

OFFICE OF THE SECRETARY OF STATE

TOBIAS READ
SECRETARY OF STATE

MICHAEL KAPLAN
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION

STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 804
LANDSCAPE ARCHITECT BOARD

FILED

02/18/2025 4:12 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Oregon State Landscape Architect Board Proposed Operating Budget and Fees for the 2025-2027 Biennium

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 04/03/2025 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Christine Valentine
503-589-0093
oslab.info@bgelab.oregon.gov

1500 Liberty St. SE
Suite 210
Salem, OR 97302

Filed By:
Christine Valentine
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 04/03/2025

TIME: 9:00 AM - 9:30 AM

OFFICER: Christine Valentine

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 1-253-215-8782

CONFERENCE ID: 89045715609

SPECIAL INSTRUCTIONS:

Use passcode 749884 when prompted.

Find alternative call in #s here: <https://us06web.zoom.us/j/kmJTImxGo>

Note that the hearing may be closed early if there are no attendees. Those wishing to attend to submit oral testimony are advised to be present at the 9:00 AM start time. Written testimony can be submitted to the Board office in lieu of oral testimony. Written testimony is due by 5:00 PM on the day of the hearing.

NEED FOR THE RULE(S)

The Oregon State Landscape Architect Board (Board) is required by state statute to adopt its 2025-2027 budget and associated fee changes by rule. The Board is required to be self-sufficient, funding its operations through fee revenues and must adjust certain fees to ensure it will have sufficient revenues to operate.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Past adopted Board budgets, historical fee revenue and expense data, historical data on registrant counts, State of Oregon price lists and other expense estimates for 2025-2027, Board reserve fund policy, interagency agreement for staffing services, personnel services budget detail estimate, and biennial reports to the Legislature and Governor. All

documents are available via the Board office.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

No impact. These rule amendments will adopt the Board's 2025-2027 operating budget by reference and make associated changes to select fees.

FISCAL AND ECONOMIC IMPACT:

The Board must operate entirely off fee-generated revenues. The Board's proposed operating budget for 2025-2027 is based on projected expenses and the fee-generated revenues needed to cover those expenses. The Board is proposing select fee increases in association with the proposed 2025-2027 budget. After taking various cost savings measures, the Board now needs to raise fees for the first time since 2017 to cover increased operating expenses. Registered Landscape Architects and businesses that provide landscape architecture services in Oregon pay annual fees (renewals), and this funding is used to cover costs of Board operations. To a much lesser extent, the Board also receives revenues through application and late fees. The Board anticipates a small fiscal impact on Board registrants and applicants as they will need to pay more for registration, renewal, and application fees. No other parties are directly impacted by the fee changes proposed.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) No significant impact on state agencies, local governments, or members of the public are anticipated. State or local government offices that pay annual renewal fees for Registered Landscape Architects on staff will need to pay the increased fee amount. The cost difference between the status quo renewal fee and proposed renewal fee is not viewed as a significant fiscal impact for these employers.

(2)(a) Only those businesses that provide landscape architecture services in Oregon and pay an annual renewal fee to the Board and pay annual renewal fees for their Registered Landscape Architect employees are impacted by the proposed 2025-2027 operating budget and associated fees. The number of businesses registered with the Board varies over time but on average is fewer than 250 businesses. Some of these businesses are small businesses. The proposed changes in the renewal fees as part of the 2025-2027 budget are not anticipated to have a significant economic impact on these businesses regardless of their size. However, sole proprietors may feel the impact of the fee increases more than larger businesses. But the fees will remain a very small cost of the total cost to operate a business.

(2)(b) No reporting, recordkeeping, or administrative activities or costs required.

(2)(c) No professional services, equipment, labor and increased administration required.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Board members have experience working for and running small businesses. The Board discussed the 2025-2027 budget development in public meetings in 2024 and 2025. Small business owners or representatives could attend these meetings. Meeting minutes are also posted for public review. In addition, Board registrants and other potentially interested parties can access past biennial reports and budgets on the Board website for comparison.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The Board Budget Committee and ultimately the full Board considered budget needs and scenarios. The Board's Administrative Rules Committee has not historically been asked to review proposed biennial budgets due to the

detailed financial analysis that is required to formulate the budget and severe budget limitations on any discretionary spending. Since the Board discussed budget development at its quarterly meetings, holds a public hearing, and issues rulemaking notice to all registrants and other interested parties, there will have been ample opportunities for interested parties to offer input to the Board.

RULES PROPOSED:

804-001-0002, 804-040-0000

AMEND: 804-001-0002

RULE SUMMARY: This rule adopts the Board's biennial budget by reference as required under ORS 182.462.

CHANGES TO RULE:

804-001-0002

Biennial Budget ¶

Pursuant to the provisions of ORS 182.462 and following a public hearing, the Board adopts by reference the Oregon State Landscape Architect Board 2023~~5~~-2025~~7~~ biennial budget of \$541,726~~93,739~~ covering the period July 1, 2023~~5~~ through June 30, 2025~~7~~. The Board Administrator, with the approval of the Board, will amend budgeted accounts as necessary, within the approved budget of \$541,726,93,739 for the effective operation of the Board. The Board will not exceed this approved budget amount without amending this rule, notifying all registrants, and holding a public hearing. ~~Copies~~ A copy of the budget ~~are~~ is available from the Board's office and at the Board's website.

Statutory/Other Authority: ORS 671.415, ORS 182.462, 670.310

Statutes/Other Implemented: ORS 671.415, ORS 182.462

AMEND: 804-040-0000

RULE SUMMARY: This rule sets the Board's fee schedule. The fee schedule is set to align with the Board's operating budget for the 2025-2027 budget biennium. The fee changes proposed would be effective 07/01/2025 which is the start of the 2025-2027 budget biennium.

CHANGES TO RULE:

804-040-0000

Fees ¶¶

The following are fees established by the board:¶¶

(1) Examination Fees:¶¶

(a) Application fee for examination: \$100.¶¶

(b) Landscape Architect Registration Examination (LARE): the cost for each section of the LARE is set by the Council of Landscape Architectural Boards (CLARB) and must be paid directly to CLARB.¶¶

(2) Registration Fees:¶¶

(a) Initial Landscape Architect in Training registration: \$50.00.¶¶

(b) Annual renewal for Landscape Architect in Training: \$50.00.¶¶

(c) Application fee for initial Landscape Architect registration: \$1050.00.¶¶

(d) Application fee for Landscape Architect registration by reciprocity: \$1050.00.¶¶

(e) Initial Landscape Architect registration: \$3275.00.¶¶

(f) Annual renewal for Landscape Architect: \$3275.00.¶¶

(g) Inactive and Inactive Emeritus Annual fee: \$560.00.¶¶

(3) Business Fees:¶¶

(a) Application fee for business registration: \$1050.00.¶¶

(b) Initial business registration fee: \$225300.00.¶¶

(c) Annual business registration renewal fee: \$225300.00.¶¶

(d) Initial or revised statement of responsibility filing for an individual Registered Landscape Architect designated as in responsible charge of landscape architectural services: \$50.00.¶¶

(4) Miscellaneous Fees:¶¶

(a) Late fee: \$100.00 for each delinquent year.¶¶

(b) Duplicate certificate: \$50.00.¶¶

(c) Fee for registrant list: \$50.00.¶¶

(d) Application fee for temporary military spouse registration: \$1050.00.¶¶

(e) Temporary military spouse registration fee: \$3275.00.

Statutory/Other Authority: ORS 182.466(4), 670.310, 671.365, 671.415

Statutes/Other Implemented: 671.365, ORS 671.325, 671.345, ~~671.365~~, 671.376