

**STATE OF CALIFORNIA – DEPARTMENT OF CONSUMER AFFAIRS
CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
NOTICE OF PROPOSED CHANGES IN THE REGULATIONS**

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the office of the **California Architects Board, Landscape Architects Technical Committee, 2420 Del Paso Road, Suite 105, Sacramento, California 95834, on March 24, 2014, at 11:30 a.m.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on **March 24, 2014** or must be received by the Board at the hearing.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as the contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: As a result of legislative reorganization, the Landscape Architects Technical Committee (LATC), established on January 1, 1998, replaced the former Board of Landscape Architects and was placed under the purview of the Board. Pursuant to the authority vested by section 5630 of the Business and Professions Code (BPC) and to implement, interpret, or make specific section 5681 of the BPC, the Board is considering changes to Division 26 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST

A. Informative Digest/Policy Statement Overview

Existing law, BPC section 5681, authorizes the LATC to charge a biennial license renewal fee. CCR section 2649 (Fees) specifies the biennial license renewal fee to be \$400. This regulatory proposal would amend CCR section 2649 to temporarily reduce this fee to \$220.

BPC section 128.5 requires agencies within the Department of Consumer Affairs (DCA) to reduce license or other fees if the fund balance meets or exceeds 24 months in reserve at the end of any fiscal year (FY). As of January 2013, the LATC had 19.5 months of funds in reserve, which was approaching a level that would require LATC to take action in accordance with BPC section 128.5. To address the fund condition, the LATC approved revenue savings measures consisting of a negative budget change proposal to reduce LATC's spending authority by \$200,000, and a temporary license renewal fee reduction from \$400 to \$220 for one license renewal cycle. In order to temporarily reduce license renewal fees, a regulatory change proposal to amend 16 CCR Section 2649

is necessary. This regulatory proposal would amend 16 CCR Section 2649, subsection (f), to reduce the fee for the biennial renewal of a license from \$400 to \$220, from July 1, 2015 through June 30, 2017, and would return to \$400 on July 1, 2017.

Additionally, this proposal would amend 16 CCR Section 2649 subsections (b), (e), and (f) to remove outdated references to fees that were in effect before July 1, 2009, since it is unnecessary and no longer relevant to specify these fees.

B. Anticipated Benefits of Proposal

As of January 2013, the LATC had 19.5 months of funds in reserve which the Board believes is approaching the maximum 24 months allowable by law. The Board is proposing to temporarily reduce license renewal fees to ensure compliance with existing law. Licensees would benefit from this proposal by temporarily lowering the cost to maintain their license.

This proposal would also amend subsections (b), (e), and (f), to remove outdated references to fees that were in effect before July 1, 2009. This amendment would remove unnecessary language and help avoid confusion.

C. Consistency and Compatibility with Existing State Regulations

After conducting a review for any regulations that would relate to or affect this area, the Board has evaluated this regulatory proposal and it is neither inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Cost/Savings in Federal Funding to the State

By reducing the license renewal fee from \$400 to \$220 between July 1, 2015 and June 30, 2017, the LATC's annual revenue would decrease by approximately \$303,840 in FY 2015-16, and would also decrease by approximately \$303,840 in FY 2016-17. The LATC has sufficient reserves to cover this loss in revenue without adversely affecting any of its operations.

Nondiscretionary Costs/Savings to Local Agencies

None

Local Mandate

None

Cost to Any Local Agency or School District for Which Government Code Sections 17500-17630 Require Reimbursement

None

Business Impact

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

AND

The following studies/relevant data were relied upon in making the above determination:

No businesses or individuals would incur any additional costs as a result of this proposal. This proposal, temporarily reducing license renewal fees, would save money for licensees. While this proposal would also raise the license renewal fee on July 1, 2017, it would only return to the prior level, thus incurring no additional costs.

The table below details the total estimated savings of the affected licensee population over the lifetime of the proposal.

Fiscal Year	* Estimated Total Annual Renewal Fee Revenue	* Estimated Revenue Savings
2013-14	\$675,200	N/A
2014-15	\$675,200	N/A
2015-16	\$371,360	\$303,840
2016-17	\$371,360	\$303,840
2017-18	\$675,200	N/A
Total Estimated Revenue Savings over Lifetime of Proposed Temporary License Renewal Fee Reduction:		\$607,680

* Estimate based on 3,376 licensee population

The savings realized by licensees is projected to be approximately \$303,840 annually or \$607,680 total over the two-year duration of the temporary license renewal fee reduction.

Cost Impact on Representative Private Person or Business

This proposal would reduce the fee for renewal of a license from \$400 to \$220 from July 1, 2015 through June 30, 2017. The license renewal fee would return to \$400 on July 1, 2017. Therefore, the agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs

None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulation would not affect small businesses because it only affects licensees.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/New Businesses

The Board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California. This determination was made because the proposed changes, which would spread approximately \$607,680 among nearly 3,400 licensees over the two-year duration of the proposal, are not sufficient to create or eliminate jobs or businesses.

Benefits of Regulation

The Board has determined that this regulatory proposal will have the following benefits to the health and welfare of California residents, worker safety, and the state's environment:

This regulatory proposal would benefit the welfare of California residents by spreading approximately \$607,680 among nearly 3,400 licensees over the two-year duration of the proposal. The majority of these licensees are California residents.

This regulatory proposal does not affect worker safety because it is not related to worker safety in any manner.

This regulatory proposal does not affect the state's environment because it is not related to the environment in any manner.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California Architects Board, Landscape Architects Technical Committee at 2420 Del Paso Road, Suite 105, Sacramento, California 95834, or by contacting the individuals listed below.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection by contacting the person, named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: John Keidel
Address: California Architects Board
Landscape Architects Technical Committee
2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7233
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E-mail Address: John.Keidel@dca.ca.gov

The backup contact person is:

Name: Trish Rodriguez
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Website Access: Materials regarding this proposal can be found at www.latc.ca.gov.