

**INDEPENDENT REGULATORY REVIEW COMMISSION
PUBLIC MEETING MINUTES**

10:00 A.M.

Thursday, January 16, 2014
14th Floor Conference Room
333 Market Street

I. CALL OF THE MEETING

The January 16, 2014 public meeting of the Independent Regulatory Review Commission (Commission) was called to order by Commissioner Mizner at 10:08 a.m. in the 14th Floor Conference Room, 333 Market Street, Harrisburg, PA.

Commissioners Present: John F. Mizner, Esq.
 Lawrence J. Tabas, Esq.
 Dennis A. Watson, Esq.

Telephone: George D. Bedwick, Vice Chairman

II. APPROVAL OF THE DECEMBER 12, 2013 PUBLIC MEETING MINUTES

Commissioner Mizner asked for a motion for approval of the December 12, 2013 public meeting minutes, as submitted. Commissioner Watson made the motion and Commissioner Mizner seconded, and the motion passed 3-0, with Commissioner Tabas abstaining, since he was unable to attend that meeting.

III. NEW BUSINESS

A. DEEMED APPROVED

1. No. 3027 Pennsylvania Liquor Control Board #54-76: Sale by Limited Winery Licensees

B. ACTION ITEMS

1. No. 2921 Constables' Education and Training Board #35-32: Constables' Education and Training Board Amendments

Michelle Elliot, Regulatory Analyst, explained the regulation brings the Constables' Education and Training Board's regulations into alignment with current policies and practices. She noted the regulation addresses reactivation of lapsed certification, responsibility for the cost of taking multiple courses, revisions to training requirements, and other items. Ms. Elliott said the Commission has not received any comments and the regulation was deemed approved by the legislative standing committees.

John Pfau, Manager, Bureau of Training Services, Pennsylvania Commission on Crime and Delinquency, was present to answer any questions. He confirmed the regulation clarifies existing regulations, explaining that the first set of regulations was passed in 2003 and since then the program has evolved.

Commissioner Mizner made a motion for approval. Commissioner Watson seconded, and the motion passed 4-0.

2. No. 2994 State Board of Landscape Architects #16A-6110: Continuing Education and Elimination of Registration without Examination

James Smith, Regulatory Analyst, explained the regulation implements Act 24 of 2009 (Act 24). He said the Commission recently received two letters in support of the regulation and it was deemed approved by the legislative committees. Mr. Smith discussed one outstanding issue with the regulation, explaining that reciprocity language was removed with the intention to be included in a separate regulation. He commented this is not consistent with the statute and confirmed the State Board of Landscape Architects (Board) is prepared to address the issue.

Larry Boyle, Assistant Counsel, Department of State, was present to answer any questions. He confirmed the regulation includes provisions from Act 24 relating to grandfathering and continuing education and also implements changes regarding recordkeeping. He noted the Board has been in contact with the affected members to keep them apprised of upcoming changes and deadlines.

Vice Chairman Bedwick opined it makes more sense to keep the reciprocity provisions in the regulation until they are superseded by the anticipated regulation. He asked for an assurance that applications for reciprocity would rely upon statutory provisions for determinations. Mr. Boyle assured him that the Board is applying the statutory requirement and has made that clear on its website. He noted a regulation has been put forth for Department of State review which would address the reciprocity requirements and he expects that regulation to come before the Commission in the future. Mr. Boyle concluded by stating his opinion that this regulation is in the public interest and the Board wants to get it in place as soon as possible.

Adam Supplee, President, Pennsylvania and Delaware Chapter, American Society of Landscape Architects, spoke in support of the regulation. He noted 22 states require at least 24 hours of continuing education, thus the regulation is in line with the national standard. Mr. Supplee remarked on the importance of members keeping up to date with technology. He also remarked on his association's work with the board to disseminate information.

Vice Chairman Bedwick made a motion for approval. Commissioner Tabas seconded, and the motion passed 4-0.

3. No. 2926 State Registration Board for Professional Engineers, Land Surveyors and Geologists #16A-4711: Qualifications For Licensure

Ms. Elliott explained the regulation amends regulations regarding licensure and certifications. She further explained Act 25 of 2010 updated the law to establish a two-step licensing process for geologists, similar to that for engineers and land surveyors and the regulation implements the new law. Ms. Elliott said the Commission has not received any comments and the regulation was deemed approved by the legislative standing committees.

Thomas Blackburn, Senior Counsel in Charge, Department of State, was present to answer any questions. He discussed the impetus for the regulation and the improvements it makes.

Ted Mowatt, Wanner Associates, spoke on behalf of the Pennsylvania Society of Land Surveyors and the Pennsylvania Society of Professional Engineers, and reported he is not aware of any negative feedback.

Vice Chairman Bedwick made a motion for approval. Commissioner Watson seconded, and the motion passed 4-0.

IV. OTHER BUSINESS

1. Approval of Invoice No. 02-2013

Commissioner Mizner made a motion to approve payment of invoice no. 02-2013. Commissioner Watson seconded, and the motion passed 4-0.

2. Approval of Vouchers

Commissioner Watson made motions to approve vouchers and expenses for the period December 12, 2013 through January 15, 2014. Vice Chairman Bedwick seconded, and the motions passed 4-0.

V. DATE AND PLACE OF SUBSEQUENT MEETING

Commissioner Mizner announced the next public meeting is scheduled for Thursday, February 13, 2014, at 10:00 a.m. in the 14th Floor Conference Room, 333 Market Street, Harrisburg.

VI. EXECUTIVE SESSION ANNOUNCEMENTS

Commissioner Mizner announced that no executive session would be held.

VII. ADJOURNMENT

Commissioner Mizner announced the meeting adjourned at 10:33 a.m.