

SILVAN B. LUTKEWITTE, III, CHAIRMAN
GEORGE D. BEDWICK, VICE CHAIRMAN
ARTHUR COCCODRILLI
JOHN F. MIZNER, ESQ.
LAWRENCE J. TABAS, ESQ.
KIM KAUFMAN, EXECUTIVE DIRECTOR
LESLIE A. LEWIS JOHNSON, CHIEF COUNSEL



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INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

February 15, 2011

Honorable Charles T. McIlhinney, Jr., Majority Chairman
Senate State Government Committee
187 Main Capitol
Harrisburg, PA 17120

Re: Regulation #16-43 (IRRC #2764)
Department of State
Schedule of Civil Penalties - Engineers, Land Surveyors and Geologists

Dear Senator McIlhinney:

At our December 16, 2010 public meeting, we approved the above-captioned regulation and delivered the order to Honorable Basil Merenda, Acting Secretary, Department of State. Because the General Assembly had adjourned *sine die*, we were precluded from providing you with a copy of at that time.

Enclosed is a copy of our approval order. If you have any questions, please contact me.

Sincerely,

Kim Kaufman
Executive Director
sfh

SILVAN B. LUTKEWITTE, III, CHAIRMAN
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INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

February 15, 2011

Honorable Anthony H. Williams, Minority Chairman
Senate State Government Committee
366 Main Capitol
Harrisburg, PA 17120

Re: Regulation #16-43 (IRRC #2764)
Department of State
Schedule of Civil Penalties - Engineers, Land Surveyors and Geologists

Dear Senator Williams:

At our December 16, 2010 public meeting, we approved the above-captioned regulation and delivered the order to Honorable Basil Merenda, Acting Secretary, Department of State. Because the General Assembly had adjourned *sine die*, we were precluded from providing you with a copy of at that time.

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INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

February 15, 2011

Honorable Babette Josephs, Minority Chairman
House State Government Committee
300 Main Capitol
Harrisburg, PA 17120

Re: Regulation #16-43 (IRRC #2764)
Department of State
Schedule of Civil Penalties - Engineers, Land Surveyors and Geologists

Dear Representative Josephs:

At our December 16, 2010 public meeting, we approved the above-captioned regulation and delivered the order to Honorable Basil Merenda, Acting Secretary, Department of State. Because the General Assembly had adjourned *sine die*, we were precluded from providing you with a copy of at that time.

Enclosed is a copy of our approval order. If you have any questions, please contact me.

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Kim Kaufman
Executive Director
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INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

February 15, 2011

Honorable Daryl D. Metcalfe, Majority Chairman
House State Government Committee House
43 East Wing
Harrisburg, PA 17120

Re: Regulation #16-43 (IRRC #2764)
Department of State
Schedule of Civil Penalties - Engineers, Land Surveyors and Geologists

Dear Representative Metcalfe:

At our December 16, 2010 public meeting, we approved the above-captioned regulation and delivered the order to Honorable Basil Merenda, Acting Secretary, Department of State. Because the General Assembly had adjourned *sine die*, we were precluded from providing you with a copy of at that time.

Enclosed is a copy of our approval order. If you have any questions, please contact me.

Sincerely,

Kim Kaufman
Executive Director
sfh

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held December 16, 2010

Silvan B. Lutkewitte, III, Chairman
George D. Bedwick, Vice Chairman
Arthur Coccodrilli
S. David Fineman, Esq.
John F. Mizner, Esq.

Regulation No. 16-43 (#2764)
Department of State
Bureau of Professional and Occupational
Affairs
Schedule of Civil Penalties - Engineers, Land
Surveyors and Geologists


On April 22, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of State (Department). This rulemaking amends 49 Pa. Code Chapter 43b. The proposed regulation was published in the May 2, 2009 *Pennsylvania Bulletin* with a 30-day public comment period. A final-form regulation was submitted to the Commission on September 3, 2010, but was disapproved by the Commission on October 7, 2010, at the request of the Department's counsel, given that the companion Regulation #16A-4710 (IRRC #2762) had been disapproved at the same public meeting. The Department resubmitted the final-form regulation without changes to the Commission on November 24, 2010.

This final regulation would establish a civil penalty schedule for violations of the continuing education requirements of the State Registration Board for Professional Engineers, Land Surveyors and Geologists (Board). This regulation is the companion piece to Regulation #16A-4710 (IRRC #2762) from the Board entitled: "Continuing Education."

We have determined this regulation is consistent with the statutory authority of the Department (63 P.S. §§ 2205(a), 151(g) and 158(b)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.



Silvan B. Lutkewitte, III, Chairman