

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

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ARCHIVES DIVISION
SECRETARY OF STATE

Landscape Architect Board

804

Agency and Division

Administrative Rules Chapter Number

Update of Continuing Education (CE) Program Rules for Registered Landscape Architects

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Update of Continuing Education (CE) Program Rules for Registered Landscape Architects

Statutory Authority:

804-025-0000: ORS 671.395, 671.415
804-025-0010: ORS 671.395, 671.415
804-025-0015: ORS 671.395, 671.415
804-025-0020: ORS 671.395, 671.415
804-025-0030: ORS 671.395, 671.415
804-025-0035: ORS 671.395, 671.404, 671.408, 671.415, 671.995

Other Authority:

N/A

Statutes Implemented:

804-025-0000: 671.395
804-025-0010: 671.376, 671.395
804-025-0015: 671.376, 671.395
804-025-0020: 671.395
804-025-0030: 671.395
804-025-0035: 671.395

Need for the Rule(s):

The CE program for Registered Landscape Architects went into effect in 2006. The Board considered questions arising from registrants over the years, including via CE audits, and determined that the rules would benefit from improved clarity and other revisions to address lessons learned. The Board also determined that the existing rules unnecessarily limit Board discretion about how violations of the CE rules can be addressed. The Board seeks to change the rules to give the Board the full discretion provided for in statutes as to options for working with registrants to address non-compliance.

Documents Relied Upon, and where they are available:

Background documents are available via the Board office. Primary documents relied on were: review of other state regulatory boards CE programs for landscape architects; existing Board CE rules; Board CE audit review findings, and list of interpretation issues encountered in recent audits.

Fiscal and Economic Impact:

The Board does not anticipate a fiscal impact as the CE requirements applicable to Registered Landscape Architects are not being increased or otherwise substantially changed. The improved clarity that will result from the proposed rule amendments should benefit registrants and could even reduce registrant costs for compliance by reducing misunderstandings of CE requirements.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

No impact. These rules only apply to Registered Landscape Architects. The rules do not apply to state agencies, local governments, or the general public.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

Approximately 200 firms are currently registered with the Board as providing landscape architectural services in Oregon. These firms must have at least one Registered Landscape Architect in responsible charge of landscape architectural services. No impacts to these firms are anticipated as the CE rules will continue to apply to individual registrants and not firm registrants of the Board. Also, the revisions do not

increase requirements on individual registrants so no indirect impacts on firms are anticipated.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

No impact. The Board is not proposing substantial changes to CE record keeping that Registered Landscape Architects must do, and increased clarity in the rules should help registrants better understand the record keeping requirements which could reduce time and cost of compliance.

c. Equipment, supplies, labor and increased administration required for compliance:

No impact.

How were small businesses involved in the development of this rule?

The Board utilized its Administrative Rules Committee, and this Committee includes representatives of various sizes of firms, including sole proprietorships, that provide landscape architectural services in Oregon.

Administrative Rule Advisory Committee consulted?: Yes

If not, why?:

<u>04-27-2016 Close of Business</u>	<u>Christine Valentine</u>	<u>christine.valentine@state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address