

PROPOSED RULEMAKING

STATE ARCHITECTS LICENSURE BOARD

[49 PA. CODE CH. 9] Biennial Renewal Fees

The State Architects Licensure Board (Board) proposes to amend § 9.3 (relating to fees), by raising the biennial renewal fee for architects to read as set forth in Annex A.

A. Effective Date

The amendment will be effective upon publication of the final-form regulation in the *Pennsylvania Bulletin*.

B. Statutory Authority

The amendment is authorized under section 11 of the Architects Licensure Law (act) (63 P. S. § 34.11).

C. Background and Purpose

Section 11(b) of the act (63 P. S. § 34.11(b)), requires the Board to fix the fees required for renewal of licenses by regulation. In addition, section 11(a) of the act requires the Board to increase fees by regulation if the revenues raised by fees, fines and civil penalties are not sufficient to meet expenditures over a 2-year period.

The Board last increased its biennial renewal fees on February 2, 1987. At the close of the 1997/1999 biennial period, the Board experienced a deficit of approximately \$51,445.79. The Board estimates that it must generate revenues of about \$725,100 to meet its anticipated expenditures for the July 1, 1999, through June 30, 2001, biennial period. In addition, since the Board incurred a biennial reconciliation deficit, the Board proposes to recover that deficit during the July 1, 1999, through June 30, 2001, biennial period. The Board anticipates that the proposed new fees plus the increased user fees which are being separately promulgated, will enable it to recapture the current deficit, meet its estimated expenditures for the 1999-2001 biennial cycle and generate a surplus of approximately \$264,637.08 of its biennial expenses at the end of the 1999-2001 biennial period.

D. Description of the Proposed Amendment

The following table outlines the affected fee and proposed change:

<i>Application</i>	<i>Current Fee</i>	<i>Proposed Fee</i>
Biennial renewal fee	\$50	\$100

E. Compliance with Executive Order 1996-1

Copies were provided to those interested parties who requested an opportunity to provide input.

F. Fiscal Impact and Paperwork Requirements

The proposed amendment will increase the biennial renewal fee for architects in this Commonwealth, but, otherwise, should have no fiscal impact on the private sector, the general public or political subdivisions.

The proposed amendment will require the Board to alter some of its forms to reflect the new biennial renewal fees; however, the proposed amendment should create no additional paperwork for 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) of the Regulatory Review Act (71 P. S. § 745.5(a)), on May 5, 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 this 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 of the close of the Committees' review period. The notification shall specify the regulatory review criteria that have not been met by that portion. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the amendment, 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 amendment to Judith Pachter Schulder, Assistant Counsel, Bureau of Professional and Occupational Affairs, 116 Pine Street, P. O. Box 2649, Harrisburg, PA 17105-2649, within 30 days of publication of this proposed rulemaking. Please reference No. 16A-415 (Biennial Renewal Fees) when submitting comments.

FRANK M. ADAMS,
Chairperson

Fiscal Note: 16A-415. 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 9. STATE ARCHITECTS LICENSURE BOARD

GENERAL PROVISIONS

§ 9.3. Fees.

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(e) Biennial renewal of license \$[50] 100
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[Pa.B. Doc. No. 00-842. Filed for public inspection May 19, 2000, 9:00 a.m.]