

<b>Regulatory Analysis Form</b>		<b>This space for use by IRRC</b>
(1) Agency  <b>Department of State, Bureau of Professional and Occupational Affairs State Board of Auctioneer Examiners</b>		IRRC Number: <b>2109</b>
(2) I.D. Number (Governor's Office Use) <b>16A-644</b>		
(3) Short Title  <b>Application Fees</b>		
(4) PA Code Cite  <b>49 Pa. Code §§ 1.41</b>	(5) Agency Contacts & Telephone Numbers  <b>Primary Contact: Bernadette Paul, Counsel State Board of Auctioneer Examiners (717)783-7200</b>  <b>Secondary Contact: Joyce McKeever Deputy Chief Counsel (717) 783-7200</b>	
(6) Type of Rulemaking (check one)  <input type="checkbox"/> Proposed Rulemaking <input checked="" type="checkbox"/> Final Order Adopting Regulation <input type="checkbox"/> Final Order, Proposed Rulemaking Omitted	(7) Is a 120-Day Emergency Certification Attached?  <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes: By the Attorney General <input type="checkbox"/> Yes: By the Governor	
(8) Briefly explain the regulation in clear and nontechnical language.  <b>The regulation amends the fee schedule for the State Board of Auctioneer Examiners by imposing fees for the application to approve course, application to change sponsor, application to change auction house or auction company license, non-resident exam eligibility review, certification of scores, permit or registration, and verification of license, registration, permit or approval.</b>		
(9) State the statutory authority for the regulation and any relevant state or federal court decisions.  <b>Section 6(a) of the Auctioneer and Auction Licensing Act, Act of December 22, 1983, P.L. 327, <u>as amended</u>, 63 P.S. § 734.6(a).</b>		

## 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 citation to the specific provision in law.**

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

**The enabling statute requires the Board to set fees by regulation so that projected revenues will meet or exceed projected expenditures over a biennial period. The general operating expenses of the Board are borne by the licensee population through revenue generated by the biennial renewal of licenses. Expenses related to specific 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 accurately apportioned to users of the services.**

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

**At the present time the Board collects no fees to match the actual costs of reviewing the subject applications and providing the subject services. Therefore, the costs of these specific services fall on the shoulders of the general licensing population.**

(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 persons 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 is not aware of any persons or groups who would be adversely affected by the regulation. Applicants for service or licensees 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 course approval, for change of sponsor, change of auction house or auction company license, non-resident exam eligibility review, certification of scores, permit or registration and verification of license, registration, permit or approval will be required to comply with the regulation by paying the applicable fees.**

(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.

**These regulations do 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 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 51 persons will avail themselves of one or more of the enumerated services within a biennial period. Total costs to the regulated community for a biennial period would be \$945. However, only those requesting the services will be affected. There are no legal, accounting or consulting procedures required.**

## 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 this 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 Department and the Board will incur no costs to implement this regulation.**

## 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	FY +1	FY +2	FY +3	FY +4	FY +5
<b>SAVINGS:</b>	\$	\$	\$	\$	\$	\$
Regulated Community						
Local Government						
State Government						
<b>Total Savings</b>						
<b>COSTS:</b>						
Regulated Community	\$472.50	\$472.50	\$472.50	\$472.50	\$472.50	\$472.50
Local Government						
State Government						
<b>Total Costs</b>						
<b>REVENUE LOSSES:</b>						
Regulated Community						
Local Government						
State Government						
<b>Total Revenue Losses</b>						

(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 savings or additional cost to the applicant for the service:

a) Application to approve course	\$45	x	.5	=	\$ 22.50
b) Application to change sponsor	\$15	x	10	=	\$150.00
c) Application to change auction house or company	\$15	x	2.5	=	\$ 37.50
d) Non-resident exam eligibility review	\$25	x	2.5	=	\$ 62.50
e) Certification of scores, etc.	\$25	x	5	=	\$125.00
f) Verification of license, etc.	\$15	x	5	=	\$ 75.00

## Regulatory Analysis Form

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

	FY94-95	FY95-96	FY96-97	FY97-98
Program	FY -3	FY -2	FY -1	Current FY

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

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

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

**Non-regulatory alternatives were not considered because the Board's enabling statute requires the Board to promulgate regulations to establish fees or make necessary changes to the fees.**

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

**Alternative regulatory schemes were not considered because the Board's enabling statute requires the Board to promulgate regulations to establish fees or make necessary changes to the fees.**

## 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 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?

**Most of the states surveyed do not charge all of the fees proposed here, but do charge some of them. Overall, Pennsylvania's fees compare favorably to those of other states which do charge these task specific fees. Any disparity in fees is not likely to put Pennsylvania at a competitive disadvantage as these services are rather infrequently requested. (See Paragraph 20a.)**

**Pennsylvania proposes a fee of \$15.00 for application to change sponsor, the other surveyed states which have sponsorship programs charge no fee. Pennsylvania proposes a fee of \$15.00 for change in auction house or company license. Massachusetts, North Carolina, and Ohio have mechanisms to bond auction houses or companies; Massachusetts and North Carolina charge no fee for a change in the license, while Ohio charges \$10.00. Pennsylvania's proposed fee for non-resident exam eligibility review is \$25.00. Ohio charges either \$15.00 or \$25.00, depending on the license applied for, to review eligibility for any applicant. North Carolina breaks down its \$250.00 license fee to include a \$50.00 fee for eligibility review for applicants. Pennsylvania proposes a fee of \$25.00 to certify scores or registration, and a fee of \$15.00 to verify licensure. None of the surveyed states charges a fee for certification or verification services.**

(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 held every other month, generally on the second Monday of the month.**

## 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.**

(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 does not perceive any subset of its applicants or licensees who have any particular needs which need to be addressed in these regulations.**

(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 on final publication in the Pennsylvania Bulletin.**

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

**The regulations will be subject to ongoing review during the course of the Board's enforcement of the auctioneer laws and regulations.**



FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)

DO NOT WRITE IN THIS SPACE

# 2109

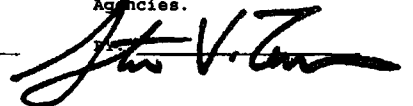
Copy below is hereby approved as to form and legality. Attorney General

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.

BY: \_\_\_\_\_  
(DEPUTY ATTORNEY GENERAL)

State Board of Auctioneer Examiners  
(AGENCY)



DOCUMENT/FISCAL NOTE NO. 16A-644

\_\_\_\_\_  
DATE OF APPROVAL

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

8/23/01  
\_\_\_\_\_  
DATE OF APPROVAL

BY: Ralph M. Stewart  
Ralph M. Stewart, Chairman

(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 FINAL RULEMAKING  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF AUCTIONEER EXAMINERS  
49 Pa. Code, Chapter 1  
Application Fees

The State Board of Auctioneer Examiners (Board) amends 49 Pa. Code § 1.41 (pertaining to fees) by creating fees which are not related to license renewals but reflect the cost of processing applications and providing services. The changes are set forth in Annex A.

A. Effective date.

The amendment will take effect when published as final rulemaking in the Pennsylvania Bulletin.

B. Statutory Authority.

Section 6(a) of the Auctioneer and Auction Licensing Act (Act), Act of December 22, 1983, P.L. 327, as amended, 63 P.S. § 734.6(a), requires the Board to establish fees by regulation. The same provision requires the Board to increase fees to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties are not sufficient to match expenditures over a two year period.

C. Background and Purpose.

Expenses of the Board which are related to processing individual applications or providing certain services directly to individual licensees or applicants are funded through fees which are based on the cost of providing the service. The fee is charged to the person requesting the service.

A recent systems audit within the Bureau of Professional and Occupational Affairs determined that the application and service fees did not accurately reflect the actual cost of processing the applications and performing the services. A detailed explanation of the background of these fees as well as a description of the fees was published at 30 Pa.B. 2264 (May 6, 2000).

D. Comment and Regulatory Review of Proposed Rulemaking

Following publication of proposed rulemaking at 30 Pa.B 2264 (May 6, 2000), the Board did not receive any comments from the general public. The House Professional Licensure Committee voted to take no action on the regulation until it was submitted in final form. The Board received no comments from the Independent Regulatory Review Commission (IRRC) or the Senate Consumer Protection and Professional Licensure Committee.

E. Description of Amendments

The following table outlines the new application fees:

<u>Application or Service</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Application to approve course	\$0	\$45
Application to change sponsor	\$0	\$15
Application to change auction house or auction company license	\$0	\$15
Non-resident exam eligibility review	\$0	\$25
Certification of scores, permit or registration	\$0	\$25
Verification of license, or approval	\$0	\$15

F. Fiscal Impact and Paperwork Requirements

The amendments will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The fees will have a very modest fiscal impact on those members of the private sector who apply for services from the Board. The amendments will not impose 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

Under Section 5(a)(1) of the Regulatory Review Act, Act of June 30, 1989, P.L. 73, No. 19 (71 P.S. §§ 745.1-745.15), the Board submitted a copy of the notice of proposed rulemaking, published at 30 Pa.B. 2264, to the Independent Regulatory Review Commission and to the Chairpersons of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee for review and comment.

In preparing these final-form regulations the Board notes that no comments were received from IRRC, the Committees, and the public.

These final-form regulations were (deemed) approved by the House and Senate Committee on . IRRC met on , and (deemed) approved the amendments in accordance with section 5(e) of the Regulatory Review Act.

I. Contact Person

Further information may be obtained by contacting Michelle DeMerice, Administrative Assistant, State Board of Auctioneer Examiners, P.O. Box 2649, Harrisburg, Pennsylvania 17105-2649, (717) 783-3397.

J. Findings

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202) and the regulations promulgated thereunder at 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and all comments were considered.

(3) These amendments do not enlarge the purpose of proposed rulemaking published at 30 Pa.B. 2264.

(4) These amendments are necessary and appropriate for administration and enforcement of the authorizing acts identified in Part B of this preamble.

K. Order

The Board, acting under its authorizing statutes, orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 1, are amended by amending § 1.41 to read as set forth in Annex A.

(b) The Board shall submit this order and Annex A to the Office of General Counsel and to the Office of Attorney General as required by law.

(c) The Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect on publication in the Pennsylvania Bulletin.

RALPH M. STEWART, CHAIRPERSON

ANNEX A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS  
PART I. DEPARTMENT OF STATE  
SUBPART A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
CHAPTER 1. STATE BOARD OF AUCTIONEER EXAMINERS

FEES

§1.41. Schedule of fees.

Applicants shall pay the following fees:

Examination fee for auctioneer license.....	\$87
Application fee for auctioneer license.....	\$50
Biennial renewal fee for auctioneer license .....	\$200
Application fee for apprentice auctioneer license .....	\$30
Biennial renewal fee for apprentice auctioneer.....	\$100
Application fee for auction house and auction company .....	\$200
Special license to conduct auction.....	\$200
<u>Application fee to approve course.....</u>	<u>\$45</u>
<u>Application fee to change sponsor.....</u>	<u>\$15</u>
<u>Application fee to change auction house or auction company license .....</u>	<u>\$15</u>
<u>Non-resident exam eligibility review .....</u>	<u>\$25</u>
<u>Certification of scores, permit or registration.....</u>	<u>\$25</u>
<u>Verification of license, registration, permit or approval.....</u>	<u>\$15</u>

tion will not be available for public inspection under any provision of the act.

[Pa.B. Doc. No. 00-743. Filed for public inspection May 5, 2000, 9:00 a.m.]

## STATE BOARD OF AUCTIONEER EXAMINERS

[49 PA. CODE CH. 1]

### Application Fees

The State Board of Auctioneer Examiners (Board) proposes to amend § 1.41 (relating to fees) by revising those fees which are not related to license renewals but reflect the cost of processing applications and providing services. The proposed changes are to read as set forth in Annex A.

#### A. Effective Date.

This amendment will take effect when published as final rulemaking in the *Pennsylvania Bulletin*.

#### B. Statutory Authority.

Section 6(a) of the Auctioneer and Auction Licensing Act (act) (63 P.S. § 734.6(a)), requires the Board to establish fees by regulation. The same provision requires the Board to increase fees to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties are not sufficient to match expenditures.

#### C. Background and Purpose.

The act requires the Board to set fees by regulation so that revenues meet or exceed expenditures. General operating expenses of the Board are funded through biennial license renewal fees which are paid by all licensees. Expenses of the Board which are related to processing individual applications or providing certain services directly to individual licensees or applicants are excluded from general operating revenues. These expenses are funded through fees which are based on the cost of providing the service. These application and service fees are the focus of this proposed rulemaking.

A recent systems audit of the operations of this and other boards within the Bureau of Professional and Occupational Affairs analyzed the fees for services to licensees and applicants to determine if the fees reflected the actual cost of providing the services. Actual cost calculations are based on the following formula:

$$\frac{\text{number of minutes to perform the function} \times \text{pay rate of personnel performing the function}}{\text{a proportionate share of administrative overhead.}}$$

The Board's fee schedule in § 1.41 was last amended in 1998 when the Board adopted biennial renewal fee increases to balance a projected deficit in the Board's anticipated revenues and expenses. However, the fee structure of § 1.41 incorporated that established by the Bureau of Professional and Occupational Affairs Fee Act (63 P.S. § 1401-203) which established fees only for examination, licenses and renewals. The present auctioneer law was enacted in 1983 and among other things gave the Board authority to regulate auction houses and companies and approved schools. As a result of the

systems audit referred to previously, the Board identified activities resulting from regulatory requirements for these entities.

In this proposal, the Board would establish six new fees identified in the Bureau audit as attributable to requests by individual licensees for services or Board approval or action required by the act or regulation. By establishing these fees the Board proposes that these licensees will pay their proportionate share of the cost to provide the service and reserve renewal revenue for general operating and enforcement expenses.

The Board mandates prescribed programs of study in § 1.11 (relating to approved course of study). The Board now proposes a fee to cover the costs of the approval process in reviewing a course for which an applicant wants to receive credit, when the course is outside the prescribed course of study.

The Board also proposes a fee for applications to change sponsor. Sponsors are licensed auctioneers who agree to supervise apprentice auctioneers under section 5(b) of the act (63 P.S. § 734.5(b)), an apprentice auctioneer license is valid only when that apprentice has a sponsoring auctioneer; the apprentice must submit a transfer form and obtain a reissued license each time the apprentice secures a new sponsor.

Sections 9 and 10(d) of the act (63 P.S. §§ 734.9 and 734.10(d)), require auction house and auction company licensees to notify the Board of change in ownership, name and location of the auction house or company. The Board now proposes a fee to process these applications for changes in auction house or company licenses.

Section 11 of the act (63 P.S. § 734.11) provides for licensure of nonresidents upon their compliance with the conditions for licensure required of Commonwealth residents. The Board currently does not charge a fee for the time involved in reviewing nonresident qualifications to determine eligibility to sit for the licensing exam. The Board now proposes a fee for this service.

Currently the Board charges no fees for the actual cost of processing the following: an application to approve course; an application to change sponsor; an application to change auction house or auction company license; nonresident examination eligibility review; certification of scores, permit or registration; and verification of license registration, permit or approval.

Verification of scores, permit or registration involves a brief and simple electronic search of the Board's computerized licensure records for the subject licensee. This process takes about 5 minutes. Certification of scores, permit or registration is a more labor intensive function which may require Board staff to search electronically and manually through extensive computer, microfilm and paper files to compile various pieces of information regarding the subject's education, examination and/or training. That information is then compiled into one document. The certification process takes about 45 minutes.

The Bureau's costs calculations allowed the Board to establish fees for the services identified in this proposal, which fees would allocate costs to those who use the service or submit the application.

The Board proposes a new fee of \$45 to cover the cost of processing applications to approve a course; a \$15 fee to cover the cost of processing applications to change sponsors and a \$15 fee to cover the cost of processing an application to change auction house or auction company license. In addition, the Board proposes a new fee of \$25

to cover the cost of performing nonresident examination eligibility review; a new fee of \$25 to cover the cost of processing certifications of scores, permits or registration; and a new fee of \$15 to cover the cost of processing verification of license, registration, permit or approval. The Board currently incurs staff costs in administrative overhead in providing these services without fee.

The following table outlines the new application fees:

Application or Service	Current Fee	Proposed Fee
Application to approve course	\$0	\$45
Application to change sponsor	\$0	\$15
Application to change auction house or auction company license	\$0	\$15
Nonresident exam eligibility review	\$0	\$25
Certification of scores, permit or registration	\$0	\$25
Verification of license, or approval	\$0	\$15

**D. Compliance with Executive Order 1996-1.**

In accordance with Executive Order 1996-1 (February 1, 1996), in drafting and promulgating the proposal, the Board considered the amendment as both required by law and the least restrictive means of covering the costs of services requested by licensees and applicants.

**E. Fiscal Impact and Paperwork Requirements**

The proposed amendment will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The fees will have a very modest fiscal impact on those members of the private sector who apply for services from the Board. This amendment will not impose additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

**F. Sunset Date.**

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

**G. Regulatory Review.**

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on April 20, 2000, the Board submitted a copy of this proposed amendment to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Professional Licensure Committee and to the Senate Consumer Protection and Professional Licensure Committee. In addition to submitting the proposed amendment, the Board has provided IRRC 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 the material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposed amendment, it will notify the Board within 10 days after the expiration of the Committees' review period. The notification shall specify the regulatory review criteria which have not been met by that portion. The Regulatory Review Act specifies detailed procedures for review of objections prior to final publication of the regulation, by the Board, the General Assembly and the Governor, of objections raised.

**H. Public Comment.**

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Linda Dinger, Administrative Assistant, State Board of Auctioneer Examiners, P. O. Box 2649, Harrisburg, PA 17105-2649 within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Please reference No. 16A-644 (Application Fees) when submitting comments.

RALPH M. STEWART,  
Chairperson

Fiscal Note: 16A-644. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS  
PART I. DEPARTMENT OF STATE  
Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
CHAPTER 1. STATE BOARD OF AUCTIONEER EXAMINERS**

**FEEES**

**§ 1.41. Schedule of fees.**

Applicants shall pay the following fees:

[ (1) ] Examination fee for auctioneer license	\$87
[ (2) ] Application fee for auctioneer license.	\$50
[ (3) ] Biennial renewal fee for auctioneer license .....	\$200
[ (4) ] Application fee for apprentice auctioneer license.....	\$30
[ (5) ] Biennial renewal fee for apprentice auctioneer license.....	\$100
[ (6) ] Application fee for auction house and auction company.....	\$200
[ (7) ] Special license to conduct auction .....	\$200
Application fee to approve course.....	\$45
Application fee to change sponsor.....	\$15
Application fee to change auction house or auction company license.....	\$15
Nonresident exam eligibility review.....	\$25
Certification of scores, permit or registration .....	\$25
Verification of license, registration, permit or approval .....	\$15

(Pa.B. Doc. No. 00-744. Filed for public inspection May 5, 2000, 9:00 a.m.)

**STATE BOARD OF NURSING**

[49 PA. CODE CH. 21]

**Biennial Renewal Fees**

The State Board of Nursing (Board) proposes to amend §§ 21.5, 21.147 and 21.253 (relating to fees) by revising

## FEE REPORT FORM

**Agency:** State - BPOA

**Date** 5/31/2001

**Contact:** David Williams

**Phone No.** 783-7194

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

**Application to Approve Course:** \$45.00

**Estimated Biennial Revenue:** \$45.00 (1 application x \$45.00)

### **Fee Description:**

The fee will be charged to every applicant who requests credit for a course not pre-approved by the State Board of Auctioneer Examiners.

### **Fee Objective:**

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

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

Staff time- process request	(1.50 hr)	40.35
Administrative Overhead:		<u>5.26</u>
	<b>Total Estimated Cost:</b>	<b>\$ 45.61</b>
	<b>Proposed Fee:</b>	<b>\$ 45.00</b>

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

It is recommended that a fee of \$45.00 be established to review and process a request for course approval.



Board Staff: Reviews request for approval, reviews document(s) for completeness, contacts requester to obtain any missing information, forwards to Board Administrator who evaluates course outlines and instructor qualifications. If equivalency with board-approved courses is established, a letter granting approval is sent; if not a letter is issued notifying the applicant of the reason(s) for disapproval.

## FEE REPORT FORM

**Agency:** State - BPOA

**Date** 5/31/2001

**Contact:** David Williams

**Phone No.** 783-7194

### Fee Title, Rate and Estimated Collections:

**Application to Change Sponsor:** \$15.00

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

### Fee Description:

The fee will be charged to every apprentice application to change of sponsor.

### Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Auctioneer Examiners to review and process a request to change sponsor and (2) defray a portion of the Board's administrative overhead.

### Fee-Related Activities and Costs:

Staff time- process request	(.50 hr)	10.15
Administrative Overhead:		<u>5.26</u>
	<b>Total Estimated Cost:</b>	<b>\$ 15.41</b>
	<b>Proposed Fee:</b>	<b>\$ 15.00</b>

### Analysis, Comment, and Recommendation:

It is recommended that a fee of \$15.00 be established to process an application for change of sponsor.

Board Staff: Reviews request for approval, reviews document(s) for completeness, contacts requester to obtain any missing information, verifies status of sponsor license, update computer and issues license or issues letter citing discrepancy.

## FEE REPORT FORM

Agency: State - BPOA

Date 5/31/2001

Contact: David Williams

Phone No. 783-7194

### Fee Title, Rate and Estimated Collections:

Application to Change Auction House or Company License: \$15.00

Estimated Biennial Revenue: \$75.00 (5 applications x \$15.00)

### Fee Description:

The fee will be charged to every applicant to change ownership of an existing auction house or company.

### Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Auctioneer Examiners to review and process a change application and (2) defray a portion of the Board's administrative overhead.

### Fee-Related Activities and Costs:

Staff time- process request	(.50 hr)	10.15
Administrative Overhead:		<u>5.26</u>
	Total Estimated Cost:	\$ 15.41
	Proposed Fee:	\$ 15.00

### Analysis, Comment, and Recommendation:

It is recommended that a fee of \$15.00 be established to process an application for change of an existing Auction House or Auction Company license.

**Page 2 Application to Change Auction House or Company License:**

**Date: May 31, 2001**

Board Staff: Reviews request for update of existing license such as a change of ownership, reviews document(s) for completeness, contacts requester to obtain any missing information, verifies status of new owner, verifies compliance with licensure requirements, updates computer and issues license or issues letter citing discrepancy.

## FEE REPORT FORM

**Agency:** State - BPOA

**Date** 5/31/2001

**Contact:** David Williams

**Phone No.** 783-7194

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

Non-Resident Exam Eligibility Review:

**\$25.00**

Estimated Biennial Revenue:

\$125.00 (5 applications x \$25.00)

### **Fee Description:**

The fee will be charged to every out of state applicant who applies for the licensing examination.

### **Fee Objective:**

The fee should (1) offset the identifiable costs incurred by the State Board of Auctioneers to review and process a request for Non-Resident Exam Eligibility Review and (2) defray a portion of the Board's administrative overhead.

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

Staff time- process request

(1.00 hr)

20.30

Administrative Overhead:

5.26

Total Estimated Cost:

\$ 25.56

Proposed Fee:

**\$25.00**

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

It is recommended that a fee of \$25.00 be established to review and process a request for Non-Resident Exam Eligibility Review.

Board Staff: Reviews request for approval, reviews document(s) for completeness, contacts requester to obtain any missing information, reviews educational background. If equivalency is established, a letter is sent authorizing applicant to contact our professional testing contractor to schedule examination. If unmet, a letter is issued notifying the applicant of the reason(s) for disapproval.

## FEE REPORT FORM

**Agency:** State - BPOA

**Date:** 5/31/2001

**Contact:** David Williams

**Phone No.** 783-7194

### Fee Title, Rate and Estimated Collections:

Certification of Scores, Permit or Registration:	\$25.00
Estimated Biennial Revenue:	\$250.00 (10 certifications x \$25.00)

### Fee Description:

The fee will be charged to every applicant who requests certification of scores, permit or registration.

### Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Auctioneer Examiners 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:	9.76
Total Estimated Cost:	<u>\$24.99</u>
Proposed Fee:	<u>\$25.00</u>

### Analysis, Comment, and Recommendation:

It is recommended that a fee of \$25.00 be established for certification of scores, permit or registration.



**Page 2      Certification of Scores, Permit or Registration      Date: 5/31/2001**

Board Staff: Reviews request for certification; 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 4/18/2001

Contact: David Williams

Phone No. 783-7194

## Fee Title, Rate and Estimated Collections:

Verification of License, Registration, Permit or Approval: \$15.00

Estimated Biennial Revenue: \$150.00 (10 verifications x \$15.00)

## Fee Description:

The fee will be charged to every applicant who requests a verification.

## Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Auctioneer Examiners 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, registration, permit or approval.

**Page 2 Verification of License, Registration, Permit or Approval Date: April 18, 2001**

Board Staff: Reviews request for verification, researches computer, microfilm or other files to retrieve pertinent information, transfers that information onto document submitted by requester, affixes Bureau seal onto documents, forwards as instructed by applicant.



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF AUCTIONEER EXAMINERS  
Post Office Box 2649  
Harrisburg, Pennsylvania 17105-2649  
(717) 783-3397

October 5, 2001

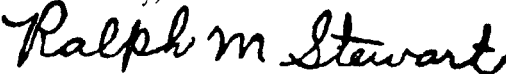
The Honorable John R. McGinley, Jr., Chairman  
INDEPENDENT REGULATORY REVIEW COMMISSION  
14<sup>th</sup> Floor, Harristown 2, 333 Market Street  
Harrisburg, Pennsylvania 17101

Re: Final Regulation  
State Board of Auctioneer Examiners  
16A-644: Application Fees

Dear Chairman McGinley:

Enclosed is a copy of a final rulemaking package of the State Board of Auctioneer Examiners pertaining to application fees.

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

Sincerely,  
  
Ralph M. Stewart, Chairperson  
State Board of Auctioneer Examiners

RMS/BP:kp

Enclosure

c: John T. Henderson, Jr., Chief Counsel  
Department of State  
Albert H. Masland, Commissioner  
Bureau of Professional and Occupational Affairs  
Joyce McKeever, Deputy Chief Counsel  
Department of State  
Christal Pike-Nase, Regulatory Counsel  
Bureau of Professional and Occupational Affairs  
Herbert Abramson, Senior Counsel in Charge  
Bureau of Professional and Occupational Affairs  
Bernadette Paul, Counsel  
State Board of Auctioneer Examiners  
State Board of Auctioneer Examiners

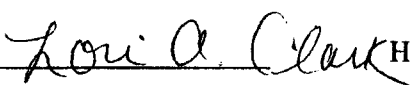
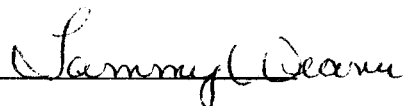
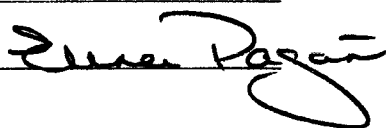
**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE  
REGULATORY REVIEW ACT**

I.D. NUMBER: 16A-644  
SUBJECT: State Board of Auctioneer Examiners - Application Fees  
AGENCY: DEPARTMENT OF STATE

**TYPE OF REGULATION**

- Proposed Regulation
- X Final Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor
- Delivery of Tolled Regulation
  - a. With Revisions
  - b. Without Revisions

**FILING OF REGULATION**

DATE	SIGNATURE	DESIGNATION
10/5/01		HOUSE COMMITTEE ON PROFESSIONAL LICENSURE
10/5/01		SENATE COMMITTEE ON CONSUMER PROTECTION & PROFESSIONAL LICENSURE
10/5/01		INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL
		LEGISLATIVE REFERENCE BUREAU