

Regulatory Analysis Form

This space for use by IRRC

(1) Agency

Department of State, Bureau of Professional and Occupational Affairs, State Real Estate Commission

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

16A-569

IRRC Number: 2374

(3) Short Title

Deletion of Examination Fee

(4) PA Code Cite

49 Pa. Code §35.203, 35.271-35.275

(5) Agency Contacts & Telephone Numbers

**Primary Contact: Judith Pachter Schulder, Counsel
State Real Estate Commission 783-7200
Secondary Contact: Joyce McKeever, Deputy Chief
Counsel, Department of State 783-7200**

(6) Type of Rulemaking (check one)

Proposed Rulemaking
 Final Order Adopting Regulation
Policy Statement

(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 deletes the examination fee charged by a professional testing organization found in § 35.203 as well as references "prescribed in § 35.203 (relating to fees)" found in §§ 35.271-35.275.

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

Section 812.1 of the Administrative Code (71 P.S. § 279.3a) sets forth the powers and duties of the Commission with regard to the administration of examinations.

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.

The regulation is not mandated by any federal or state law, court order, or federal regulation.

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

Two fees are related to examination for the broker and cemetery broker examinations: a fee for review of the candidate's qualifications (review fee) and fee for administration of the examination (examination fee). The review fee is determined by the Bureau of Professional and Occupational Affairs based upon the aggregate amount of time spent by staff to review candidate qualifications. The examination fee is determined through a competitive bid and contract process with professional testing organizations. The salesperson, time-share salesperson and rental listing referral agent examinations only require the examination fee.

The Commission plays no role in setting the examination fee. To avoid the necessity of amending § 35.203 whenever the examination fee is changed, the Commission proposes to delete the examination fee from § 35.203 and specific references to the examination fee "prescribed in § 35.203" from the examination provisions.

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

There are no specific public health, safety, environmental or general welfare risks associated with nonregulation.

(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 Commission will benefit because the regulation will eliminate the need to make future adjustments to its regulations should the fee be changed. Applicants for licensure will benefit by not having potentially conflicting sources of information relating to the examination fee.

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 Commission has identified no groups or individuals who will be adversely affected by the regulation.

(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.)

All applicants for licensure are required to pay the examination fee set by the professional testing organization. This regulation does not affect the fee charged by the professional testing organization or the review fee determined and charged by the Commission.

(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.

Because this regulation is merely an administrative revision, public input was not solicited.

(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.

No specific costs or savings to the regulated community are anticipated. However, the general operational costs of the Commission may be reduced by eliminating the need to make future amendments to the Commission's regulations.

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.

There are no anticipated costs or savings to local government associated with 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.

Because the Commission's operational expenses are paid from license renewal fees, there are no anticipated costs to state government associated with this regulation. Eliminating the need to make future amendments to the Commission's regulations may reduce the Commission's general operational costs.

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
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government						
State Government						
Total Savings						
COSTS:	N/A	N/A	N/A	N/A	N/A	N/A
Regulated Community						
Local Government						
State Government						
Total Costs						
REVENUE LOSSES:	N/A	N/A	N/A	N/A	N/A	N/A
Regulated Community						
Local Government						
State Government						
Total Revenue Losses						

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

Not applicable.

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
State Real Estate Commission	\$2,155,891.51	\$2,400,136.82	\$1,873,008.90	\$2,223,000.00

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

There are no adverse effects or costs associated with the regulation. The regulated community will benefit because the Commission will not be required to make any future amendments to its regulations to conform to changing costs of the licensing examination.

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

Because the fees are currently announced in the Commission's regulations, no nonregulatory alternatives were considered.

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

No alternative regulatory schemes were considered.

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.

There are no federal standards relevant to the regulation.

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

This regulation will not put Pennsylvania at a competitive disadvantage. The fees contained in the regulation are not determined by the Commission but a competitive bid and contract with a professional testing organization.

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

The regulation will not affect any existing or final regulations of the Commission or other state agencies.

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

The Commission meets in public session 10 months per year at 2601 North 3rd Street in Harrisburg, PA plus one time in Pittsburgh and one time in Philadelphia. Comments from the public are always invited at the Commission's meetings. Meeting dates are available on the Department of State's website, www.dos.state.pa.us/bpoa.

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.

The regulation does not change any existing reporting, record keeping or other paperwork requirements.

(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 Commission has identified no particular groups or persons who will be affected by the regulation.

(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 is effective upon final publication in the Pennsylvania Bulletin.

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

The Commission continuously reviews its regulations, periodically communicates with licensees through newsletters and obtains information and feedback from its licensees on a frequent basis.

close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

F. Fiscal Impact and Paperwork Requirements

The proposed rulemaking should have no fiscal impact on the Commonwealth, its political subdivisions or the public. The proposed rulemaking will cause additional reporting and other paperwork requirements on those licensees who are disciplined by the Board in that they will be required to notify their patients of the Board's disciplinary action. Because the act currently requires all licensees to report nolo or guilty pleas and licensees with multiple licenses to report discipline taken in other states, there are no new legal, reporting or other paperwork requirements on these licensees.

G. Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Judith Pachter Schulder, Counsel, State Board of Psychology, P. O. Box 2649, Harrisburg, PA 17105-2649 within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

ALEX M. SIEGEL, Ph.D., J.D.,
Chairperson

Fiscal Note: 16A-6314. 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 41. STATE BOARD OF PSYCHOLOGY
NOTICE REQUIREMENTS**

§ 41.91. Reporting of crimes and disciplinary actions.

(a) A licensee shall notify the Board of having been convicted of, or having pleaded guilty or nolo contendere to, a felony or misdemeanor, within 30 days of the conviction, verdict or plea.

(b) A licensee shall notify the Board of disciplinary action in the nature of a final order taken against the licensee by the licensing authority of another state, territory or provincial board of psychology within 30 days of receiving notice of the disciplinary action, or on the biennial renewal application, whichever is sooner.

§ 41.92. Notice of active suspension or revocation.

A licensee whose license has been actively suspended or revoked by the Board shall return the suspended or revoked license to the Board and notify all current clients/patients of the disciplinary action in writing within 30 days of receiving notice of the disciplinary action. The notice shall contain the following:

- (1) The sanction imposed.
- (2) The effective date and length of the sanction.
- (3) The nature of the violation.

(4) A statement that the licensee will assist patients in obtaining alternative professional resources and in transferring psychological records.

[Pa.B. Doc. No. 04-18. Filed for public inspection January 2, 2004, 9:00 a.m.]

**STATE REAL ESTATE
COMMISSION**

[49 PA. CODE CH. 35]

Deletion of Examination Fees

The State Real Estate Commission (Commission) proposes to amend §§ 35.203 and 35.271—35.275 to read as set forth in Annex A. The proposed rulemaking deletes references to the examination fee determined by contract and charged by a professional testing organization from the schedule of fees in § 35.203 (relating to fees) and examination provisions in §§ 35.271—35.275.

Effective Date

The proposed rulemaking will be effective on final-form publication in the *Pennsylvania Bulletin*.

Statutory Authority

Section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a) sets forth the powers and duties of the Commission with regard to the administration of examinations.

Background and Need for the Proposed Rulemaking

Two fees are related to examination for the broker and cemetery broker examinations: a fee for review of the candidate's qualifications (review fee) and a fee for administration of the examination (examination fee). The review fee is determined by the Bureau of Professional and Occupational Affairs based upon the aggregate amount of time spent by staff to review candidate qualifications. The examination fee is determined through a competitive bid and contract process with professional testing organizations. The salesperson, time-share salesperson and rental listing referral agent examinations only require the examination fee.

The Commission plays no role in setting the examination fee. To avoid the necessity of amending § 35.203 whenever the examination fee is changed, the Commission proposes to delete the examination fee from § 35.203 and specific references to the examination fee prescribed in § 35.203 from the examination provisions in §§ 35.271—35.275.

Description of Proposed Rulemaking

The proposed rulemaking eliminates the examination fee from § 35.203 and deletes the references "prescribed in § 35.203 (relating to fees)" from the examination provisions in §§ 35.271—35.275.

Fiscal Impact

The proposed rulemaking will have no fiscal impact on the Commission or its licensees. The proposed rulemaking should have no fiscal impact on the private sector, the general public or political subdivisions.

Paperwork Requirements

The proposed rulemaking will avoid preparation of new regulations each time the examination fee is changed. It will not create additional paperwork for the private sector.

Sunset Date

The Commission monitors its regulations on a continuing basis. Therefore, no sunset date has been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on December 16, 2003, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Judith Pachter Schulder, Counsel, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649 within 30 days following publication of this proposed rulemaking in the Pennsylvania Bulletin.

HELEN BILLAK, Chairperson

Fiscal Note: 16A-569. 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 35. STATE REAL ESTATE COMMISSION

Subchapter B. GENERAL PROVISIONS

§ 35.203. Fees.

The following fees are charged by the Commission:

[Licensing examination for broker, cemetery broker, salesperson, builder-owner salesperson or rental listing referral agent \$45]

* * * * *

Subchapter D. LICENSING EXAMINATIONS

§ 35.271. Examination for broker's license.

(a) An individual who wants to take the broker's examination for a Pennsylvania broker's license shall:

* * * * *

(5) Submit a completed examination application to the Commission or its designee with:

* * * * *

(v) The [fees] fee for review of the candidate's qualifications to take the examination prescribed in § 35.203

(relating to fees) and the fee for administration of the examination [prescribed in § 35.203 (relating to fees)].

* * * * *

§ 35.272. Examination for salesperson's license.

(a) An individual who wants to take the salesperson's examination for the purpose of obtaining a Pennsylvania salesperson's license shall:

* * * * *

(3) Submit a completed examination application to the Commission or its designee with the examination fee [prescribed in § 35.203 (relating to fees)].

* * * * *

§ 35.273. Examination for cemetery broker's license.

(a) An individual who wants to take the salesperson's examination for the purpose of obtaining a Pennsylvania cemetery broker's license shall:

* * * * *

(4) Submit a completed examination application to the Commission or its designee with:

* * * * *

(iv) The [fees] fee for review of the candidate's qualifications to take the examination prescribed in § 35.203 (relating to fees) and the fee for administration of the examination [prescribed in § 35.203 (relating to fees)].

* * * * *

§ 35.274. Examination for builder-owner salesperson's license.

An individual who wants to take the salesperson's examination for the purpose of obtaining a Pennsylvania builder-owner salesperson's license shall:

* * * * *

(3) Submit a completed examination application to the Commission or its designee with the examination fee [prescribed in § 35.203 (relating to fees)].

§ 35.275. Examination for rental listing referral agent's license.

(a) An individual who wants to take the salesperson's examination for the purpose of obtaining a Pennsylvania rental listing referral agent's license shall:

* * * * *

(3) Submit a completed examination application to the Commission or its designee with the examination fee [prescribed in § 35.203 (relating to fees)].

* * * * *

[Pa.B. Doc. No. 04-19. Filed for public inspection January 2, 2004, 9:00 a.m.]



**Pennsylvania Association of
REALTORS®**

REALTOR® The Voice for Real Estate® in Pennsylvania

4501 Chambers Hill Road
Harrisburg, PA 17111-2406
Telephone (717) 561-1303
Fax (717) 561-8796

February 2, 2004

Judith Pachter Schulder, Counsel
State Real Estate Commission
PO Box 2649
Harrisburg, PA 17105-2649

Dear Ms. Schulder:

As an organization that represents nearly 28,000 of the Commonwealth's real estate licensees, we welcome the opportunity to provide input on the proposed regulation entitled "Deletion of Examination Fees" (16A-569).

The proposed rulemaking deletes references to the examination fee determined by contract and charged by a professional testing organization from the schedule of fees and examination provisions. Currently, the regulations must be revised each time the examination fee is altered. We agree that, since the Commission has no role in setting such fees, publication in the Commission's regulations is a tedious and time-consuming process.

After careful review, the Pennsylvania Association of REALTORS® has no opposition to the proposal of deleting the examination fees. We do, however, propose that the examination fees be posted on the Commission's website for timely updating and quick access for licensees.

Again, thank you for the opportunity to comment on this regulatory proposal. Please feel free to contact me should you have any questions.

Sincerely,

Derenda Updegrave

Derenda Updegrave
Director, Government Affairs

Cc: Independent Regulatory Review Commission (IRRC)



FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)

DO NOT WRITE IN THIS SPACE

2374

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 Real Estate Commission
(AGENCY)

[Handwritten signature]
6/8/04

DOCUMENT/FISCAL NOTE NO. 16A-569

DATE OF APPROVAL

DATE OF ADOPTION: _____

DATE OF APPROVAL

BY: *[Handwritten signature]*
Joseph J. McGettigan

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

TITLE: Chair
(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.

FINAL RULEMAKING
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE REAL ESTATE COMMISSION
49 Pa. Code, Chapter 35
Deletion of Examination Fee

The State Real Estate Commission (Commission) hereby amends Chapter 35 to read as set forth in Annex A. These amendments delete references to examination fees determined by contract and charged by a professional testing organization from the schedule of fees in § 35.203 (relating to fees) and examination provisions in §§ 35.271 through 35.275.

Statutory Authority

Section 812.1 of the Administrative Code of 1929 (71 P.S. § 279.3a) sets forth the powers and duties of the Commission with regard to the administration of examinations.

Response to Public Comments and Regulatory Review and Amendments in Final Form Rulemaking

Notice of the proposed rulemaking was published at 34 *Pa. B.* 61 (January 3, 2004). Publication was followed by a 30-day public comment period during which the Commission received comment from the Pennsylvania Association of Realtors supporting the regulation. The House Professional Licensure Committee (HPLC), the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) and the Independent Regulatory Review Commission (IRRC) did not comment.

No changes have been made to the final-form rulemaking. The licensing examination fee of \$45 has been removed from § 35.203. References to the fees prescribed in §35.203 for the licensing examination have been removed from §§ 35.271-35.275.

Fiscal Impact and Paperwork Requirements

The amendments have no fiscal impact on the Commonwealth, its political subdivisions or the public, that is, the regulated community. The amendments do not affect the legal, accounting, reporting or other paperwork requirements on the regulated community. The examination fees are set by and paid directly to the third party testing vendor.

Sunset Date

The Commission continually monitors the effectiveness of its regulations through communication with the regulated population; accordingly, no sunset date has been set.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on January 3, 2004, the Commission submitted a copy of the notice of proposed rulemaking, published at 34 *Pa. B.* 61, to IRRC and the Chairpersons of the House Professional Licensure Committee (HPLC) and the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC, the HPLC and the SCP/PLC were provided with copies of the comments received during the public comment period, as well as other documents. In preparing the final-form rulemaking, the Commission has considered all comments from IRRC, the HPLC, the SCP/PLC and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on _____, 2004, the final-form rulemaking was approved by the HPLC. On _____, 2004, the final-form rulemaking was deemed approved by SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on _____, 2004, and approved the final-form rulemaking.

Contact Person

Further information may be obtained by contacting Deborah Sopko, Administrative Assistant, State Real Estate Commission, P.O. Box 2649, Harrisburg, PA 17105-2649, www.state.pa.us/bpoa/recomm/mainpage.

Findings

The Commission 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, 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) This final-form rulemaking is necessary and appropriate for administering and enforcing the authorizing acts identified in this Preamble.

Order

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

(a) The regulations of the Commission, 49 Pa. Code Chapter 35, are amended to read as set forth in Annex A.

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

(c) The Commission 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*.

Joseph J. McGettigan, Chairperson
State Real Estate Commission

ANNEX A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

SUBPART A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 35. STATE REAL ESTATE COMMISSION

* * * *

Subchapter B. GENERAL PROVISIONS

* * * *

§ 35.203. Fees.

The following fees are charged by the Commission:

[Licensing examination for broker, cemetery broker, salesperson,

builder-owner salesperson or rental listing referral agent.....\$45]

* * * *

Subchapter D. LICENSING EXAMINATIONS

§ 35.271. Examination for broker's license.

(a) An individual who wants to take the broker's examination for a Pennsylvania broker's license shall:

* * * *

(5) Submit a completed examination application to the Commission or its designee with:

* * * *

(v) The [fees] fee for review of the candidate's qualifications to take the examination prescribed in § 35.203 (relating to fees) and the fee for administration of the examination [prescribed in § 35.203 (relating to fees)].

* * * *

§ 35.272. Examination for salesperson's license.

(a) An individual who wants to take the salesperson's examination for the purpose of obtaining a Pennsylvania salesperson's license shall:

* * * *

(3) Submit a completed examination application to the Commission or its designee with the examination fee [prescribed in § 35.203 (relating to fees)].

* * * *

§ 35.273. Examination for cemetery broker's license.

(a) An individual who wants to take the salesperson's examination for the purpose of obtaining a Pennsylvania cemetery broker's license shall:

* * * *

(4) Submit a completed examination application to the Commission or its

designee with:

* * * *

(iv) The [fees] fee for review of the candidate's qualifications to take the examination prescribed in § 35.203 (relating to fees) and the fee for administration of the examination [prescribed in § 35.203 (relating to fees)].

* * * *

§ 35.274. Examination for builder-owner salesperson's license.

An individual who wants to take the salesperson's examination for the purpose of obtaining a Pennsylvania builder-owner salesperson's license shall:

* * * *

(3) Submit a completed examination application to the Commission or its designee with the examination fee [prescribed in 35.203 (relating to fees)].

§ 35.275. Examination for rental listing referral agent's license.

(a) An individual who wants to take the salesperson's examination for the purpose of obtaining a Pennsylvania rental listing referral agent's license shall:

* * * *

(3) Submit a completed examination application to the Commission or its designee with the examination fee [prescribed in 35.203 (relating to fees)].

* * * *



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE REAL ESTATE COMMISSION
Post Office Box 2649
Harrisburg, Pennsylvania 17105-2649
(717) 783-3658

June 22, 2004

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


Re: Final Regulation
State Real Estate Commission
16A-569: Deletion of Examination Fees

Dear Chairman McGinley:

Enclosed is a copy of a final rulemaking package of the State Real Estate Commission pertaining to Deletion of Examination Fees.

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

Sincerely,


Joseph S. McGettigan, Sr., Chairperson
State Real Estate Commission

JJM/JPS:lm

Enclosure

c: Basil L. Merenda, Commissioner
Bureau of Professional and Occupational Affairs
Linda C. Barrett, Chief Counsel
Department of State
Joyce McKeever, Deputy Chief Counsel
Department of State
Cynthia Montgomery, Regulatory Counsel
Department of State
Gerald S. Smith, Senior Counsel in Charge
Department of State
Judith Pachter Schulder, Counsel
State Real Estate Commission
State Real Estate Commission

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

I.D. NUMBER: 16A-0569
SUBJECT: Deletion of Examination Fee
AGENCY: DEPARTMENT OF STATE

2374

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
6/24/04	<i>Sandra J. Hayes</i>	HOUSE COMMITTEE ON PROFESSIONAL LICENSURE
6/29/04	<i>Mary Walmer</i>	SENATE COMMITTEE ON CONSUMER PROTECTION & PROFESSIONAL LICENSURE
6/22/04	<i>Stephen J. Hoffm</i>	INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL (for Final Omitted only)
		LEGISLATIVE REFERENCE BUREAU (for Proposed only)

June 15, 2004