

**STATE OF CALIFORNIA - DEPARTMENT OF CONSUMER AFFAIRS
CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
INITIAL STATEMENT OF REASONS**

Hearing Date: September 13, 2006

Subject Matter of Proposed Regulation: Fees

Section Affected: California Code of Regulations (CCR), Title 16, Division 26, Section 2649

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 California Architects Board (Board). Business and Professions Code (BPC) section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations that are reasonably necessary to carry out the provisions of the Landscape Architects Practice Act.

SPECIFIC PURPOSE OF AMENDMENT

The specific purpose of this proposal is to: 1) delete out-dated licensing examination fees, 2) delete reference to Sections A, B, and D of the Landscape Architect Registration Examination (LARE), since those sections are now administered by Council of Landscape Architectural Registration Boards (CLARB), 3) modify examination fees for Sections C and E of the LARE to reflect the cost of purchasing the examinations from CLARB, effective upon filing of regulation and July 1, 2007; 4) modify the standard and red line review fees for Sections C and E of the LARE to reflect the cost of purchasing the review session materials from CLARB, and 5) modify the California Supplemental Exam (CSE) fees to align more closely with those of other states and enable recovery of administrative costs directly associated to the CSE.

FACTUAL BASIS

BPC section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations that govern the examination of applicants for licenses to practice landscape architecture in California. BPC section 5651 requires that the Board administer a written examination that ascertains the professional qualifications of all applicants for licenses to practice landscape architecture. BPC section 5681 authorizes the Board to charge fees for sections of the licensing examination that do not exceed the actual cost of purchasing and administering those sections.

Existing regulation specifies fees to be charged for each section of the examination as well as other administrative fees. Additionally, in 2004 the Joint Legislative Sunset Review Committee (JLSRC) recommended the LATC should make efforts to assure that applicants for licensure pay the full costs to the Board for processing applications and providing examinations rather than subsidizing these costs with licensing fees.

The CLARB is the national test vendor that supplies the LARE to the LATC. The LARE consists of five sections, three multiple choice and two graphic, for the purpose of testing the knowledge and competency of potential licensed landscape architects. Prior to August 2004, CLARB administered all five sections of the examination. Currently, three sections of the examination are administered by CLARB at nationwide testing centers; the other two graphic examination sections are administered directly by the LATC. Subsequent to passing all five sections of the LARE, candidates are required to take the CSE in order to attain final eligibility for licensure. On September 19, 2005 CLARB provided the LATC with new costs to purchase individual sections of the LARE and LARE reviews effective 2006 through 2008. The LATC also is proposing an increase to the cost of the CSE to align more closely with other states' fees and further enable the LATC in recovering of administrative expenses per JLSRC recommendation.

This proposal would do the following: 1) delete out-dated licensing examination fees, 2) delete reference to Sections A, B, and D of the LARE, since those sections are now administered by CLARB, 3) modify examination fees for Sections C and E of the LARE to reflect the cost of purchasing the examinations from CLARB, effective upon filing of regulation and July 1, 2007; 4) modify the standard and red line review fees for Sections C and E of the LARE to reflect the cost of purchasing the review session materials from CLARB, and 5) modify the CSE fees.

UNDERLYING DATA

CLARB is the national test vendor that supplies the LARE to the LATC. On September 19, 2005 CLARB provided the LATC with new costs to purchase individual sections of the LARE effective 2006 through 2008. Historically, CLARB increases their fee to purchase the exam at least every couple of years, and sometimes every year. The newest CLARB contract with LATC contains three years of exam prices with an increase every year.

An internal cost analysis was prepared for the LATC with the purpose of determining the relationship between examination fee revenue and direct costs involved in administering the examination. Direct costs have been relatively fixed over multiple administrations of the examination while revenue has been trending downward, thereby creating a wider disparity between costs and revenue. By increasing the fees the LATC is able to recover a portion of direct costs. Further research was undertaken to compare and contrast the licensure examination fees of several states. California was found to have the lowest overall fees charged for licensure among the test population that included states with a high volume of licensees and geographically proximate states.

BUSINESS IMPACT

This regulation will not have a significant adverse economic impact on businesses.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

This regulation does not mandate the use of specific technologies or equipment.

CONSIDERATION OF ALTERNATIVES

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.