Rate and Estimated Collections:

Application for Licensure - Interview Required: \$350.00

Estimated Biennial Revenue: \$3,500.00 (10 applications x \$350.00)

### Fee Description:

The fee will be charged to every applicant who applies for licensure when an interview before the board is required to determine eligibility to sit for the examination.

### Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Landscape Architects to review and process an application for the licensure that requires an interview and (2) defray a portion of the Board's administrative overhead.

### Fee-Related Activities and Costs:

Board staff - process application	(1.00 hr)	26.70
Board meeting - interview applicant	(1.00 hr)	289.00
Administrative Overhead:		<u>32.96</u>
	Total Estimated Cost:	\$348.66
	Proposed Fee:	\$350.00

### Analysis, Comment, and Recommendation:

It is recommended that a fee of \$350.00 be established for processing an application that requires an interview before the board to determine eligibility to sit for the examination.

Page 2 App. for Licensure/Interview Required): 03/10/99

Board Staff: receives application from candidate who may meet the experience requirement but without the required degree, reviews for completeness, contacts applicant to obtain any missing information and/or documents. Application is forwarded to the board administrator for technical review and scheduling on board agenda for personal interview by full board. Following the interview, applicant is notified either by authorization to sit for the examination or letter of rejection.

## FEE REPORT FORM

**Agency:** State - BPOA

**Date:** 03/22/99

**Contact:** C. Michael Weaver

**Phone No.** 783-7194

### Fee Title, Rate and Estimated Collections:

Certification of License or Examination Scores: \$25.00

Estimated Biennial Revenue: \$500.00 (20 certifications x \$25.00)

### Fee Description:

The fee will be charged to every applicant who requests certification of license or examination scores.

### Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Landscape Architects to review and process a request for certification and (2) defray a portion of the Board's administrative overhead.

### Fee-Related Activities and Costs:

Staff time- process request for certification (.75 hr)	15.23
Bureau Average Administrative Overhead:	<u>9.76</u>
Total Estimated Cost:	\$24.99
Proposed Fee:	\$25.00

### Analysis, Comment, and Recommendation:

It is recommended that a fee of \$25.00 be established for certification of license or examination scores.



**Page 2**

**Certification of License or Examination Scores:**

**03/22/99**

Board Staff: Reviews request for certification of licensure and/or scores; researches computer and microfilm files to retrieve pertinent information, transfers that information onto document submitted by requester, affixes Bureau seal onto documents, forwards as instructed by applicant.

## FEE REPORT FORM

Agency: State - BPOA

Date: 03/09/99

Contact: C. Michael Weaver

Phone No. 783-7194

### Fee Title, Rate and Estimated Collections:

Verification of License or Permit: \$15.00

Estimated Biennial Revenue: \$300.00 (20 verifications x \$15.00)

### Fee Description:

The fee will be charged to every applicant who requests verification of license or permit.

### Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Landscape Architects to review and process a request for verification and (2) defray a portion of the Board's administrative overhead.

### Fee-Related Activities and Costs:

Staff time- process request for verification	(.08 hr)	1.62
Bureau Average Administrative Overhead:		<u>9.76</u>
	Total Estimated Cost:	\$11.38
	Proposed Fee:	\$15.00

### Analysis, Comment, and Recommendation:

It is recommended that a fee of \$15.00 be established for verification of license or permit.

**Page 2 Verification of License or Permit:**

**03/09/99**

Staff reviews request for verification, researches computer, microfilm or other files to retrieve pertinent information, issues letter of good standing via computer, affixes Bureau seal onto document, forwards as instructed by applicant.

## FEE REPORT FORM

**Agency:** State - BPOA

**Date:** 03/09/99

**Contact:** C. Michael Weaver

**Phone No.** 783-7194

### **Fee Title, Rate and Estimated Collections:**

Application for Temporary Permit: \$45.00

Estimated Biennial Revenue: \$225.00 (5 applications x \$45.00)

### **Fee Description:**

The fee will be charged to every out of state landscape architect who applies to practice in the Commonwealth for a period not to exceed thirty (30) days in one calendar year.

### **Fee Objective:**

The fee should (1) offset the identifiable costs incurred by the State Board of Landscape Architects to review and process an application for a temporary permit and (2) defray a portion of the Board's administrative overhead.

### **Fee-Related Activities and Costs:**

Board staff - process application	(.50 hr)	11.60
-----------------------------------	----------	-------

Administrative Overhead:		<u>32.96</u>
--------------------------	--	--------------

Total Estimated Cost:	\$ 44.56
-----------------------	----------

Proposed Fee:	\$ 45.00
---------------	----------

### **Analysis, Comment, and Recommendation:**

It is recommended that a fee of \$45.00 be established for processing an application for a temporary permit.

**Page 2 Application for Temporary Permit:**

**Date: 03/09/99**

**Board Staff:** receives application, reviews for completeness and contacts applicant to obtain any missing information and/or documents. When the process is complete the authorization is issued.

MARIO J. CIVERA, JR., MEMBER  
HOUSE POST OFFICE BOX 202020  
MAIN CAPITOL BUILDING  
HARRISBURG, PENNSYLVANIA 17120-2020  
PHONE: (717) 787-3850  
FAX: (717) 705-1851

232 LONG LANE  
UPPER DARBY, PENNSYLVANIA 19082  
PHONE: (610) 352-7800  
FAX: (610) 352-3389



*House of Representatives*  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

COMMITTEES

PROFESSIONAL LICENSURE,  
MAJORITY CHAIRMAN  
LIQUOR CONTROL  
FIREFIGHTERS' CAUCUS,  
COCHAIRMAN EMERITUS

Original: 2049

August 31, 2001

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 was unable to convene a quorum in time to take formal action on Regulation 16A-615. Committee members were forwarded a copy of the regulation and asked that they contact the Chairman with any comments or suggestions, however, none were received. Therefore, the committee submits no comments.

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

Sincerely,

A handwritten signature in cursive script that reads "Mario J. Civera".

Mario J. Civera, Chairman  
House Professional Licensure Committee

MJC/sms  
Enclosure

cc: James W. Pashek, LA, Chairperson  
State Board of Landscape Architects  
Honorable Kim H. Pizzigrilli, Secretary of the Commonwealth  
Department of State

2001 AUG 31 11:16:33  
RECEIVED  
REGULATORY REVIEW COMMISSION

000000: 11:30

Heavenly Bodies

Regulation 16A-615 is Final Rulemaking which was delivered to the Professional Licensure Committee on August 14, 2001. The Professional Licensure Committee has until September 3, 2001 to approve or disapprove the regulation.

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

The Committee requested an explanation as to the circumstances under which the Board would certify an examination score, and what accounted for the difference in the amount charged for certification and verification of licensure, when the functions of Board staff for each service appear to be identical. The Board explained that certification of examination scores is requested by licensees who are seeking licensure by reciprocity in other states. Generally, the state of original licensure is the only source of exam scores in that testing agencies do not maintain that information. Additionally, the boards of other states require that the Pennsylvania Board and other boards certify the exam scores.

The Board explained that the difference in the fee amounts for certification and verification is due to the difference in the amount of time it takes to perform each service. Verifications, which on average take five minutes to prepare, are usually computer-generated letters which contain general information about the status of a license. Certifications contain additional and more specific information, and on average take 45 minutes to prepare.

The Committee requested an explanation as to why the proposed fees to be charged are always rounded up to the nearest five-dollar increment. The Board explained that the rounding up process creates a minimal but necessary cushion or surplus to accommodate unexpected needs and expenditures.

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 \$32.96. The Committee questioned the reason for this differential. The Board states that the cost for this service represents the cost of processing for all licensees in the Bureau, whereas the other costs are incurred for licensees of the Board only.

The Committee requested an explanation for the increase in the fee for licensure involving a Board interview. The Board states that this method of licensure entails an in-depth review of an applicant's education and work experience, which is time and staff intensive. An in-depth interview of the applicant is also conducted which involves a detailed review of documents and materials prepared by the applicant during his or her work career. The Board states that the fee reflects the average cost of this process, which is time and staff intensive. The fee has not been increased in 13 years.

**RECOMMENDATIONS:** It is recommended that the Professional Licensure Committee approve the regulations.

House of Representatives  
Professional Licensure Committee  
August 14, 2001