



**Pursuant to ORS 182.472,
A Report of the Work of the Board
with focus on the
2013-2015 Biennium**

Submitted by the

**OREGON STATE
LANDSCAPE ARCHITECT
BOARD**

to

**The Governor,
The President of the Senate,
The Co-Speaker of the House of Representatives,
And The Legislative Fiscal Officer**

April 1, 2016

ACKNOWLEDGEMENTS

This report was prepared on behalf of the Oregon State Landscape Architect Board by Christine Valentine, Board Administrator with assistance from Marilou Arrobang, Board Registration Specialist and with input from Board members. Board staff may be contacted at oslab.info@state.or.us or 503-589-0093.

ACRONYMS

The following list includes the most commonly used acronyms within this report.

ASLA = American Society of Landscape Architects
CLARB = Council of Landscape Architectural Registration Boards
DAS = Oregon Department of Administrative Services
LAIT = Landscape Architect in Training
LARE = Landscape Architect Registration Examination
OAR = Oregon Administrative Rules
OSBGE= Oregon State Board of Geologist Examiners
OSLAB= Oregon State Landscape Architect Board
ORS=Oregon Revised Statutes
RLA=Registered Landscape Architect

Oregon State Landscape Architect Board Biennial Report, April 1, 2016

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Oregon State Landscape Architect Board

ORS 182.460 Report

to

The Governor,
The President of the Senate,
The Co-Speakers of the House of Representatives,
The Legislative Fiscal Office, and
The Secretary of State's Office

April 1, 2016

I. INTRODUCTION

What is Landscape Architecture: Landscape architecture has been recognized as a distinct design profession for over a century. Landscape architecture encompasses the analysis, planning, design, management, and stewardship of the natural and built environment through science and design. Landscape Architects are design professionals providing services that have the dominant purpose of landscape preservation, development and enhancement, including but not limited to reconnaissance, research, planning, landscape and site design. Landscape Architects prepare related drawings, construction documents and specifications and provide responsible construction observation.

Landscape Architects work as design professionals on a wide range of projects including but not necessarily limited to the following:

- corporate and commercial grounds,
- historic preservation and restoration,
- hotels, resorts, and golf courses,
- hospitals, health-care facilities and therapeutic gardens,
- land reclamation and rehabilitation,
- parks, playgrounds and recreation sites,
- museums, monuments and cemeteries,
- zoos, public gardens and arboreta,
- residential sites – multi- and single-family,
- school and college campuses,

- green roofs and stormwater management,
- streetscapes and public spaces,
- transportation corridors and multi-modal facilities,
- land use planning, and
- urban and suburban design and master planning.

Landscape Architects focus on important design and construction details in their work for a wide array of private and public projects. Fundamental aspects of landscape architecture practice are to: (a) keep the public safe from hazards, (b) protect and maximize natural resources, and (c) prevent damage to public or private property from changes in the built environment. The work of Landscape Architects often includes design of aesthetically pleasing and functional systems, approaches and settings for structures, roadways, walkways and other features. Landscape Architects are trained to address site grading, natural drainage, erosion control, and stormwater management. They regularly design and provide construction details and specifications for plantings, irrigation systems, site lighting, site features, and grading and drainage of sites. In addition to producing designs and construction specifications, Landscape Architects develop project cost estimates and reports for their clients and provide construction observance. Their work is based on field observations and analysis and their training by education, examination and work experience.

Regulation of Landscape Architecture: All 50 states have recognized that regulation of landscape architecture is necessary to protect the public health, safety, and welfare. The Oregon State Landscape Architect Board (OSLAB or Board) is the regulatory board established by the Oregon Legislature to safeguard public health, safety, welfare and property in relation to the practice of landscape architecture in Oregon. OSLAB was initially created in 1968 and re-empowered by ORS 671.312 in 1982 after a one-year sunset. The Board became a semi-independent regulatory board through Senate Bill 546 which was passed by the 1997 Legislative Assembly and signed into law by Governor John A. Kitzhaber on July 25, 1997. The Board operates in accordance with the semi-independence statutes (ORS 182.454-472), the title and practice statutes (ORS 671.310-459), Oregon Administrative Rules (OAR) Chapter 804, and its own operational policies and procedures.

Board Organization: An organization chart for OSLAB is located in **Appendix 1**. Organizational details and changes during the reporting period are described here.

OSLAB is a seven member board, with four registrant members and three public members. All members are appointed by the Governor. The term of office is four years, and a member can apply to the Governor's Office for reappointment. As general practice, members do not serve more than two consecutive terms per Governor's Office policy although statute does not limit the number of terms served. The Board has appointed a Chair, Vice Chair, and Treasurer and given each position assigned oversight duties. See **Appendix 2** for a current roster of Board members. The Board continues to be comprised of highly competent individuals from the small but critical minority of the population driven to serve as volunteers. Board members are dedicated to providing regulatory oversight of the landscape architecture profession and service to the citizens of Oregon.

OSLAB saw some membership changes during the reporting period. The Governor's Office made the following appointments: (1) one new registrant member and one new public member effective July 1, 2013, (2) one registrant member to a first full term as of July 1, 2014 after he completed the last year of a term for a member that resigned, and (3) an additional new public member effective December 1, 2014. This turnover in Board membership was less dramatic than in the previous reporting period when six of seven board members changed. The transitions in this reporting period went smoothly. The Board has been able to continue operating as a cohesive body with members working well together and understanding the statutory mission of the Board.

During this reporting period, OSLAB scheduled quarterly Board meetings (4/year or 8/biennium) and convened additional special meetings as needed to carry out the responsibilities of the Board. See **Appendix 3** for a list of Board meetings held. The Board follows the Oregon Public Meetings Law in noticing, running, and documenting its meetings. Meeting minutes for 2004 through current are available on the Board's website.

OSLAB relies on various committees and coordinators to play an integral role in carrying out the work of the Board. The Board Chair assigns Board members to committee and coordinator roles. The Board has two (2) standing committees (Administrative Rules and Budget) and establishes ad hoc committees as needed to address priority work items. A Board member serves as Chair of the Administrative Rules Committee while the Board Administrator leads the Budget Committee. The nature and timing of work by individual committees varies in relation to needs, as do the number of public meetings convened as part of committee work. The most active committee is the Rules Advisory Committee, which is composed of volunteer members from the registrant community. The Board Chair has also appointed individual board members to serve as coordinators with oversight over Compliance, Continuing Education, Investments, and Licensure Review and also liaisons to the Architect Board, Landscape Contractors Board, and Oregon Chapter of the American Society of Landscape Architects. See **Appendix 4** for a listing of committee and coordinator assignments.

OSLAB is served by a contract Administrator and Registration Specialist, each working half-time for the Board. The staff is employed by the Oregon State Board of Geologist Examiners (OSBGE) and provides services to OSLAB in accordance with an interagency agreement. (See also Expenses discussion under Budget Information.) The Board has been working with the same contract Administrator for five (5) years. The Registration Specialist has been employed by OSBGE and serving OSLAB for almost eleven (11) years as of the date of this report. Due to the very small size of the agency, the Board Administrator serves many roles, for example agency director, human resources manager, office manager, rules coordinator, and customer service representative. The Registration Specialist also must take on a rather unique blend of duties ranging from executive assistant to customer service representative and accountant. Staff carries out the actions of the Board and attends to day-to-day business operations. Staff is kept very busy with a multitude of tasks and routinely overlapping deadlines and above all focuses on ensuring good customer service to the Board, registrants, and the public.

II. FINANCIAL REVIEW/RISK ASSESSMENT

Pursuant to statutory direction and guidance received from the Secretary of State's Office and the Legislative Fiscal Office, OSLAB contracted for a financial review for the reporting period. The contractor selected to perform the review was Pamela J. Stroebel-Powers, CPA of Powers CPA, LLC. The Secretary of State's Office reviewed the scope of work and agreed it met requirements before the Board entered into a contract for this work. The financial review occurred in fall 2015, and the final report was delivered to the Board in early 2016. A copy of the financial review report is found **Appendix 5** along with the Board response. The report includes one finding about the need to memorialize checking writing practices in written procedures. The Board evaluated the recommendation and agreed with it. Staff has since prepared the written procedures.

In January 2014, the Board received a final report on an information technology (IT) assessment addressing Board data handling and IT infrastructure in general. The Department of Administrative Services (DAS) Enterprise Security Office conducted the IT assessment in 2013. The assessment addressed existing technology, technology-based applications, and IT security protocols. DAS found that data protection practices were good and only made a few recommendations for enhancements, with these implemented with the assistance of the Board's primary IT contractor. The Board determined that the IT assessment did not need to be repeated during this reporting period as nothing significant has changed with its IT-related operations since the assessment was completed in 2013.

During the reporting period, the Administrator worked with the Board to review various Board policies and procedures and also on development and adoption of new policies. The Board adopted updates to its policies for: accounting, contracting and procurement, electronic fund transfers, financial management and investment, and delegation of authority. The Board adopted new policies for: diversity and inclusion, workplace management, records management and retention, and reserve fund management. Counsel was engaged as necessary. The State Archivist also reviewed and approved the records management and retention policy prior to final Board adoption of that new policy. This work served to manage risks, memorialize and update business practices, and create a clear written record of Board policies for the benefit of future Board members and staff.

Also during the reporting period, OSLAB implemented examination and licensing application approval procedures that had been overhauled in early 2013 and formally adopted in May 2013. The staff and Licensure Review Coordinator found the updated procedures to work well, and only minor adjustments were required over the course of the reporting period.

Early in the 2013-2015 biennium, OSLAB completed payment of an insurance charge owed to the DAS Risk Management Division. The charge stemmed from legal action taken by the State of Oregon against a past administrator for financial mismanagement. DAS agreed to allow the Board to pay off this insurance charge over three biennia. This expense was paid out of reserve funds as it is not a standard expense and thus has been tracked separate from biennial budgets.

III. BUDGET INFORMATION

The following budget information is enclosed in **Appendix 6(A)-(F)**:

- Adopted budget for the 2013-2015 biennium
- Actual (final) figures for the 2013-2015 biennium;
- Adopted budget for the 2015-2017 biennium;
- Balance sheet as of June 30, 2015 supporting the ending fund balance for the 2013-2015 biennium;
- Forecasted balance sheet for the 2015-2017 biennium, with estimated ending fund balance; and
- Fund analysis showing side-by-side comparison of the beginning and ending balances for the 2011-2013 and 2013-2015 biennia

Income: OSLAB operates entirely off fee-based revenues; the Board does not receive any general, lottery, federal, or other funds. The primary income for the Board comes from annual registration renewal fees paid by individual Landscape Architects and businesses providing landscape architecture services. To a lesser extent, the Board acquires income from application fees paid in association with new business registrations, Landscape Architect-in-Training registrations, initial Landscape Architect registrations, reciprocity Landscape Architect registrations, and applications for examination. The Board has the statutory authority to impose civil penalties as part of disciplinary proceedings but rarely reaches this point in its compliance investigations. Therefore, civil penalties are not generally anticipated as revenue when formulating budget projections. This can be seen in the budget for the reporting period as well as the 2015-2017 budget (**Appendix 6**).

Actual revenues for the 2013-2015 biennium were approximately \$18,500 (less than projected when adjusted for the contingency reserve fund included in the projected budget. (See discussion below and under Expenses about reserve fund use.) The Board projected a modest increase in registration fee revenues compared to the previous biennium in anticipation of continued slow growth of individual and business registrations, which would then presumably result in more annual renewals. The Board used multi-year averages to establish projections as year-to-year trends are too hard to predict. The Board's projections turned out to be slightly too optimistic. The biggest differences between projected new revenues and realized new revenues came in registration and renewal fees paid. The fees paid by individuals were approximately \$580 (or just over 2 individual registrations) per month below projections. The business registration fees were also off from projections by approximately \$314 (or just under 3 business registrations) per month. Expectations for modest growth in year 2 were not met. The registrant totals remained very flat.

The 2013-2015 budget was the first one where the Board identified reserve funds as operating revenue. The Board identified a gap between anticipated new revenues and expenses for the biennium. Upon review of its operating reserve, the Board determined that the reserve was sufficiently healthy and should be spent down to a targeted level before fee increases were considered. See the Funds Analysis included in **Appendix 6** for details on the Board's reserve funds. The Board anticipated ~17% of revenue for the 2013-2015 biennium

would be derived from reserves. Since expenses were lower than budget projections, the amount of reserve fund actually used was much lower. (See discussion under Expenses.) The 2015-2017 budget includes ~10% increase in revenues, with new revenues essentially level from 2013-2015 and reserve funds targeted for use making up the balance. This equates to ~25% of revenue for 2015-2017 anticipated to be derived from reserves. However, the Board fully intends to carefully manage expenses, and actual use of reserve may be at a much lower level if expenses can be contained. The Board also continues analysis of how to best manage its reserve funds and fee structure over the longer term.

Except for the registration fee revenue shortfall discussed above, the Board did not encounter any significant, unanticipated decreases in projected revenues either in the 2013-2015 biennium or to date within the current biennium. The registration fee shortfall was partially offset by actual revenues that were not projected in the 2013-2015 budget. The unanticipated revenues came from several civil penalties, late fees, and income from an office sublease.

The Board continues to review budget to actual reports on a quarterly basis to monitor revenues so that planned expenditures can then be adjusted if necessary. The Board discusses budget status at each quarterly meeting and has the Board Treasurer working with staff between meetings to monitor financial matters.

Expenses: Personal services expenses remained the largest expense for OSLAB. As mentioned in the Introduction section of this report, the Board again secured staffing services through an interagency agreement with OSBGE. The administration fee is based on personnel costs (salary, benefits, and related costs) for a 0.5 FTE (PEM-D) Board Administrator and a 0.5 FTE (Executive Assistant/Accounting Tech. III) Registration Specialist. The personnel costs for the positions are projected prior to the start of the biennium so that budgets can be developed. The monthly cost is then memorialized in an interagency agreement for temporary administrative services and adjusted through mutual agreement as necessary during the biennium. OSBGE maintains personnel policies and position descriptions for the two positions and serves as the official employer. Even though OSBGE is also a semi-independent agency with the ability to set its own compensation package, OSBGE generally has followed the State of Oregon compensation packages as set by the Department of Administrative Services (DAS) for unrepresented, executive service employees.

Other Board expenses fall into the areas of services and supplies and professional services. These types of expenses do not generally change substantially from biennium to biennium unless a special, one-time project or purchase needs to occur. The Board does adjust these expense estimates from biennium to biennium based on emerging needs (e.g., computer hardware/software needs to be replaced), known cost increases (e.g., various state government charges) and a modest inflation factor.

Actual 2013-2015 expenses were fortunately ~ 18% less than budgeted. In 2013-2015, the Board spent less than projected in numerous areas including board member stipends, travel (particularly out-of-state travel), newsletter services, computer upgrades, professional services, investigator services, legal fees, financial review, and records management. The

only line item with any notable overage was office supplies due to unanticipated need to replace old file cabinets. However, that was less than \$2,000 over the projected expense.

While expenses did not increase for 2013-2015 to the degree that the Board was anticipating, actual expenses were ~\$34,500 or ~12 % higher than the actual expenses for the 2011-2013 biennium. The Board saw increases within the reporting period in all expense areas, i.e., personal services, professional services, and supplies and services with the greatest increases in the first two expense areas. Most of the increases related to increased cost of doing business and not new or one-time expenses.

The Board's 2015-2017 budget reflects anticipation of continued increases in the cost of doing business. For example, the budget contains ~13.5% more in personal services costs compared to the 2013-2015 budget. This increase reflects increased costs for staffing services. The OSBGE costs increased due to factors such as changes in staff salaries, cost of living adjustments, and PERS employer rates. As a result, the OSLAB 50% cost also increased. The Board anticipates ~10.5% more expense in supplies/services compared to the 2013-2015 budget. This reflects increases in rent, office supplies, computer hardware and software upgrades and new merchant (credit card) fees related to a transition to online renewal and payment services. There is also ~5% of increase built into the 2015-2017 budget for professional services compared to the 2013-2015 budget. The increases are related to legal services (rates increased), government assessments (rates increased and new assessment added), computer system and database support (related to building online services) and new payment processing fees to NIC USA. For the merchant and NIC USA fees, these will start accruing when online renewal and payment services become available. The timeline for the online project implementation was not settled when the budget was adopted so the Board opted on the side of caution by including projected costs for the entire biennium.

For 2015-2017, the Board also applied a modest inflation factor to budget line items thought to be subject to inflation. As always, the projected expenditures also reflect a certain amount of contingency planning with respect to enforcement activities as a complicated compliance investigation or another complex legal matter could quickly result in significant expense to the Board depending on the situation. Should expenses be less than projected during the 2015-2017 biennium and result in the Board having to use less from its reserve, this will be factored into the Board's longer-term assessment of fees and budget management in the 2017-2019 biennium and beyond.

The Board did not encounter any significant, unanticipated expenses in either the 2013-2015 biennium or within the first six months of the current biennium. As mentioned previously, the Board reviews budget to actual reports on a quarterly basis, and this allows the Board to monitor for such expenses. This is done to ensure there is no danger of exceeding the adopted budget expenditure limit. Should there be a need to revise the expenditure limit, the Board would adopt a draft revised budget and proceed through the administrative rulemaking process including notice and a public hearing.

Budget Hearing Process: OSLAB’s budget process generally starts in the fall prior to the year the new budget must be in place. Budget development is discussed at Board meetings during this period. Once the Board is comfortable with the proposed budget, it authorizes issuance of rulemaking notice. The Board adopts its budgets through the formal rulemaking process pursuant to ORS 182.462(2). The public rulemaking hearing dates and Board meeting dates when budget adoption occurred during this reporting period were as follows:

- April 21, 2015 hearing for the 2015-2017 budget, adopted May 14, 2015
- April 18, 2013 hearing for the 2013-2015 budget, adopted May 10, 2013

Rulemaking notices are routinely sent to all registrants plus to other interested parties on a list maintained in the Board office. Notices are sent by a combination of email and posted mail. The Board also posts all rulemaking notices and draft rules on the Board website. Despite efforts to broadly disseminate not just budget rules but all rule notices, the Board does not generally receive a significant amount of public comment. The Board does find those limited comments received to generally be helpful and considers such comments prior to final adoption of rules. The Board approves its draft budgets and associated authorization to issue rulemaking notices and final budgets in public meetings through motion of the Board. No amendments of the Budget rule were required during the reporting period.

See also the Budget Hearing Reports included in **Appendix 7(A)-(B)** and the Rulemaking summary in **Appendix 9** for additional details including dates the budget rules were filed with the Secretary of State and Legislative Counsel. Budgets are filed to become effective on July 1 of the filing year.

Investments: OSLAB maintains limited investments as authorized by ORS 182.470(2) and ORS 294.035-145. The investments serve as reserve funds available to cover unanticipated expenses or revenue declines. The Board has taken this prudent action in realization of its need to operate without any general, lottery, federal, or other funds. The Board must have revenue on hand to address emergencies or other unanticipated issues as it does not have a path to request assistance from the Legislative Emergency Board or the full Legislative body per ORS 182.462(1). The Board also cannot turn to the Executive Branch to fund services or other needs.

During the previous reporting period, the Board adopted an investment policy to memorialize business practices for management of investment accounts. The Board then later updated this policy to address provisions for money market accounts. The Board also finished work on a formal reserves policy that was started in the previous reporting period. The Board’s goal with the reserves policy is to provide more guidance on long-term management of reserves including a target reserve level. The Board set the target level for the operating reserve as 6 to 9 months of operating expenses.

IV. FEES

OSLAB fees are listed in OAR 804-0040-0000. See **Appendix 8** for the fee list. Any revisions to the fee schedule must be processed through a formal rulemaking hearing pursuant to ORS 182.466(4). For fee amendments, the Board follows the rulemaking procedures previously described in the Budget Hearing Process section of this report.

The Board did not increase any existing fees in the reporting period but did modify two fees as follows. The Board changed its exam application fee to a one-time \$100 fee instead of a \$50 per exam section fee. The per exam section fee had applied to two sections of the national exam so this was not a fee increase but instead part of streamlining the application process to a one-time application. The Board also dropped a requirement for a new application for exam retakes. This change effectively reduced fees for any exam candidate faced with needing to retake either or both of these two exam sections. The Board saw this as a way it could reduce the candidate costs associated with the exam process.

In the later part of the reporting period, the Board started discussing adding a new fee for maintenance of administrative records for registrants on Inactive registration status. The Board recognized as part of a review of its rules that a fee was in place for this purpose with respect to registrants on Inactive Emeritus status but not Inactive status. The Board felt that the administrative work was the same for each status and could not find clear justification for the fee difference. Rulemaking to make the Emeritus Inactive and Inactive maintenance fee the same was completed in the 2015-2017 biennium.

The Board thus far has no additional plans to change fees in the 2015-2017 biennium. The Board is continually monitoring actual expenses and reserves to give early warning about future need for fee increases. As of the reporting period, the Board crossed a threshold to where new revenues are not keeping pace with operating expenses even with prudent management to keep expenses in check. The Board's primary revenue sources are individual and business registration renewal fees, and these fees have been static for over a decade. Fees from individual registration renewals constitute the Board's largest revenue source, and the current renewal fee is just over 11% more than it was in 1999 (i.e., \$225 in 1999, \$250 since 2005). However, the Board is challenged with respect to fee increases due to having a very small registrant pool. Fewer individuals shoulder the weight of funding Board operations compared to a Board with a large registrant pool. The Board is always very cognizant of the impact of fee increases on its registrants and thus will consider any proposed fee increases carefully.

V. RULEMAKING

OSLAB kept busy with review of its rules and ultimately adopted numerous rule amendments and one new rule during the reporting period. See **Appendix 9** and the following overview for details. In addition to the budget rule update for 2015-2017, the Board completed updates to twenty-one (21) individual rules over the reporting period. One update was a minor numbering correction, and the rest were amendments considered through

the standard rulemaking process. Work on continuing education and business registration rules carried over into the 2015-2017 biennium. The Board also completed 5 year reviews of seven (7) rules per ORS 183.405 during this reporting period with all rules deemed to be operating as intended. But some of these seven rules were identified by the Board for further review, and two were actually amended during the reporting period.

Numerous rules in OAR 804 Divisions 10 and 20 were updated as part of a comprehensive effort to streamline the exam application process for candidates. For example, the Board removed a work experience requirement previously in place for certain exam sections and changed from a multi-step to a one time application process. As part of this rulemaking effort, the Board also amended its fee rule (804-040-0000) to change the exam application fee to a one-time fee instead of a per exam section fee and removed a fee for exam retakes. As mentioned under Fees, these changes particularly benefit candidates that have to retake exam sections to achieve passing results.

The Board also updated rules in OAR 804 Division 22. Housekeeping updates were made to rules related to the Landscape Architect-in-Training registration (804-022-0000) and Initial Date of Registration and Renewal (804-022-0015). Rules specifying requirements for initial and reciprocity registration (804-022-0005 and 804-022-0010) were updated to better clarify required application contents and available paths to registration in terms of examination, education, and experience standards. Comprehensive updates were adopted for rules addressing Late Renewals and Reinstatements (804-022-0020) and Inactive and Inactive Emeritus Status (804-022-0025). The Fees rule (804-040-0000) was also updated for the second time early in the 2015-2017 biennium to add a new \$25 annual administrative records fee for Inactive status. As discussed in the Fee section, this fee already was in place for those on Inactive Emeritus status.

Other rulemaking was as follows: (a) major update to Public Records Request rule (804-002-0020) to ensure full compliance with Public Records Law and to provide clear information on process and fees, (b) Continuing Education Requirements rule (804-025-0010) amended to clarify exemptions and linkage to Inactive status, (c) Definitions rule (804-003-0000) amended concurrently with (b) to clarify what good standing means for purposes of continuing education exemptions or moving to Inactive status, and (d) Definitions rule later updated to add definitions for “direct supervision” and “year” as part of an effort to adjust to how supervision may be provided in modern offices and to better accommodate candidates with non-traditional work experience such as experience on a project-hour basis vs. through full or part-time employment.

The Board sends most proposals for rule revisions to its Administrative Rules Committee for review and comment. The Administrative Rules Committee worked diligently in providing review and input to many rule revisions completed throughout the reporting period. The Committee was also engaged during the 5 year rule review process. The Board does not have a statutory mandate to utilize a rules committee but generally finds the process to be beneficial.

VI. CONSUMER PROTECTION

OSLAB addressed consumer protection primarily through the following forums:

Continuing Education: OSLAB's continuing education requirements are designed to ensure that registrants remain informed and educated about health, safety, and welfare issues so that the consumer can be better protected. Each Registered Landscape Architect is required to complete twelve professional development hours (PDH) of continuing education annually. Of the twelve PDH required, nine hours must relate to health, safety, and welfare issues. At renewal time, each Registered Landscape Architect must be prepared to validate continuing education information, unless exempted under OAR 804-025-0010(1). OSLAB audits approximately 5% of registrants on an annual basis, with individuals randomly drawn for audit each quarter.

The Board started a review of its continuing education program during the reporting period in recognition of the upcoming 10 year anniversary of the program. The Board tracked and discussed various implementation issues arising in the audit process, addressed the program history and requirements in newsletter articles, and encouraged registrants to engage in thinking about possible improvements to the program. The Board started working towards rule updates supported by research into continuing education programs of other state landscape architect boards. This project continues in the 2015-2017 biennium.

Compliance Investigations: OSLAB regulates the practice of landscape architecture as defined in ORS 671.310 to 671.459. The Board also oversees the use of the title Landscape Architect, Registered Landscape Architect, and variations thereof as is limited by statute. The Board responds to cases of suspected advertisement as a Landscape Architect or business offering landscape architecture services by non-registered individuals and businesses. The Board also handles cases of suspected violation of the practice side of the landscape architecture statutes. The Board's Code of Professional Conduct for its registrants is found in rule at OAR 804 Division 50. The Code outlines the responsibilities all registrants have to the profession, employers, and the Board.

The Board has authority to refuse to register or renew any applicant or may also suspend registration for a person found to have violated either ORS 671.310-459 or the Code of Professional Conduct. The Board can take disciplinary actions as authorized under ORS 671.408 and impose civil penalties. For details on actions taken by the Board during the reporting period, see the Enforcement Activities section of this report and **Appendix 10**.

The Board maintains a complaints page on its website, and continued work on an internal compliance manual during the reporting period. The manual is intended to assist the Board and staff with complaint processing by gathering pertinent information about the Board's authorities, procedures, and legal precedents in an organized fashion. The Board also secured the services of a part-time professional investigator to assist with complaint reviews. The Board negotiated an interagency agreement with the Oregon Board of Architect Examiners to share an investigator starting in the 2013-2015 biennium. This arrangement worked well and was re-negotiated for the 2015-2017 biennium.

Website: OSLAB maintains a website containing information related to the practice and regulation of landscape architecture, including relevant laws, rules, applications, publications, and links to related organizations. The Board also implemented a license lookup feature providing access to a listing of all current individual and business registrations on the website and various search options. This listing is updated daily, and consumers have access to this information 24/7. (See <http://www.oregon.gov/LANDARCH/index.shtml>.)

Newsletters: OSLAB continues to publish a quarterly newsletter. The newsletter is used to communicate issues relevant to the regulation of the profession. Newsletters are posted on the Board's website and thus available for citizens and others considering the services of a Landscape Architect or interested in the profession. The Board currently maintains newsletters from 2005 to present on the website. Newsletters are sent electronically to all registrants with e-mail addresses on file with the Board office. The newsletter is also issued by email to cities and counties in Oregon to keep them aware of the regulation of the practice of landscape architecture and to regional universities where future Landscape Architects are trained. (See <http://www.oregon.gov/LANDARCH/newsletter.shtml>.)

VII. LICENSURE ACTIVITIES:

Registrations: The Board administers three types of registrations: Landscape Architect, Landscape Architect-in-Training, and Business (Firm). See **Appendix 11** for details about registrations issued in the last five biennia. For each type of registration, the status can be active, inactive, delinquent, lapsed, or expired. Inactive refers to a registration that the individual purposefully 'put on hold' due to no intent to practice for a period of time. Delinquent and lapsed registrations are those that are not renewed timely, with delinquent referring to the statutorily defined period of 60 days after a renewal date in which the registrant can renew fairly easily. After the 60 days, the registrant is lapsed, and an individual must go through a reinstatement process to renew.

Data on applications for registration for the last several biennia reveal a couple of things. First, the number of new applications for individual and business registrations, which dropped between 2009-2011 and 2011-2013, leveled off in 2013-2015. The total number of applications processed in 2013-2015 was nearly identical to the number processed in the prior biennium. In 2011-2013, the Board saw a larger negative change for individual registrations compared to business registrations. The thought was that this drop in individual registrations was a response to an extended economic downturn. The data from this reporting period supports that this likely was the case. Applications for individual registrations increased by 40% between 2011-2013 and 2013-2015, which suggests there was increased work available for Landscape Architects in Oregon during the reporting period compared to the prior biennium. The Board did see a downturn in the number of applications for business registration of approximately the same magnitude as the increase in applications for individual registrations. This drop in business registrations suggests that individuals newly registered in Oregon were hired by existing business. Perhaps also fewer individuals were opening sole proprietorships or small firms as some were doing as an interim measure during the economic downturn.

When looking at the overall registrant pool, the number of registrations remained relatively stable, indicating that the Board gained enough new registrants to offset non-renewals. This is a continuing trend seen over the last few biennia. However, when individual and business registrations are viewed separately, the data reveal a bit more growth in individual registrations than in business registrations. Growth in both registration types was under Board projections for the reporting period. The increase in individual registrations is thought to be the result of existing firms again hiring and more individuals from out-of-state again seeking reciprocity registrations. This would explain why business registrations increased less than individual registrations, i.e. the new registrants were not operating as new businesses but as employees of existing businesses. The Board knows from experience that reciprocity applicants are sometimes interested in registration for only one year to cover work on a specific project. Others maintain registrations for longer if the potential to find project work in Oregon seems good.

The Board has been trying to better understand the demographics of the registrant pool as part of planning for the future. The table and chart below show a snapshot of the age distribution of registrants as of November 2014. The data reveal trends on both ends of the age spectrum. First, the influence of the baby boomers is evident. This group makes up a large portion of the registrant pool, a trend which is not unique to this profession. The Board has some concern about what will happen if these registrants start to retire in droves. Second, individuals new to the profession are taking some time to complete the education, examination and experience required for registration. From anecdotal evidence gathered at oral exam discussions with new registrants, the Board has learned that many individuals purposefully delay completing exams or pursuing registration and that they do so for a variety of reasons. Some common reasons cited to the Board are registration not being required to obtain entry-level positions, uncertainty about wanting to have the liability of being the responsible professional (i.e., stamping and signing), growing families taking precedence over pursuing registration early in careers, and for some the cost of exams especially in terms of not wanting to sit for exams before ready and then having to pay for retakes. The Board made several changes during the reporting period to streamline the exam application process (see discussion later in this section) and to offer more flexibility in how qualifying work experience can be obtained. But the Board does not have influence over exam cost or variables outside the regulatory system that influence younger individuals as to whether to pursue registration.

| Registrant Age Distribution | |
|------------------------------------|-----|
| 75+ | 11 |
| 65-74 | 49 |
| 55-64 | 157 |
| 45-54 | 118 |
| 35-44 | 132 |
| 25-34 | 22 |
| TOTAL | 489 |

Figure 1: # of OSLAB registrants by age as of November 2014.

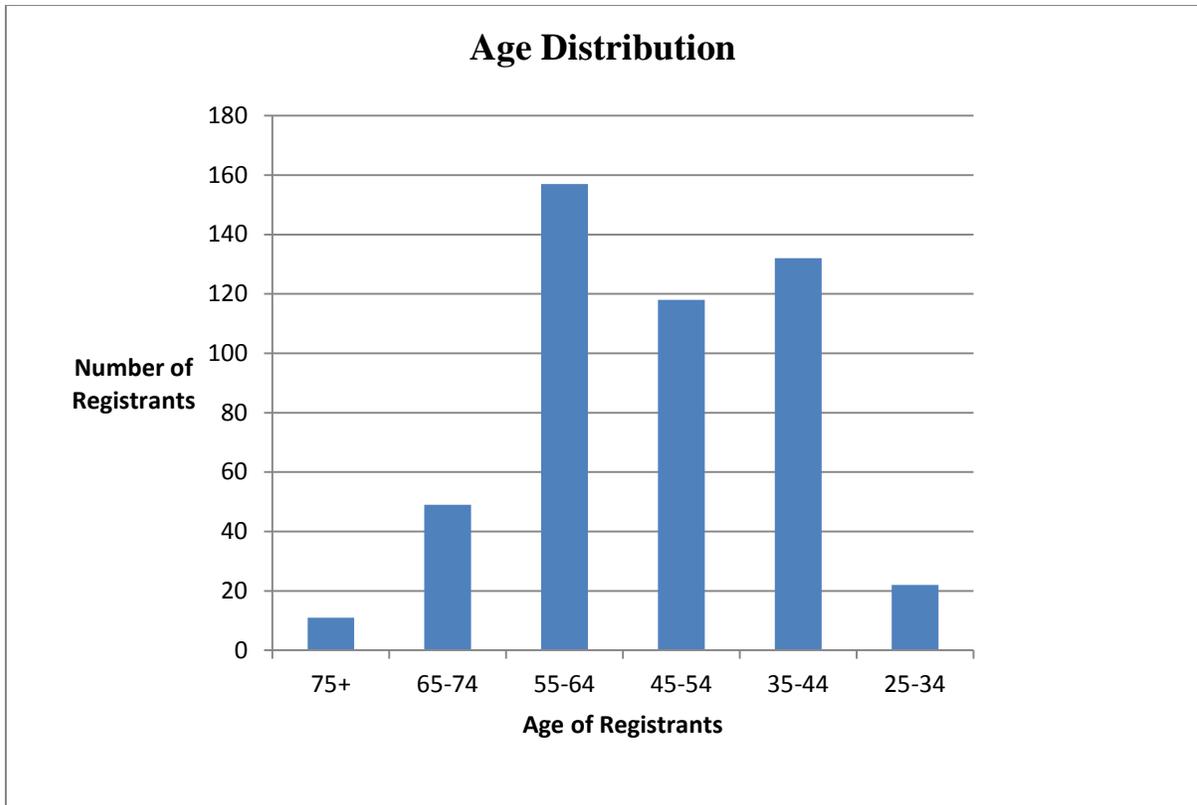


Figure 2: Distribution of OSLAB registrants by age as of November 2014

New applications for Landscape Architect-in-Training (LAIT) have reached an all-time low. The LAIT registration is available to candidates that have completed at least two sections of the four-part national exam. Registration candidates continue to show little interest in this optional, title-only registration. The Board did some outreach via its newsletter to solicit feedback on the LAIT, but the response was underwhelming. The Board asked new registrants at oral exams to share thoughts on the LAIT registration and found that most do not see a value placed on this registration within the industry and thus do not see a reason to pursue it. The Board thought about whether the LAIT should be phased out, but statute refers to the Board offering this registration type so it will likely remain an option for candidates for some time. If business leaders do not see the LAIT as a valuable milestone for their employees and do not encourage or reward those that hold the LAIT, then it will likely remain a largely unused registration type.

Examinations: For many years, the Board was responsible for administering sections of the multipart national examination. The Board's responsibilities for proctoring examinations decreased over the years as the national exam was revised and sections were transitioned to a computerized format. As of December 2012, CLARB (i.e., the national examination provider) has directly administered all sections of the exams at CLARB test centers. OSLAB last administered examinations in June 2012.

OSLAB does continue to process applications for examinations. See **Appendix 11** for details about exam applications approved in the last five biennia. Oregon candidates need to obtain Board approval to register for exams. The Board updated application requirements, substantially streamlining the process with rule amendments adopted in November 2014. The Board switched from a two-stage application process to a one-time application process and also stopped requiring re-application for exam retakes. Now when the Board approves an application for exam, it is authorizing the candidate to sit for all four sections of the national exam as many times as necessary and in any order that the candidate chooses over a period of five years. The applicant can also request a one-year extension of the Board approval. As a result of these process changes, it is challenging to compare the Board's exam data for the reporting period with historical exam data. Adjustments have been made in **Appendix 11** to explain the data transition and to facilitate future comparisons of data from the reporting period and future biennia.

During the reporting period and beyond, the Board has been looking at exam candidate volume and trying to spot trends to the extent it can within the constraints presented by available information and resources. These efforts have focused primarily on periodic review of information provided by CLARB (i.e. national exam provider) and discussions with new registration candidates at oral exams. (See previous discussion in this section about registration trends.) As stated previously, variables outside the regulatory system appear to have significant influence over when, how or if younger individuals pursue examination. CLARB continues to recommend to candidates and state regulatory boards that, based on its data, aspiring Landscape Architects are ultimately more successful if the first two sections of the national exam are started right after college graduation. However, OSLAB is not realistically able to exert influence over when graduates start exams. With only one university in Oregon offering degrees in landscape architecture, many of the individuals that ultimately seek registration in Oregon have not completed degrees in Oregon. This factor complicates any notion of outreach from the Board direct to students. The Board action to streamline the exam application process was an attempt to lessen the administrative burden on candidates. To the extent possible, the Board continues to track trends in examination candidates to see if longer-term trends or key issues within the Board's zone of influence become more evident.

VIII. ENFORCEMENT ACTIVITIES

Through a combination of complaints submitted or otherwise initiated by the Board, OSLAB opened eight (8) new compliance cases in the 2013-2015 biennium. The Board closed a total of fourteen (14) compliance cases in the 2013-2015 biennium. Of the cases closed, eight (8) were opened in the 2011-2013 biennium, one (1) was suspended in the 2011-2013 biennium and reinitiated in the 2013-2015 biennium and six (6) were opened in the 2013-2015 biennium. Two (2) additional cases opened in the 2013-2015 biennium were closed within the first quarter of the 2015-2017 biennium. Only one case involved issuance of civil penalties. No formal disciplinary actions were taken, but the Board issued letters of concern in multiple cases. See **Appendix 10** for more details about compliance cases.

The Board also processed two additional compliance actions related to violations of Board rules for examination by registration candidates. Those cases were both resolved through settlement agreements and small civil penalties. Both individuals were ultimately successful at achieving registration.

Traditionally, the Board has not received many complaints from citizens about Registered Landscape Architects. Most compliance cases opened by the Board stem from either complaints or inquiries submitted by registrants self-policing the profession or items that otherwise have come to the attention of Board members or staff. The most common types of compliance cases historically have involved advertisement (print or online) by non-registered individuals, other use of title by non-registrants, and businesses not-registered offering landscape architecture services. The Board also has the occasional case looking at whether a registrant acted in accordance with the practice side of the landscape architecture statutes and the Board's Code of Professional Conduct. This last type of case can be rather complex and sometimes requires the use of an outside technical reviewer to help evaluate aspects of the case.

Title or advertisement cases sometimes involve phone book publishers including yellow page advertisements under the title Landscape Architects for non-registered individuals or businesses. The Board has communicated with many individuals and businesses about the need to monitor advertising through the compliance process, and various publishers have been informed of the dilemma they have created. Monitoring advertisements on the internet is another concern of the Board but has remained largely outside the ability of the Board to effectively police. Individuals are not always able to control online postings or subsequent editing or removal of such information.

In addition to advertisements, the Board monitors business registrations through its database. The Board is able to identify business registrations that have expired and contacts these businesses to determine if they are still offering landscape architecture services. This is particularly important if an individual registrant has listed a business as his or her place of employment but the business has not maintained the required registration. Businesses are generally sent two letters asking for updated business information. Failure to respond to these letters results in the Board opening a compliance case. The Board has found that sometimes the step of opening a formal compliance case is what it takes to compel businesses to take the time to respond and renew registrations where necessary.

The Board continues to strive to reduce the average number of days to resolve cases. However, the Board's quarterly meeting schedule presents some challenges as this limits the opportunities for the Board to be briefed on investigations, and all cases must ultimately be acted on by the Board. Only the Board can make decisions on compliance matters. Another constraint encountered in past biennia was the lack of a professional investigator to assist with investigations. This constraint was addressed during the reporting period by adding a part-time investigator. The Board investigated several possible approaches and ultimately entered into an interagency agreement with the Oregon State Board of Architect Examiners (OSBAE) to share an investigator. This worked so well in the 2013-2015 biennium that the two boards decided to enter into a similar agreement for 2015-2017 biennium. The Board

has been pleased with the professionalism and thoroughness that has been added to the investigation process by the professional investigator.

As was addressed under the Consumer Protection section of this report, OSLAB has statutory authority to refuse to register or renew any applicant or may also suspend registration for a person found to have violated ORS 671.310-459 or the Code of Professional Conduct. The Board is also authorized under ORS 671.408 to impose civil penalties. The Board's overarching goal is to educate first through the compliance process, and thus the Board has not viewed disciplinary action or imposition of civil penalties as routine outcomes. The Board first and foremost works to educate as a way to ensure future compliance. However, the Board recognizes that disciplinary action or imposition of civil penalties is sometimes necessary in cases where the actions of a respondent have potentially serious implications for the health, safety, and welfare of consumers and the general public or to address repeat offenders. As previously addressed, the Board issued civil penalties in three (3) cases during the reporting period, two related to violations of exam application rules and one related to unlicensed practice.

IX. OTHER ACTIONS/INFORMATION

Following are descriptions of other actions taken by OSLAB during the reporting period that help to paint a picture of the important role the Board plays for its registrants and Oregonians in general:

Board Best Practices, Policies, and Procedures: With the assistance of the Board Administrator and in some instances also Board counsel, OSLAB continued to review and update its management practices, policies and procedures. A comprehensive overhaul was completed over the 2011-2013 and 2013-2015 biennia. This effort involved memorializing existing practices, revising out-of-date policies and procedures, and Board adoption of new policies in areas in need of Board direction. Areas addressed were broad ranging covering topics such as contracting and procurement, records management and retention, workplace policies, diversity and inclusion, delegation of authority, licensing processes, and various financial management matters. Staff also worked on updates to desk manual procedures. By ensuring that management practices, policies and procedures are documented, these efforts should greatly help to ensure consistency in business practices and decision-making especially as Board members and staff change. (See also discussion under Financial Review/Other Risk Assessment Section.)

Communications- ASLA: The American Society of Landscape Architects (ASLA) is the professional trade organization for Landscape Architects and operates on a national scale with local chapters. OSLAB periodically communicated with the ASLA Oregon Chapter Officers and Regional Chairs through various outreach efforts. This was done to encourage understanding of and participation in Board regulatory efforts. Board officers also periodically communicated with ASLA representatives in person or by phone and e-mail on issues of concern to the industry where related to licensing and the practice and title law.

Communications & Membership – National Exam Provider: OSLAB is a dues paying member of the Council of Landscape Architectural Boards (CLARB). CLARB provides the national examination for landscape architecture, including periodic task analysis and review and response to exam administration issues. CLARB is also increasingly involved in evaluation of international standards for the profession. Over the last several years, the Board has sent one Board member and the Administrator to annual meetings of CLARB. The Board also sent the Registration Specialist in 2014 due to one-time, special training offered at that annual meeting. These meetings are valuable opportunities for training, discussions on regional and national issues, and convocations. The networking with other states at these national meetings broadened the Board's knowledge of the national examination development process, the grading of the national examination, practice issues faced by other states, and regional issues. The annual meetings for this reporting period were held September 2013 in Minneapolis, MN and September 2014 in Reston, VA.

The Board Chair and Administrator also participated in other CLARB-related activities during the biennium. This included teleconference meetings for member boards in the western region, participation in webinars, and response to various inquiries from CLARB staff throughout the year.

Coordination with Other Licensing Boards: During the reporting period, the Board coordinated on specific issues as needed with the Oregon State Board of Architect Examiners (OSBAE), Oregon Landscape Contractors Board (OLCB), and Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS). This coordination occurred through a variety of venues including participation in meetings, e-mail exchanges, discussion between respective board administrators, and having OSLAB members appointed as liaisons to other boards. As addressed under the Enforcement Activities Section, OSLAB also shared a professional investigator with OSBAE. Examples of issues requiring coordination during the reporting period were: (a) practice overlap in relation to development of construction plans and specifications by Landscape Contractors and Landscape Architects, (b) general coordination on matters related to the practice of Landscape Designers, an allied profession which has not traditionally been regulated, and (c) consideration of questions from citizens and government staff about overlap between these various professions.

During the reporting period, OSLAB also continued its contractual relationship with OSBGE for staffing services. (See the Budget – Expenses section for a description of this unique relationship.) The Board Chairs work cooperatively on oversight of the Administrator, including completion of annual performance reviews. The two boards continued to find administrative efficiencies and other benefits in this relationship. As a result, the Boards elected to enter into a new interagency agreement to extend this temporary arrangement for the 2015-2017 biennium.

Design Professionals: During this reporting period, OSLAB stopped having a member participate in the Oregon Design Professionals Day at the Capitol and instead encouraged the Oregon Chapter of ASLA to participate as representatives for the Landscape Architect profession. The Board felt this was appropriate as it does not advocate for the profession and

thus could only address issues of interest to the design professions group where directly related to health, safety, and welfare aspects of regulation.

Online Services for Renewal and Payment: In the later part of 2014, OSLAB decided to pursue new online renewal and payment processing services and specifically to do so by working through the state master contract in place between the Department of Administrative Services (DAS) and NIC USA. The Administrator proceeded to work with staff from DAS and NIC USA on defining project scope and developing work order contracts for these projects. The contract development process took much longer than anticipated with most of the delay related to development of contract language to address the semi-independent status of the Board. Existing contract templates contemplated banking through the State Treasury whereas semi-independent agencies bank through private institutions. The contract language required amendment to ensure appropriate safeguards and practices would be provided for data exchanged via the online systems. Contracts were not finalized until the 2015-2017 biennium.

Oral Examinations: OSLAB continued its quarterly meeting practice of oral examinations with all individuals seeking initial registration as Landscape Architects. This process allows new registrants to gain an understanding of the Board's regulatory role. It also provided the opportunity to direct questions to new registrants about the laws and rules under which they will work. In turn, new registrants were given opportunity to ask questions of the Board.

Semi-Independent Boards Association (SIBA): OSLAB continued to have its contract Administrator actively participate in the SIBA. With a few exceptions, the SIBA met every other month during the report period. Through these meetings, the Administrator gathered information on business practices and lessons learned that could be shared with OSLAB and also requested feedback from other SIBA members on issues germane to OSLAB operations. SIBA participation also offers professional development and networking opportunity to the Administrator.

Technical Assistance to Cities/Counties: OSLAB periodically receives requests from local governments for advice on whether or when Landscape Architects should be required to complete various types of reports required via local land use ordinances. Sometimes local governments also ask for clarification about the role of Landscape Architects compared to other licensed professionals commonly engaged on project teams. The Board works with any jurisdictions interested in updating ordinances to offer advice about qualifications to complete various project elements.

Other: See **Appendix 12** for a summary table of Board operations data requested by the Legislative Fiscal Office.

Oregon State Landscape Architect Board Biennial Report, April 1, 2016

APPENDICES

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| Appendix 6(B) | 2013-2015 Budget vs. Actuals |
| Appendix 6(C) | 2015-2017 Adopted Budget |
| Appendix 6(D) | Balance Sheet, 6/30/15 |
| Appendix 6(E) | Forecasted Balance Sheet, 6/30/17 |
| Appendix 6(F) | Fund Analysis (2 biennia) |
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Oregon State Landscape Architect Board

Organization Chart

Governor of
Oregon



Board Chair &
Board

7 members total:

4 Registered Landscape Architects

3 Public Members



Administrator

(Exec. Director, 0.5 FTE Contract
Services)



Registration

Specialist

(0.5 FTE Contract Services)

Appendix 2, Board Roster

Oregon State Landscape Architect Board

707 13th Street SE, Suite 114, Salem, OR 97301

Phone (503) 589-0093; Fax (503) 485-2947

Email oslab.info@state.or.us

| | |
|-----------------------|-------------------------------------|
| <i>Authorization:</i> | ORS 671.459 |
| <i>Members:</i> | 7 (4 registrant & 3 public members) |
| <i>Term Length:</i> | 4 years |
| <i>Limit:</i> | None by statute/2 per policy |

| BOARD MEMBER | BUSINESS | CONTACT | TERM(S) |
|---|---|--|--|
| Everhart, Gregg S. <i>Landscape Architect</i> | gseverhart@gmail.com Everhart Landscape Architecture 4014 SE Taylor Street Portland, OR 97214-4440 | H 503-235-1815 M 503-235-2150 | 07/01/2013-06/30/2017 |
| L'Amoreaux, Lauri <i>Landscape Architect</i> | lauri.lamoreaux@portofportland Port of Portland 7200 NE Airport Way Portland OR 97218 | W 503-415-6463 C 503-367-3107 | 07/01/2012 – 06/30/2016 |
| O'Brien, Michael <i>Landscape Architect</i> | mobrien@esassoc.com ESA Vigil-Agrimis 819 SE Morrison Street, Suite 310 Portland, OR 97214 | W 503-274-2010 F 503-274-2024 | 04/08/2013 – 06/30/2014 07/01/2014 – 06/30/2018 |
| Olsen, Kathy <i>Public Member</i> | kathyocpa@gmail.com | Use e-mail for contact | 07/01/2012 – 06/30/2016 |
| Ray, Stephen <i>Landscape Architect</i> | sray.oslab@gmail.com PLACE studio, LLC 735 NW 18 th Avenue Portland, OR 97209 | C 206-295-0477 W 503-334-2080 | 07/01/2012– 06/30/2016 |
| Smith, Susan A. <i>Public Member</i> | sasmith55@msn.com | H 503-393-8674 | 07/01/2013-06/30/2017 |
| Hatch, Sydney <i>Public Member</i> | seathru2@msn.com | C 775-990-4500 | 12/01/2014-06/30/2018 |

Appendix 3 – Board Meetings

Oregon State Landscape Architect Board

**Meetings Held
2013 – 2015 Biennium**

2013

08/09/2013
11/08/2013
12/12/2013*

2014

02/20/2014
04/03/2014*
05/08/2014
08/14/2014
11/13/2014

2015

02/26/2015
05/14/2015
06/02/2015*

*=Special meetings called in addition to regular, quarterly meetings.

Appendix 4 – Officers, Committees, & Coordinators

Oregon State Landscape Architect Board

OFFICERS & ASSIGNMENTS (as of 1/31/2016)

BOARD OFFICERS:

Stephen Ray, RLA, Chair

Michael O'Brien, RLA, Vice Chair

Kathleen Olsen, Public Member, Treasurer

BOARD COMMITTEES:

ADMINISTRATIVE RULES COMMITTEE

Michael O'Brien, RLA, Chair

Board Registrants

BUDGET COMMITTEE

Christine Valentine, Board Administrator, Chair

Stephen Ray, RLA

Kathleen Olsen, Public Member

INVESTMENT COMMITTEE

Kathleen Olsen, Public Member, Chair

Christine Valentine, Board Administrator

BOARD COORDINATORS:

CONTINUING EDUCATION COORDINATOR

Gregg Everhart, RLA

COMPLIANCE COORDINATOR

Susan Smith, Public Member

LICENSURE REVIEW COORDINATOR

Lauri L'Amoreaux, RLA

BOARD LIAISONS:

Liaison to the Oregon Board of Architect Examiners

Lauri L'Amoreaux, RLA

Liaison to the Oregon Landscape Contractors Board

Stephen Ray, RLA

Michael O'Brien, RLA

Liaison to American Society of Landscape Architects – OR Chapter

Stephen Ray, RLA



OREGON STATE LANDSCAPE ARCHITECT BOARD

2013-2015 Biennium Agreed Upon Procedures
Financial Review Report #AUP-2015-03



Issued by: Pamela J. Stroebel Powers, CPA, MBA, CIA CRMA, CPM
Powers CPA, LLC

Date: January 12, 2016

To: Christine Valentine, Administrator
Oregon State Landscape Architect Board Members

From: Pamela J. Stroebel Powers, CPA, MBA, CIA, CRMA, CPM

Re: Independent Accountant's Report on Applying Agreed-Upon Procedures

Executive Summary

This report summarizes the results of the required Agreed-Upon Procedures Financial Review performed to evaluate controls in place over the Oregon State Landscape Architect Board's (OSLAB) cash, accounting and licensing processes. Procedures were agreed to between Powers CPA, LLC and the Executive Director in a contract ratified April 7, 2015, and approved by the Audits Division of the Secretary of State.

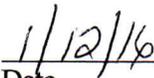
The review was performed to assist the Board in evaluating the financial operations of the agency during the 2013-15 biennium. Generally, it appears that adequate controls were in place over financial, accounting and licensing processes for the biennium. Procedures performed and a summary of the results are as follows:

1. **Reviewed internal controls related to handling cash, recording revenues and disbursements, and administering licensing activities:** Key controls in financial processes were identified, observed, and after testing, determined to be operating as intended.
2. **Reviewed and evaluated cash controls:** Bank balances were confirmed as of June 30, 2015 and appear to be accurately reported.
3. **Revenue and expense verification:** Generally, revenue and expense transactions reviewed were supported, approved, and appeared to further the business of the state.
4. **Budget to actual comparison:** OSLAB operated at a loss for the 2013-2015 biennium after budgeting for a slight profit, however expenditures were lower than budgeted as were revenues. Explanations for accounts where overages occurred are included in Attachment A.
5. **Follow-up on Prior Audit Findings:** In report #07-13 issued October 7, 2013 five recommendations were made for improvements to financial procedures and controls at the OSLAB. In this review we found evidence that corrective action had been taken on four of the recommendations, and the remaining one had been partially implemented. Details of the prior findings and action taken to date can be found in Attachment B.

This report, as well as minor opportunities for improvements to financial and licensing procedures to strengthen existing controls and provide for improved efficiencies and effectiveness, were discussed with the Administrator and a two board members on November 9, 2015. They generally agree with the findings and recommendation included in this report and a full response by the Board, including planned corrective action, will be developed. I appreciated the cooperation of the Administrator and the Registration Specialist by providing information to assist with the review process.



Pamela J. Stroebel Powers, CPA, MBA, CIA, CRMA, CPM
Owner/Managing Member - Powers CPA, LLC



Date

cc: Secretary of State, Division of Audits
OSLAB Registration Specialist

Background

The Oregon State Landscape Architect Board (OSLAB) is a semi-independent agency of the State of Oregon that operates under Chapters 671 and 182 of the Oregon Revised Statutes. Its mission is to regulate the practice of landscape architecture in Oregon. Since 1981 the Board has safeguarded the public health, safety and welfare in the practice of landscape architecture as it relates to engineering, architecture, ground water, land use planning and landscape hazards. OSLAB regulates the practice of landscape architecture by setting education, examination, and experience requirements; issuing certificates to those who qualify for registration; and disciplining those who violate the law.

The Board is composed of seven members appointed by the Governor to serve four-year terms. Four members are Registered Landscape Architects and three are public citizens. In addition to the Board the agency currently operates with a staff of one half-time Administrator and one half-time employee. The Administrator has been with the agency since 2011 and the Registration Specialist since 2005.

Through an Interagency Agreement signed by both Board Chairs, OSLAB shares office space and staff with the Oregon State Board of Geologist Examiners. This agreement has been renewed each biennium since 2004 and outlines duties of staff and parameters around sharing office space to operate each Board. During the 2015-2017 biennium both Boards will be assessing the experience with shared administrative services and considering options for the future.

Objectives, Scope and Methodology

Oregon Revised Statute 182.464 requires the agency to undergo a financial review according to schedules agreed to with the Secretary of State's Division of Audits. We performed the procedures, as described below, which were agreed to by the Agency and the Secretary of State for the two years ending June 30, 2015. The OSLAB is responsible for the establishment of and compliance with its financial and licensing processes and internal controls. The procedures agreed to were solely to assist management and the Secretary of State in evaluating the financial and licensing operations of the OSLAB. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of the procedures is the sole responsibility of those individuals specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below.

The following procedures were performed:

1. Internal controls relating to handling cash, recording revenues and disbursements, and administering licensing activities were reviewed and evaluated. Agency policies, procedures, and desk manuals related to (1) receiving, recording, and reporting transactions; (2) handling cash; and (3) licensing processes were obtained and reviewed for adequacy. Interviews with key staff were conducted and process walk-throughs were performed to determine compliance with procedures and perform testing as determined necessary.
2. Additional cash controls were reviewed and evaluated: bank and investment balances were confirmed with financial institutions; and bank reconciliations were reviewed, as well as other related cash controls.
3. Revenue and expense verification: accounting and subsidiary records related to revenues and expenses were obtained and reviewed. A sample of transactions was judgmentally selected based on risk factors, and supporting documentation was evaluated to determine if transactions were appropriate and properly approved, classified, and recorded.
4. Budget to actual comparison: budgeted revenues and expenditures were compared to actual revenues and expenditures.

5. Follow-up was performed and analyzed on findings and recommendations from the prior Agreed-Upon Procedures Financial Review Report issued October 7, 2013.

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the adequacy of financial operations or compliance with laws, rules, regulations or standards. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported. This report is intended solely for the information and use of the OSLAB and the Secretary of State and is not intended to be and should not be used by anyone other than the specified parties.

Results of Procedures

Generally, it appears that adequate controls were in place over financial, accounting and licensing processes for the biennium. However, one opportunity previously recommended to the Board to strengthen controls had not yet been implemented and is summarized below.

1. **Internal Controls Related to Cash and Recording Revenues and Disbursements:** Generally, internal controls established within cash handling and processes to record revenues and disbursements appeared to be well designed and appropriately implemented. Key controls in the cash receipts and disbursements processes were identified and after testing were determined to be operating as intended by management. The agency directs most of its registration applications and renewals to a lock box and has a scanner for checks received at the office; no cash is received in the office. Processes are in place for the Administrator to approve financial transactions and documentation of approvals was observed for most verified transactions. The Accounting Policy was updated during the biennium and transaction testing indicated it was being followed to process financial transactions.

The 2011-2013 Financial Review provided three recommendations for improving controls related to cash and recording revenues and disbursements. Since the 2013 review the Board has updated its Accounting Policy to include processes for depositing checks received in the office through the bank scanner the day they are received and documenting the Administrator's review of journal entries. Desk procedures have also been updated to include the requirement that checks be destroyed in compliance with the bank's requirements. Procedures have not been updated to include the procedure for the Board Treasurer to sign checks made payable to the Administrator, however evidence was found that this practice is occurring. The full schedule of prior recommendations and the current status of corrective action can be seen in Attachment B.

We recommend that management continue to pursue action toward the remaining recommendation made in the 2013 review to document in its accounting policies or procedures that the Board Treasurer will sign any checks made payable to the Administrator.

Internal Controls Related to Licensing: The registration process appears to be well designed and generally includes adequate internal controls, considering the small staff available to process applications and renewals. A receipts report from the agency's registration database matched to revenues reported in QuickBooks (the agency's accounting software.)

2. **Cash Controls:** The OSLAB reported a checking account balance of \$48,402.18, a money market account balance of \$66,666.02 and CD investment account balances of \$122,576.73 as of June 30, 2015. Account balances were confirmed directly with the bank and matched the agency's accounting records. The balances appear to be properly recorded in the accounting records dated June 30, 2015. Good controls over the general checking account were identified and observed including documented monthly reconciliations approved by both the Administrator and Board Treasurer.

The 2011-2013 Financial Review provided recommendations for improving controls related to bank account reconciliations. Since the 2013 review the Board has updated its Accounting Policy to include the timelines for the preparation and review of reconciliations as well as a requirement for the Board Treasurer to review cleared checks and supporting documentation as part of the monthly reconciliation review. The full schedule of prior recommendations and the current status of corrective action can be seen in Attachment B.

- 3. Revenue and expense verification:** The review of revenues and expenditures found that transactions tested were generally appropriate, complete and properly classified in the accounting records. Additionally, a sample of license files was reviewed and appropriate documentation was included and supported financial transactions per licensee.

To conclude on revenue transactions, supporting documentation was reviewed from four accounts: Annual Firm Renewal Fee, RLA Annual Renewal Fee, Late Fee and Civil Penalty Fee. Testing of these transactions found that generally deposits were made timely, revenues appeared to be appropriately classified in the accounting records and registration renewal criteria were met.

To conclude on expenses, supporting documentation was reviewed from seven accounts: Late Fee, Miscellaneous Board (Attorney General), Professional Services Other, Computer Upgrades, NSF Bank Charge, Office Supplies - Other and Out of State Travel - Miscellaneous. All charges reviewed appeared to be appropriate to further the business of the state and were generally processed in accordance with OSLAB's financial policies and procedures. The OSLAB does not have a credit card. By extending the controls the agency has in place over regular purchases, such as having a Board member review documentation of the Administrator's purchases, it is possible that using a credit card for some purchases could provide some efficiencies; especially for on-line purchases such as airline tickets for Board member travel.

Because there are only two staff in the office it is difficult to apply complete segregation of duties, for example the majority of the time the Administrator is signing purchase documentation as both the purchaser and approver while the Registration Specialist is processing payments. The Board has compensating controls in place such as requiring Board approval for purchases over \$2000, and the Board Treasurer reviews all expenditures as part of the bank reconciliation review process. No exceptions were noted as a result of transaction testing.

- 4. Budget to actual comparison:** Budgeted revenues and expenditures were compared to actual amounts as reported for the two years ending June 30, 2015. The OSLAB operated within its budget for the biennium. Management provided reasonable explanations for variances (details are provided on Attachment A) and Board meeting minutes reflect regular discussions about variances. The Board appears to have monitoring controls in place as the Board reviews quarterly budget reports at its meetings.

The agency initially budgeted for net income of \$1,528 but ended the biennium at a loss of \$11,640. The OSLAB operated within its approved budget as actual expenditures of \$316,953 were less than budgeted at \$388,635; but actual revenues of \$304,084 were also less than budgeted revenues of \$388,663, resulting in a net loss for the biennium. In anticipation of performing some large rule writing projects during the biennium it was determined that the agency may operate at a deficit of normal revenues, therefore they included some money from reserves in their initial budget. However, during the biennium decisions were made to not move forward with those projects, therefore ultimately the majority of the reserve balance wasn't used. Without the addition of the reserve for the biennium, actual revenues of \$304,084 could be compared to budgeted revenues of \$322,633. Variances are explained in detail in Attachment A to this report.

Other minor best practices the OSLAB might consider to improve efficiency and effectiveness of its processes and procedures were discussed with the Administrator and two Board members.

**Oregon State Landscape Architect Board
Budget to Actual Variance Analysis for the Biennium Ending June 30, 2015**

| ATTACHMENT A | | | | | | |
|---|-------------------|-------------------|-------------------------------|--|--|--|
| Account | Actual | Budget | Amount Over (Under) Budget | Explanation as provided by Administrator | | |
| REVENUES: | \$ 304,084 | \$ 388,663 | \$ (84,579) | | | |
| Carryover/Other Cash Reserves | \$ - | \$ 66,000 | \$ (66,000) | OSLAB did not need to tap the amount of reserve funds projected due to expenses being lower than projected. | | |
| Revenues without Reserves | \$ 304,084 | \$ 322,663 | \$ (18,579) | | | |
| LA Renewals | \$ 221,325 | \$ 240,250 | \$ (18,925) | Overprojected growth. Projected revenue was based on 5 year registration average plus a snapshot of registrant pool in early 2013 with growth anticipated for year 2. For 2015-2017, dialed back to a more conservative projection. | | |
| Firm Renewals | \$ 41,637 | \$ 46,913 | \$ (5,276) | Overprojected growth. Business renewal trends are harder to predict than individual renewals so projected based on snapshot of registrant pool in early 2013 with growth anticipated for year 2. For 2015-2017, dialed back to a more conservative projection. | | |
| Other Income | \$ 5,450 | \$ 200 | \$ 5,250 | Do not project civil penalty income because of uncertainty, i.e. no guarantee of any revenue. Board did not have a sublease when the budget was adopted so rental income was not shown in budget. | | |
| EXPENSES:* | \$ 316,953 | \$ 388,635 | \$ (71,682) | | | |
| Attorney General Fees | \$ 22,244 | \$ 33,600 | \$ (11,356) | Board decided during the biennium to not take on anticipated projects related to statutory and rule review that would have required significant assistance from AAG. The Board did not update the budget since the rule must give only the maximum expenditure, and the Board would remain below that level. | | |
| Professional Services, Other | \$ 8,088 | \$ 34,000 | \$ (25,912) | Board decided during the biennium to not take on anticipated projects related to statutory and rule review that would have involved services of facilitator, outreach events, etc. The Board did not update the budget since the rule must give only the maximum expenditure, and the Board would remain below that level. | | |
| * Budgeted expenses from Board approved budget in OAR effective 7/1/13. | | | | | | |

Oregon Landscape Architect Board Findings Status
From Report Issued October 7, 2013

| Finding/Recommendations | Rec. # | Original Response | Responsible | Current Status 2015 |
|---|--------|---|---------------|---|
| 1 – Internal Controls Related to Cash and Recording Revenues and Expenses | | | | |
| Documentation of Check Scanning Procedures | | | | |
| Document processes for depositing checks through the bank scanner and complying with bank requirements, including shredding checks within 60 days of receipt. | 5 | Staff will prepare written procedures to memorialize current practices and add these to the desk manual. | Administrator | IMPLEMENTED: The Accounting Policy updated November 2014 includes the process for depositing checks through the bank scanner the day they are received and a desk procedure specifies destruction of checks is to be performed in compliance with bank requirements. |
| Administrator Reimbursement Checks | | | | |
| Checks made payable to the Administrator or printed by the Administrator be signed by the Board Treasurer to improve segregation of duties. | 2 | The Board will adopt the recommended procedures for Administrator prepared checks and the Treasurer will sign checks made payable to the Administrator. | Board | PARTIALLY IMPLEMENTED: The stipulation for the Board Treasurer to sign checks payable to the Administrator was not specified in the Accounting Policy updated as of November 14 however evidence of this process occurring was examined. |
| Administrator Review of Journal Entries | | | | |
| Ensure all journal entries are reviewed and approved by the Administrator and that the review is documented. | 4 | Staff will prepare revised procedures to require that all journal entries are reviewed and approved in a timely manner with approval documented. | Administrator | IMPLEMENTED: Evidence of general journal entries being reviewed by the Administrator was available. This procedure is also documented in the Accounting Policy updated November 2014. |
| 2. Review and Evaluation of Cash Controls | | | | |
| Board Review of Bank Reconciliations and Cleared Checks | | | | |
| The Board should document in policy its timelines for the preparation and review of bank reconciliations. | 3a | This was not specifically addressed in the response provided. | Administrator | IMPLEMENTED: The Accounting Policy updated in November 2014 includes timelines for the preparation and review of the bank reconciliations. |

Oregon Landscape Architect Board Findings Status
From Report Issued October 7, 2013

| | | | | |
|---|-----------|--|----------------------|---|
| <p>Implement the prior Board Treasurer's review of cleared checks and supporting documentation as part of the monthly bank reconciliation review. The process should be documented in a Board policy.</p> | <p>3b</p> | <p>Staff will return to this former procedure of including copies of cancelled checks with the bank reconciliation materials provided of the Board Treasurer. This will be included in the desk manual procedures.</p> | <p>Administrator</p> | <p>IMPLEMENTED: The Accounting Policy updated in November 2014 includes the review of cleared checks and supporting documentation as part of the monthly bank reconciliation review.</p> |
| <p>Authorization of Electronic Funds Transfers</p> <p>The Board revise its' Electronic Funds Transfer Policy to require the Treasurer or another Board member to authorize the bank to set up electronic funds transfers. The Board instruct the bank to ensure approval by a Board member is received for all electronic funds transfers.</p> | <p>1</p> | <p>No response submitted.</p> | <p>Administrator</p> | <p>IMPLEMENTED: An Electronic Funds Transfer policy was updated on February 20, 2014 and includes criteria as well as the process for Board approval for such transfers.</p> |



Oregon

Kate Brown, Governor

January 15, 2016

V. Dale Bond, CPA, CISA, CFE, Audit Manager
Secretary of State - Audits Division
255 Capitol St NE, Suite 500
Salem, OR 97310

Landscape Architect Board

707 13th Street SE Suite 114
Salem, OR 97301-4036
Phone: 503-589-0093 Fax: 503-485-2947
Email: oslab.info@state.or.us
Web: www.oregon.gov/LANDARCH

Re: **Oregon State Landscape Architect Board**
2013-2015 Financial Review

Dear Ms. Bond,

At the November 12, 2015 meeting of the Oregon State Landscape Architect Board (Board), Board members and staff reviewed the outcomes of the financial review conducted for the 2013-2015 biennium. The financial review report has since been finalized, and a copy has separately been forwarded to you. This letter provides the Board's response to the report.

The Board is pleased to have received a very positive review and generally had no concerns with the review process or written report from Powers CPA, LLC. The Board accepted the one finding presented in the report, and staff has already addressed the finding through updates to written operating procedures. The check signing procedures in question were implemented during the 2013-2015 biennium but had not been memorialized in writing as noted in the review finding.

For the record, please note that the Board and staff made adjustments to various policies and procedures in response to the financial reviews conducted for the prior two bienniums (i.e., 2009-2011 and 2011-2013). Implementation of these previous changes has been positive from both business practice and risk management standpoints. This past work also resulted in fewer issues being raised in the most recent financial review.

In closing, I would be happy to discuss the Board's latest financial review or related matters with you if you have questions or need additional information. I can be reached at christine.valentine@state.or.us or 503-589-0093.

Sincerely,

Christine Valentine
Board Administrator

cc. Stephen Ray, RLA, Board Chair
Pamela Powers, CPA



Appendix 6(A), 2013-2015 Approved Budget

Oregon State Landscape Architect Board

2013-2015 Biennium

(Approved for Public Notice 03/06/13, Final rule adopted 05/11/13)

| 2013-2015 Line Item # | ***NO FEE INCREASES PROPOSED*** | Initial Fee | # Per Year | Budget 07/01/13 -6/30/14 Year 1 | Budget 07/01/14-6/30/15 Year 2 | TOTALS for Biennium |
|--------------------------|--|----------------|---------------|---------------------------------------|--------------------------------------|---------------------------|
| 0 | REVENUE | | | | | |
| | Carryover/Other Cash Reserves | N/A | N/A | 40,000 | 26,000 | 66,000 |
| 1 | Application Fee, Registration | 100 | 26 | 2,600 | 2,600 | 5,200 |
| 2 | Application Fee, Examination (Sections 3 & 4) | 50 | 57 | 2,850 | 2,850 | 5,700 |
| 3 | Application Fee, Firm | 100 | 24 | 2,400 | 2,400 | 4,800 |
| 4 | LA Renewals | 250 | 475 | 118,750 | 121,500 | 240,250 |
| 5 | Emeritus LA Renewals | 25 | 10 | 250 | 250 | 500 |
| 6 | Initial LA Registrations | 250 | 26 | 6,500 | 6,500 | 13,000 |
| 7 | LAIT Renewals | 50 | 5 | 250 | 250 | 500 |
| 8 | Firm Renewals | 113 | 200 | 22,500 | 24,413 | 46,913 |
| 9 | Initial Firm Registrations | 113 | 24 | 2,700 | 2,700 | 5,400 |
| 10 | Late Fees | 1555* | 1 | - | - | - |
| 11 | Other Income | 100 | 1 | 100 | 100 | 200 |
| 12 | Bank Account Interest | 100 | 1 | 100 | 100 | 200 |
| 13 | Total Revenue | | | 199,000 | 189,663 | 388,663 |
| 14 | | | | | | |
| 15 | EXPENSES | | | | | |
| 16 | Personal Services | | | | | |
| 17 | Board Administration | 8,000 | 12 | 96,000 | 96,000 | 192,000 |
| 18 | Board Member Stipend | 50 | 50 | 5,000 | 5,000 | 10,000 |
| 19 | Total Personal Services | | | 101,000 | 101,000 | 202,000 |
| 20 | | | | | | |
| 21 | Services and Supplies | | | | | |
| 22 | Rental, Office space | varies | 12 | 7,884 | 8,076 | 15,960 |
| 23 | Instate Meals and Lodging | varies | 6 | 1,450 | 1,500 | 2,950 |
| 24 | Instate Ground Transportation & Misc. Expenses | 0.555/m | N/A | 2,100 | 2,205 | 4,305 |
| 25 | Out of State Meals and Lodging | varies | 2 | 3,000 | 3,150 | 6,150 |
| 26 | Out of State Travel & Misc. Expenses | varies | 2 | 2,000 | 2,100 | 4,100 |
| 27 | CLARB Mtg. Registration | 500 | 2 | 2,000 | 2,000 | 4,000 |
| 28 | Office Supplies/Services (+copy, print, post, freight) | 3500 | 1 | 3,625 | 3,806 | 7,431 |
| 29 | Bank Charges (Lock Box, Analysis, RDC) | 125 | 12 | 1,500 | 1,575 | 3,075 |
| 30 | Newsletter Development/Printing | 200 | 1 | 1,750 | 1,750 | 3,500 |
| 31 | Communications (Phone, Internet, Fax) | 150 | 12 | 1,890 | 1,985 | 3,875 |
| 32 | Computer Hardware/Software Upgrades | varies | varies | 1,000 | 2,000 | 3,000 |
| 33 | Total Services and Supplies | | | 28,199 | 30,147 | 58,346 |
| 34 | | | | | | |
| 35 | Professional Services | | | | | |
| 36 | Attorney General Fees | 1400 | 12 | 16,800 | 16,800 | 33,600 |
| 37 | Other Govt Assessment (includes SOS Rules, Ethics) | 700 | N/A | 350 | 350 | 700 |
| 38 | CLARB Membership Dues | 5325 | 1 | 5,325 | 5,591 | 10,916 |
| 39 | Computer Support (Server, Desktop, Laptop, Website) | 200 | 12 | 2,400 | 2,520 | 4,920 |
| 40 | Computer Support (Database) | 100 | 6 | 600 | 630 | 1,230 |
| 41 | DAS/Risk Service Charge (Liability Insurance) | 2000 | N/A | 1,000 | 1,000 | 2,000 |
| 42 | Financial Review/Audit | 10,000 | N/A | 10,000 | - | 10,000 |
| 43 | Payroll Services (quarterly processing Stipends) | 450 | 1 | 450 | 473 | 923 |
| 44 | Professional Services, Other | 17,000 | 1 | 17,000 | 17,000 | 34,000 |
| 45 | Records Management (intern/temp.) | 1500 | 1 | 1,500 | 1,500 | 3,000 |
| 46 | Training (Board Members/Staff) | 1000 | N/A | 1,500 | 1,500 | 3,000 |
| 47 | Professional Investigator | 12,000 | 1 | 12,000 | 12,000 | 24,000 |
| 48 | Total Professional Services | | | 68,925 | 59,364 | 128,289 |
| 49 | | | | | | |
| 50 | TOTAL EXPENSES | | | 198,124 | 190,511 | 388,635 |
| 51 | TOTAL REVENUES | | | 199,000 | 189,663 | 388,663 |
| 52 | Net Projected 2013-2015 Revenue | | | 876 | (848) | 28 |
| 53 | | | | | | |
| 54 | Interest from CD | | | 750 | 750 | 1,500 |
| 55 | Total Income | | | 1,626 | (98) | 1,528 |

Appendix 6(B), OSLAB 2013-2015 Budget vs. Actual as of 06.30.2015

| | Current Biennium | | | | | | | |
|---|----------------------|----------------------|----------------------|----------------------|--------------------|----------------------|---------------------|----------------------|
| | Adopted | Actual | 1st Yr Budget | | | 2nd Yr Budget | | |
| | Budget | | Budget | Actual | Diff. | Budget | Actual | Diff. |
| | 2013-2015 | | 07/13-6/14 | 07/13-6/14 | | 07/14-06/15 | 07/14-06/15 | |
| Ordinary Income/Expense: | | | | | | | | |
| Income | | | | | | | | |
| Carryover/Other Cash Reserves | \$ 66,000.00 | | \$ 40,000.00 | | \$ (32,393.00) | \$ 26,000.00 | | \$ (21,237.09) |
| Civil Penalty | 0.00 | 2,800.00 | 0.00 | 200.00 | 200.00 | 0.00 | 2,600.00 | 2,600.00 |
| RLA Renewal and Initial Registration Fee | 254,250.00 | 240,275.00 | 125,750.00 | 119,875.00 | (5,875.00) | 128,500.00 | 120,400.00 | (8,100.00) |
| Application Fee, Exam | \$ 5,700.00 | 3,000.00 | 2,850.00 | 1,150.00 | (1,700.00) | 2,850.00 | 1,850.00 | (1,000.00) |
| Application Fee, LA | \$ 5,200.00 | 6,600.00 | 2,600.00 | 3,000.00 | 400.00 | 2,600.00 | 3,600.00 | 1,000.00 |
| Application Fee, Firm | 4,800.00 | 2,390.00 | 2,400.00 | 890.00 | (1,510.00) | 2,400.00 | 1,500.00 | (900.00) |
| Firm Renewal and Initial Registration Fee | 52,313.00 | 44,787.00 | 25,200.00 | 22,387.00 | (2,813.00) | 27,113.00 | 22,400.00 | (4,713.00) |
| Late Fee | 0.00 | 3,900.00 | 0.00 | 2,400.00 | 2,400.00 | 0.00 | 1,500.00 | 1,500.00 |
| Other Income | 200.00 | 150.00 | 100.00 | 100.00 | 0.00 | 100.00 | 50.00 | (50.00) |
| Rental Income | 0.00 | 2,500.00 | 0.00 | 1,200.00 | 1,200.00 | 0.00 | 1,300.00 | 1,300.00 |
| Interest | 200.00 | 456.75 | 100.00 | 240.99 | 140.99 | 100.00 | 215.76 | 115.76 |
| Gross Income | 388,663.00 | 306,858.75 | \$ 199,000.00 | \$ 151,442.99 | (39,950.01) | 189,663.00 | 155,415.76 | (29,484.33) |
| Refunds | | | | | | | | |
| Late Fee | 0.00 | (500.00) | 0.00 | (500.00) | (500.00) | 0.00 | 0.00 | 0.00 |
| Examination Fee | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Renewal | 0.00 | (2,050.00) | 0.00 | (1,775.00) | (1,775.00) | 0.00 | (275.00) | (275.00) |
| Reciprocity | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Application Fee | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Firm Renewal | 0.00 | (225.00) | 0.00 | 0.00 | 0.00 | 0.00 | (225.00) | (225.00) |
| | 0.00 | (2,775.00) | 0.00 | (2,275.00) | (2,275.00) | 0.00 | 0.00 | 0.00 |
| Total Income | \$ 388,663.00 | \$ 304,083.75 | \$ 199,000.00 | \$ 149,167.99 | (49,832.01) | \$ 189,663.00 | \$154,915.76 | (\$34,747.24) |
| Expense | | | | | | | | |
| Personal Services: | | | | | | | | |
| Board Member Stipend | \$10,000.00 | \$3,800.00 | 5,000.00 | 1,850.00 | (3,150.00) | 5,000.00 | \$1,950.00 | (3,050.00) |
| Board Administration | \$192,000.00 | \$186,700.00 | 96,000.00 | 91,200.00 | (4,800.00) | 96,000.00 | \$95,500.00 | (500.00) |
| Social Security Taxes | 0.00 | \$290.77 | 0.00 | 141.54 | 141.54 | 0.00 | 149.23 | 149.23 |
| Total Personal Services | \$202,000.00 | \$190,790.77 | \$ 101,000.00 | \$ 93,191.54 | (7,808.46) | \$ 101,000.00 | \$97,599.23 | (\$3,400.77) |
| Services & Supplies: | | | | | | | | |
| Instate Travel; Meals & Lodging | 2950.00 | 1207.45 | 1,450.00 | 664.90 | (785.10) | 1,500.00 | 542.55 | (957.45) |
| Instate Travel ; Transportation & Misc. | 4305.00 | 2666.40 | 2,100.00 | 1,320.22 | (779.78) | 2,205.00 | 1,346.18 | (858.82) |
| Out of State Travel; Transportation & Misc. | 6150.00 | 2494.22 | 3,000.00 | 1,008.62 | (1,991.38) | 3,150.00 | 1,485.60 | (1664.40) |
| Out of State Travel; Meals & Lodging | 4100.00 | 4722.83 | 2,000.00 | 1,429.97 | (570.03) | 2,100.00 | 3,292.86 | 1192.86 |
| Office Supplies/Services | 7431.00 | 9091.12 | 3,625.00 | 4,472.49 | 847.49 | 3,806.00 | 4,618.63 | 812.63 |
| Conference Registrations | 4000.00 | 4175.00 | 2,000.00 | 1,800.00 | (200.00) | 2,000.00 | 2,375.00 | 375.00 |
| Subscriptions | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 |
| Lease - Office Space | 15960.00 | 15972.00 | 7,884.00 | 7,884.00 | 0.00 | 8,076.00 | 8,088.00 | 12.00 |

Appendix 6(B), OSLAB 2013-2015 Budget vs. Actual as of 06.30.2015

| | Current Biennium | | | | | | | |
|---|----------------------|-----------------------|----------------------|----------------------|-----------------------|----------------------|----------------------|-----------------------|
| | Adopted | | 1st Yr Budget | | | 2nd Yr Budget | | |
| | Budget | Actual | Budget | Actual | Diff. | Budget | Actual | Diff. |
| | 2013-2015 | 2013-2015 | 07/13-6/14 | 07/13-6/14 | | 07/14-06/15 | 07/14-06/15 | |
| Rental of Bldg's & Land - Exam | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Bank Charges | 3075.00 | 2896.67 | 1,500.00 | 1,448.29 | (51.71) | 1,575.00 | 1,448.38 | (126.62) |
| Newsletter | 3500.00 | 766.04 | 1,750.00 | 341.04 | (1,408.96) | 1,750.00 | 425.00 | (1,325.00) |
| Communications (Telephone, Internet, Fax) | 3875.00 | 3205.00 | 1,890.00 | 1,538.17 | (351.83) | 1,985.00 | 1,666.83 | (318.17) |
| Computer Upgrades (Software & Hardware) | 3000.00 | 1140.14 | 1,000.00 | 795.79 | (204.21) | 2,000.00 | 344.35 | (1,655.65) |
| Total Services & Supplies | \$ 58,346.00 | \$ 48,336.87 | \$ 28,199.00 | \$ 22,703.49 | \$ (5,495.51) | \$ 30,147.00 | \$ 25,633.38 | \$ (4,513.62) |
| Professional Services: | | | | | | | | |
| CLARB Membership Dues | 10,916.00 | 10,970.00 | 5,325.00 | 5,485.00 | 160.00 | 5,591.00 | 5,485.00 | (106.00) |
| Computer Support (Confuzer) | 4,920.00 | 3,725.00 | 2,400.00 | 1,925.00 | (475.00) | 2,520.00 | 1,800.00 | (720.00) |
| Professional Services, Others | 34,000.00 | 8,087.50 | 17,000.00 | 4,087.50 | (12,912.50) | 17,000.00 | 4,000.00 | (13,000.00) |
| Training | 3,000.00 | 420.00 | 1,500.00 | 90.00 | (1,410.00) | 1,500.00 | 330.00 | (1,170.00) |
| Payroll Services | 923.00 | 1,095.00 | 450.00 | 539.89 | 89.89 | 473.00 | 555.11 | 82.11 |
| Atty General Legal Fees | 33,600.00 | 22,244.10 | 16,800.00 | 8,601.90 | (8,198.10) | 16,800.00 | 13,642.20 | (3,157.80) |
| Professional Investigator | 24,000.00 | 19,800.00 | 12,000.00 | 9,920.00 | (2,080.00) | 12,000.00 | 9,880.00 | (2,120.00) |
| DAS/Risk Service Charge (liability Ins.) | 2,000.00 | 1,993.00 | 1,000.00 | 1,993.00 | 993.00 | 1,000.00 | 0.00 | (1,000.00) |
| Financial Review/Audit | 10,000.00 | 6,520.00 | 10,000.00 | 6,520.00 | (3,480.00) | 0.00 | 0.00 | 0.00 |
| Records Management (intern/temp) | 3,000.00 | 0.00 | 1,500.00 | 0.00 | (1,500.00) | 1,500.00 | 0.00 | (1,500.00) |
| Government Assessment | 700.00 | 671.00 | 350.00 | 335.50 | (14.50) | 350.00 | 335.50 | (14.50) |
| Examination Service | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Database Computer Support (S. Steinberg) | 1,230.00 | 2,300.00 | 600.00 | 2,000.00 | 1,400.00 | 630.00 | 300.00 | (330.00) |
| Total Professional Services | \$ 128,289.00 | \$ 77,825.60 | \$ 68,925.00 | \$ 41,497.79 | (27,427.21) | \$ 59,364.00 | \$ 36,327.81 | \$ (23,036.19) |
| Total Expense | \$ 388,635.00 | \$ 316,953.24 | \$ 198,124.00 | \$ 157,392.82 | \$ (40,731.18) | \$ 190,511.00 | \$ 159,560.42 | \$ (30,950.58) |
| Net Ordinary Income | \$ 28.00 | \$ (12,869.49) | \$ 876.00 | \$ (8,224.83) | \$ (9,100.83) | \$ (848.00) | \$ (4,644.66) | (3,796.66) |
| Interest from CD | 1,500.00 | 1,229.08 | 750.00 | 617.83 | (132.17) | 750.00 | 611.25 | (138.75) |
| NET INCOME | \$ 1,528.00 | \$ (11,640.41) | \$ 1,626.00 | \$ (7,607.00) | \$ (9,233.00) | \$ (98.00) | \$ (4,033.41) | \$ (3,935.41) |

Appendix 6(C), 2015-2017 Approved Budget

Oregon State Landscape Architect Board 2015-2017 Biennium

(Approved for Public Notice 02/26/15, Final rule adopted 05/14/15)

| 2015-2017 | | | Year 1 | Year 2 | Budget | Budget | TOTALS |
|-------------|--|---------|----------|----------|--------------------------|------------------------|-----------------|
| Line Item # | ***NO FEE INCREASES PROPOSED*** | Initial | # Per | # Per | 7/01/15 -6/30/16 | 7/01/16-6/30/17 | for |
| | REVENUE | Fee | Year | Year | Year 1 | Year 2 | Biennium |
| 0 | Carryover/Other Cash Reserves | N/A | N/A | N/A | 58,500 | 46,500 | 105,000 |
| 1 | Application Fee, Registration | 100 | 29 | 29 | 2,900 | 2,900 | 5,800 |
| 2 | Application Fee, Examination | 100 | 12 | 12 | 1,200 | 1,200 | 2,400 |
| 3 | Application Fee, Firm | 100 | 17 | 17 | 1,700 | 1,700 | 3,400 |
| 4 | LA Renewals | 250 | 480 | 495 | 120,000 | 123,750 | 243,750 |
| 5 | Emeritus LA Renewals | 25 | 15 | 15 | 375 | 375 | 750 |
| 6 | Initial LA Registrations | 250 | 29 | 29 | 7,250 | 7,250 | 14,500 |
| 7 | LAIT Renewals | 50 | 5 | 5 | 250 | 250 | 500 |
| 8 | Firm Renewals | 113 | 190 | 200 | 21,375 | 22,500 | 43,875 |
| 9 | Initial Firm Registrations | 113 | 17 | 17 | 1,913 | 1,913 | 3,825 |
| 10 | Late Fees | 2000* | 1 | 1 | - | - | - |
| 11 | Sublease Income | 100 | 12 | 12 | 1,200 | 1,200 | 2,400 |
| 12 | Other Income | 100 | 1 | 1 | 100 | 100 | 200 |
| 13 | Bank Account Interest | 250 | 1 | 1 | 250 | 250 | 500 |
| 14 | Total Revenue | | | | 217,013 | 209,888 | 426,900 |
| 15 | | | | | | | |
| 16 | EXPENSES | | | | 07/01/15 -6/30/16 | 7/01/16-6/30/17 | Total |
| 17 | Personal Services | | | | Year 1 | Year 2 | Biennium |
| 18 | Board Administration (IAA for Staff Services) | 9,300 | 12 | 12 | 111,600 | 111,600 | 223,200 |
| 19 | Board Stipends (Members) | 50 | 60 | 60 | 3,000 | 3,000 | 6,000 |
| 20 | Board Soc.Security/Medic. Taxes (Members) | 7.65% | 60X50 | 60X50 | 230 | 230 | 459 |
| 21 | Total Personal Services | | | | 114,600 | 114,600 | 229,200 |
| 22 | | | | | | | |
| 23 | Services and Supplies | | | | Year 1 | Year 2 | Biennium |
| 24 | Lease for Office Space (Assoc. Center) | varies | 12 (694) | 12 (715) | 8,328 | 8,580 | 16,908 |
| 25 | Instate Meals and Lodging | varies | 6 | 6 | 1,000 | 1,000 | 2,000 |
| 26 | Instate Ground Transportation & Misc. Expenses | 0.565/m | N/A | N/A | 2,200 | 2,200 | 4,400 |
| 27 | Out of State Meals and Lodging | varies | 2 | 2 | 3,000 | 3,000 | 6,000 |
| 28 | Out of State Travel & Misc. Expenses | varies | 2 | 2 | 2,000 | 2,000 | 4,000 |
| 29 | CLARB Mtg. Registration (Annual Mtg.) | 950 | 2 | 2 | 1,900 | 1,900 | 3,800 |
| 30 | Office Supplies/Services (+copy, print, post, freight) | 4500 | 1 | 1 (+5%) | 4,500 | 4,725 | 9,225 |
| 31 | Bank Charges (Lock Box, Analysis, RDC) | 125 | 12 | 12 (+5%) | 1,500 | 1,575 | 3,075 |
| 32 | Merchant Fees (Online Payment/Renewals) | NEW | 50% | 75% | 2,165 | 3,253 | 5,418 |
| 33 | Newsletter Development/Printing (Quarterly) | 1000 | 1 | 1 | 1,000 | 1,000 | 2,000 |
| 34 | Communications (Phone, Internet, Fax) | 150 | 12 | 12 (+5%) | 1,800 | 1,890 | 3,690 |
| 35 | Computer Hardware/Software Upgrades | varies | varies | varies | 2,000 | 2,000 | 4,000 |
| 36 | Total Services and Supplies | | | | 31,393 | 33,123 | 64,516 |
| 37 | | | | | | | |
| 38 | Professional Services | | | | Year 1 | Year 2 | Biennium |
| 39 | Attorney General Fees (DOJ) | 192 | 100 | 100 | 19,200 | 19,200 | 38,400 |
| 40 | Other Govt Assessment (includes SOS Rules, Ethics) | 2270 | 0.5 | 0.5 | 1,135 | 1,135 | 2,270 |
| 41 | CLARB Membership Dues (Exam Provider) | 5485 | 1 | 1 | 5,485 | 5,485 | 10,970 |
| 42 | Computer Support (Server, Desktop, Laptop, Website) | total | 5000 | 5000 | 5,000 | 5,000 | 10,000 |
| 43 | Computer Support (Database) | total | 2500 | 2500 | 2,500 | 2,500 | 5,000 |
| 44 | DAS/Risk Service Charge (Liability/Property Insur.) | 1600 | 0.5 | 0.5 | 800 | 800 | 1,600 |
| 45 | Financial Review/Audit (1 Per Biennium) | 10,000 | 1 | 0 | 10,000 | - | 10,000 |
| 46 | Payroll Services (Stipend Processing) | 15 | 12 | 12 | 180 | 180 | 360 |
| 47 | Professional Services (Tech. Rev., Facil., Consult., Etc.) | 11,500 | 1 | 1 | 11,500 | 11,500 | 23,000 |
| 48 | Professional Services (NICUSA Inc. Online Processing) | NEW | 50% | 75% | 1,115 | 1,672 | 2,787 |
| 49 | Records Management (intern/temp.) | 1500 | 1 | 1 | 1,500 | 1,500 | 3,000 |
| 50 | Training (Board Members/Staff) | 1500 | 1 | 1 | 1,500 | 1,500 | 3,000 |
| 51 | Professional Investigator (IAA w/ORBAE) | 12,000 | 1 | 1 | 12,000 | 12,000 | 24,000 |
| 52 | Total Professional Services | | | | 71,915 | 62,472 | 134,387 |
| 53 | | | | | | | |
| 54 | TOTAL EXPENSES | | | | 217,908 | 210,195 | 428,103 |
| 56 | TOTAL REVENUES | | | | 217,013 | 209,888 | 426,900 |
| 57 | Net Projected 2013-2015 Revenue | | | | (896) | (308) | (1,203) |
| 58 | Interest from CD | | | | 800 | 800 | 1,600 |
| 59 | Total Income | | | | (96) | 493 | 397 |

Appendix 6(D), Balance Sheet, 06.30.2015

Oregon State Landscape Architect Board

| | 06/30/2015 | 06/30/2014 | \$ Change | % Change |
|---------------------------------------|----------------------|----------------------|----------------------|-----------------|
| ASSETS | | | | |
| Current Assets | | | | |
| Checking/Savings | | | | |
| Pioneer Trust Bank | \$ 48,402.18 | \$ 54,912.80 | \$ (6,510.62) | -11.86% |
| Money Market Account | \$ 66,666.02 | \$ 66,532.84 | \$ 133.18 | 0.2% |
| Total Checking/Savings | \$ 115,068.20 | \$ 121,445.64 | \$ (6,377.44) | -5.25% |
| Other Current Assets | | | | |
| CD Investments - Pioneer Trust | \$ 122,576.73 | \$ 121,965.48 | \$ 611.25 | 0.5% |
| Total Other Current Assets | \$ 122,576.73 | \$ 121,965.48 | \$ 611.25 | 0.5% |
| Total Current Assets | \$ 237,644.93 | \$ 243,411.12 | \$ (5,766.19) | -2.37% |
| TOTAL ASSETS | \$ 237,644.93 | \$ 243,411.12 | \$ (5,766.19) | -2.37% |
| LIABILITIES & EQUITY | | | | |
| Liabilities | | | | |
| Current Liabilities | | | | |
| Accounts Payable | | | | |
| Accounts Payable | \$ 2,006.10 | \$ 3,738.88 | \$ (1,732.78) | -46.35% |
| Total Accounts Payable | \$ 2,006.10 | \$ 3,738.88 | \$ (1,732.78) | -46.35% |
| Total Current Liabilities | \$ 2,006.10 | \$ 3,738.88 | \$ (1,732.78) | -46.35% |
| Total Liabilities | \$ 2,006.10 | \$ 3,738.88 | \$ (1,732.78) | -46.35% |
| Equity | | | | |
| Retained Earnings | \$ 239,672.24 | \$ 247,279.24 | \$ (7,607.00) | -3.08% |
| Net Income | \$ (4,033.41) | \$ (7,607.00) | \$ 3,573.59 | 46.98% |
| Total Equity | \$ 235,638.83 | \$ 239,672.24 | \$ (4,033.41) | -1.68% |
| TOTAL LIABILITIES & EQUITY | \$ 237,644.93 | \$ 243,411.12 | \$ (5,766.19) | -2.37% |

Appendix 6(E), OSLAB Forecasted Balance Sheet, 06.30.2017

| ASSETS | 6/30/2015 Actual | 6/30/2017 Forecasted |
|---|----------------------|-------------------------|
| Current Assets | | |
| Checking/Savings | | |
| 1001 · Pioneer Trust Bank | \$ 48,402.18 | \$ 46,794.08 |
| 1051. Money Market Account | \$ 66,666.02 | \$ 66,666.02 |
| Total current Assets | \$ 115,068.20 | \$ 113,460.10 |
| Other Current Assets | | |
| 1900 · CD Investments - Pioneer Trust | | |
| 1901 · 18 Month - #5312707, 8/13/16 | | |
| 1901.1 · 18 Month CD Interest | \$ 3,244.49 | \$ 3,244.49 |
| 1901 · 18 Month - #5312707, 8/13/16 | \$ 20,000.00 | \$ 20,000.00 |
| Total 1901 · 18 Month - #5312707, 08/13/16 | \$ 23,244.49 | \$ 23,244.49 |
| 1902 · 18 Month - #5312708, 02/13/16 | | |
| 1902.1 · 18 Month CD Interest | \$ 2,868.17 | \$ 2,868.17 |
| 1902 · 18 Month - #5312708, 02/13/16 | \$ 20,000.00 | \$ 20,000.00 |
| Total 1902 · 18 Month - #5312708, 02/13/16 | \$ 22,868.17 | \$ 22,868.17 |
| 1903 · 18 Month - #5312709, 08/13/16 | | |
| 1903.1 · 18 Month CD Interest | \$ 3,242.19 | \$ 3,242.19 |
| 1903 · 18 Month - #5312709, 08/13/16 | \$ 20,000.00 | \$ 20,000.00 |
| Total 1903 · 18 Month - #5312709, 02/13/16 | \$ 23,242.19 | \$ 23,242.19 |
| 1904 · 18 Month - #5312974, 12/09/16 | | |
| 1904.1 · 18 Month CD Interest | \$ 1,611.23 | \$ 1,611.23 |
| 1904 · 18 Month - #5312974, 12/09/16 | \$ 25,000.00 | \$ 25,000.00 |
| Total 1904 · 18 Month - #5312974, 12/09/16 | \$ 26,611.23 | \$ 26,611.23 |
| 1905 · 18 Month - #5312975. 03/09/17 | | |
| 1905.1 · 18 Month CD Interest | \$ 1,610.65 | \$ 1,610.65 |
| 1905 · 18 Month - #5312975. 03/09/17 | \$ 25,000.00 | \$ 25,000.00 |
| Total 1905 · 18 Month - #5312975. 03/09/17 | \$ 26,610.65 | \$ 26,610.65 |
| Total Other Current Assets | \$ 122,576.73 | \$ 122,576.73 |
| TOTAL ASSETS | \$ 237,644.93 | \$ 236,036.83 |
| LIABILITIES & EQUITY | | |
| Liabilities | | |
| Current Liabilities | | |
| Accounts Payable | | |
| 2000 · Accounts Payable | \$ 2,006.10 | 0.00 |
| Total Accounts Payable | \$ 2,006.10 | 0.00 |
| Total Liabilities | \$ 2,006.10 | 0.00 |
| Equity | | |
| 3900 · Retained Earnings | \$ 239,672.24 | \$ 235,638.83 |
| Net Income/(Loss) | \$ (4,033.41) | \$ 398.00 |
| Total Equity | \$ 235,638.83 | \$ 236,036.83 |
| TOTAL LIABILITIES & EQUITY | \$ 237,644.93 | \$ 236,036.83 |

Appendix 6(F), OSLAB Fund Analysis 2013-2015 and 2015-2017

**Oregon State Landscape Architect Board
Funds Analysis Across Biennia**

Fund Analysis

| Source | 2011-2013 Actual | 2013-2015 Actual | 2015-2017 Adopted |
|------------------------|----------------------|----------------------|----------------------|
| Beginning Fund Balance | \$ 215,987.30 | \$ 247,279.09 | \$ 235,638.68 |
| Total Revenue | 313,769.92 | 305,312.83 | 323,500.00 |
| Total Funds Available | <u>529,757.22</u> | <u>\$ 552,591.92</u> | <u>\$ 559,138.68</u> |
| Total Expenditure | 282,478.13 | 316,953.24 | \$ 428,103.00 |
| Ending Fund Balance | <u>\$ 247,279.09</u> | <u>\$ 235,638.68</u> | <u>\$ 131,035.68</u> |

*See Notes Below

*Notes

For funds analysis, projected use of reserve funds must be removed from the revenue total to arrive at the correct projection for ending fund balance.

| | |
|----------------------|--|
| \$ 426,900.00 | All Revenue in 2015-2017 Budget |
| \$ 1,600.00 | Projected Interest |
| <u>\$ 428,500.00</u> | Total |
| <u>\$ 105,000.00</u> | Amount of Projected Revenue from Reserve |
| \$ 323,500.00 | Amount of Projected Revenues from New Income |

2013-2015: Oregon State Landscape Architect Board

Copy of Presiding Officer's Report to Agency on Rulemaking Hearing

Date: May 10, 2013
To: Members of the Oregon State Landscape Architect Board
From: Christine Valentine, Board Administrator
Subject: Report on Rulemaking Hearing and Public Comments, 2013-2015 Budget

Hearing Date: April 18, 2013, 9 AM
Comment Deadline: April 18, 2013, 5 PM
Hearing Location: Assoc. Center, 707 13th St. SE, Salem, Oregon
Title of Proposed Rules: OAR 804-001-0002, Operating Budget
Staff Present: Christine Valentine, Administrator
Guests Present: *NONE*

The rulemaking hearing on OAR 804-001-0002, Operating Budget convened at 09:05 AM and was closed at 09:07 AM. A copy of the hearings script is maintained in the Board's office, with a hard copy in the rule file and an electronic copy in the OSLAB computer files for administrative rules.

Summary of Hearing and Public Comments

The purpose of the hearing was to provide an opportunity for public comment on the Board's budget for the 2013-2015 biennium. The budget was approved by the Board at a special budget review meeting convened March 6, 2013. The proposed effective date for the budget rule is July 1, 2013.

Notification of this rulemaking and hearing was published in the April 2013 Oregon Bulletin. Notice to interested parties, including all registrants, occurred on March 28, 2013 through a combination of email and US Mail. The proposed rule was also posted on the Board's website. All notices explained that written comments would be accepted until 5:00 PM April 18, 2013.

For the record, *no one other than staff attended the hearing; thus no oral or written comments about the proposed budget rule were received at the hearing.* Prior to the hearing date, staff responded to one request received via e-mail for a copy of the budget. This request was addressed by providing an electronic copy of the budget document via reply to the received e-mail. That same individual asked a few questions about specific line items, and staff responded with the requested information. One other request was received for a copy of the administrative rule language, and this was provided by email. No other requests or written comments about the budget were received prior to the close of the comment period on the April 18, 2013, 5:00 PM.

2015-2017: Oregon State Landscape Architect Board

Copy of Presiding Officer's Report to Agency on Rulemaking Hearing

Date: May 01, 2015
To: Members of the Oregon State Landscape Architect Board
From: Christine Valentine, Board Administrator
Subject: Report on Rulemaking Hearing and Public Comments, 2015-2017 Budget

Hearing Date/Time: April 21, 2015, 1:30 PM
Comment Deadline: April 21, 2015, 5:00 PM
Hearing Location: Assoc. Center, 707 13th St. SE, Salem, Oregon
Title of Proposed Rules: OAR 804-001-0002, Operating Budget
Staff Present: Christine Valentine, Administrator
Guests Present: *NONE*

The rulemaking hearing on OAR 804-001-0002, Operating Budget convened at 1:30 PM and was closed quickly thereafter due to lack of participants. A copy of the hearing script is maintained in the Board office.

Summary of Hearing and Public Comments

The purpose of the hearing was to provide an opportunity for public comment on the Board's budget for the 2015-2017 biennium. The budget was approved by the Board at its last quarterly meeting on February 26, 2015. The proposed effective date for the budget rule is July 1, 2015.

Notification of this rulemaking and hearing was published in the April 2015 Oregon Bulletin. Notice to interested parties, including all registrants, occurred on March 31, 2015 through a combination of email and US mail. The proposed rule was also posted on the Board's website and addressed in the Spring 2015 newsletter. All notices explained that written comments would be accepted until 5:00 PM April 21, 2015.

For the record, *no one other than staff attended the hearing; thus no oral or written comments about the proposed budget rule were received at the hearing*. Prior to the hearing date, staff received one written comment via e-mail. No other requests or written comments about the budget were received prior to the close of the comment period on the April 21, 2015, 5:00 PM.

Appendix 8 – Board Fees

Oregon State Landscape Architect Board

The Board's fee schedule is found in OAR Chapter 804 Division 40. Actual rule language is provided with underlining and bold added.

(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: \$100.00.
- (d) Application fee for Landscape Architect registration by reciprocity: \$100.00.
- (e) Initial Landscape Architect registration: \$250.00.
- (f) Annual renewal for Landscape Architect: \$250.00.
- (g) Inactive and Inactive Emeritus Annual fee: \$25.00.**

(3) Business Fees:

- (a) Application fee for business registration: \$100.00.
- (b) Initial certification as an Authorized Business Entity in Landscape Architecture: \$112.50.
- (c) Annual renewal fee for an Authorized Business Entity in Landscape Architecture: \$112.50.

(4) Miscellaneous Fees:

- (a) Late fee: \$100.00 for each delinquent year.
- (b) Duplicate certificate: \$50.00.
- (c) Fee for registrant list: \$50.00.

*=changed to a one-time fee for all exam sections effective 11/19/2014 instead of a \$50 fee per section 3 and 4 plus retakes

** = \$25 fee was added effective 9/1/2015 for regular Inactive registration. \$25 previously in place for Emeritus Inactive Registration

Appendix 9, 2013-2015 Rulemaking Activities

| Oregon State Landscape Architect Board | | | | | | | | |
|--|--|--|---------------------------|-----------------------|--------------------------------------|----------------|---------------------------------------|----------------|
| Administrative Rule Amendments Adopted 07/01/2013-6/30/2015 ⁺ | | | | | | | | |
| # | Rule Citation | Rule Title & Description of Change | Type (Perm, Temp, Delete) | Notice in OR Bulletin | Board Public Hearing Date | Board Adoption | SOS Filing Date | LC Filing Date |
| 1 | 804-001-0002 | <u>Biennial Budget</u> : Adopted biennial budget for 2015-2017 via amendment of maximum expenditure amount in rule. | Perm | 04/2015 | 04/21/2015 | 05/14/2015 | 05/22/2015 effective 07/01/2015 | 05/27/2015 |
| 2 | 804-001-0020 | <u>Public Records Requests</u> : Amended to ensure full compliance with Public Records Law and to provide clear information on process and fees. | Perm | 07/2015 | 07/24/2015 | 08/13/2015 | 8/17/2015 effective 09/01/2015 | 08/20/2015 |
| 3 | 804-003-0000 <i>Amendments adopted 12/2013 were first adopted as temporary rule at the end of the 2011-2013 biennium.</i> | <u>Definitions</u> : Amended definition of “in good standing” to provide Board more flexibility in working with registrants pursuing a switch to inactive registration status. | Perm | 09/2013 | N/A (comment deadline was 9/23/2013) | 12/12/2013 | 12/12/2013 | 12/16/2013 |
| | | Amended definition of “direct supervision” and added definition for “year” to provide more flexibility in evaluation of candidate work experience | Perm | 10/2014 | 10/24/2014 | 11/13/2014 | 11/19/2014 | 11/21/2014 |
| 4 | 804-010-0000 | <u>Examination Qualifications</u> : Part of comprehensive update to examination requirements & procedures to streamline path to licensure for candidates | Perm | 10/2014 | 10/24/2014 | 11/13/2014 | 11/19/2014 | 11/21/2014 |
| 5 | 804-010-0010 | <u>Equivalent Education & Experience</u> : Part of comprehensive update to examination requirements & procedures to streamline path to licensure for candidates | Perm | 10/2014 | 10/24/2014 | 11/13/2014 | 11/19/2014 | 11/21/2014 |
| 6 | 804-010-0020 | <u>Experience in Lieu of Education</u> : Part of comprehensive update to examination requirements & procedures to streamline path to licensure for candidates | Perm | 10/2014 | 10/24/2014 | 11/13/2014 | 11/19/2014 | 11/21/2014 |

Appendix 9, 2013-2015 Rulemaking Activities

| | | | | | | | | |
|----|--------------|---|------|---------|------------|------------|------------|------------|
| 7 | 804-020-0001 | <u>Landscape Architect Registration Examination (LARE)</u> : Part of comprehensive update to examination requirements & procedures to streamline path to licensure for candidates | Perm | 10/2014 | 10/24/2014 | 11/13/2014 | 11/19/2014 | 11/21/2014 |
| 8 | 804-020-0003 | <u>Application & Prior Approval</u> : Part of comprehensive update to examination requirements & procedures to streamline path to licensure for candidates | Perm | 10/2014 | 10/24/2014 | 11/13/2014 | 11/19/2014 | 11/21/2014 |
| 9 | 804-020-0005 | <u>Reapply for Exam</u> : Part of comprehensive update to examination requirements & procedures to streamline path to licensure for candidates | Perm | 10/2014 | 10/24/2014 | 11/13/2014 | 11/19/2014 | 11/21/2014 |
| 10 | 804-020-0010 | <u>Date of Application & Prior Approval Request Receipt</u> : Part of comprehensive update to examination requirements & procedures to streamline path to licensure for candidates | Perm | 10/2014 | 10/24/2014 | 11/13/2014 | 11/19/2014 | 11/21/2014 |
| 11 | 804-020-0015 | <u>Refunds</u> : Part of comprehensive update to examination requirements & procedures to streamline path to licensure for candidates | Perm | 10/2014 | 10/24/2014 | 11/13/2014 | 11/19/2014 | 11/21/2014 |
| 12 | 804-020-0030 | <u>Date of Exams</u> : Part of comprehensive update to examination requirements & procedures to streamline path to licensure for candidates | Perm | 10/2014 | 10/24/2014 | 11/13/2014 | 11/19/2014 | 11/21/2014 |
| 13 | 804-020-0045 | <u>Notice of Score</u> : Part of comprehensive update to examination requirements & procedures to streamline path to licensure for candidates | Perm | 10/2014 | 10/24/2014 | 11/13/2014 | 11/19/2014 | 11/21/2014 |
| 14 | 804-022-0000 | <u>Landscape Architect in Training</u> : Housekeeping changes to clarify aspects of this registration type that were addressed at same time as comprehensive update to examination requirements & procedures. | Perm | 10/2014 | 10/24/2014 | 11/13/2014 | 11/19/2014 | 11/21/2014 |

Appendix 9, 2013-2015 Rulemaking Activities

| | | | | | | | | |
|-----------|---|--|------------|---------|--------------------------------------|------------|---------------------------------------|------------|
| 15 | 804-022-0005 <i>Amendments adopted 12/12/2013 were first adopted as temporary rule at the end of the 2011-2013 biennium.</i> | <u>Initial Landscape Architect Registration not by Reciprocity:</u> Rewrite of rule to better clarify application contents and various paths to licensure with respect to exams, education, and work experience requirements | Perm | 09/2013 | N/A (comment deadline was 9/23/2013) | 12/12/2013 | 12/12/2013 | 12/16/2013 |
| 16 | 804-022-0010 <i>Amendments adopted 12/12/2013 were first adopted as temporary rule at the end of the 2011-2013 biennium.</i> | <u>Landscape Architect Registration by Reciprocity:</u> Rewrite of rule to better clarify application contents and specific additional paths to licensure similar to initial registration (804-022-0005) with respect to exams, education, and work experience requirements | Perm | 09/2013 | N/A (comment deadline was 9/23/2013) | 12/12/2013 | 12/12/2013 | 12/16/2013 |
| 17 | 804-022-0015 | <u>Initial Date of Registration & Renewal:</u> Housekeeping changes to clarify how initial registration and renewal dates are set and addressed at same time as comprehensive update to examination requirements & procedures. | Perm | 10/2014 | 10/24/2014 | 11/13/2014 | 11/19/2014 | 11/21/2014 |
| 18 | 804-022-0020 | <u>Late Renewal & Reinstatement:</u> Amended to provide greater clarity about renewal timelines and when a registration is deemed lapsed and subject to reinstatement process. Also reduced the requirements for reinstatement of lapsed registration. | Perm | 07/2015 | 07/24/2015 | 08/13/2015 | 08/17/2015 effective 09/01/2015 | 08/20/2015 |
| 19 | 804-022-0025 | <u>Inactive & Inactive Emeritus Status:</u> Amended to provide greater clarity about Inactive vs. Active status and to expand rule to address standard Inactive status and not just Inactive Emeritus status. Made it easier for registrants to qualify for Inactive Emeritus status. (See also 804-040-0000 for related fee change.) | Perm | 07/2015 | 07/24/2015 | 08/13/2015 | 08/17/2015 effective 09/01/2015 | 08/20/2015 |
| 20 | 804-022-0030 | <u>Required Application Information:</u> Adopted to provide clarity to applicants and registrants about legal basis for Board requirement for Social Security | Perm (new) | 07/2015 | 07/24/2015 | 08/13/2015 | 08/17/2015 effective 09/01/2015 | 08/20/2015 |

Appendix 9, 2013-2015 Rulemaking Activities

| | | | | | | | | |
|---|---|---|-------|---------|--------------------------------------|------------|---------------------------------------|------------|
| | | Numbers to be on file for registrants. | | | | | | |
| 21 | 804-025-0010 <i>This was first adopted as temporary rule at the end of the 2011-2013 biennium.</i> | <u>Continuing Education Requirements:</u> Clarified that a registrant may request inactive status in relation to a request for a continuing education exemption; also specifies parameters related to inactive status. | Perm | 09/2013 | N/A (comment deadline was 9/23/2013) | 12/12/2013 | 12/12/2013 | 12/16/2013 |
| 22 | 804-030-0000 | <u>Seal of the Landscape Architect:</u> Corrected a numbering sequence problem | Minor | N/A | N/A | 08/13/2015 | 08/17/2015 email to SOS | N/A |
| 23 | 804-040-0000 | <u>Fees:</u> Amended to add a fee for maintenance of administrative record for registrant on standard Inactive practice. Board already had a fee in place for this for registrant on Inactive Emeritus status and determined the administrative work is the same for each status. | Perm | 07/2015 | 07/24/2015 | 08/13/2015 | 08/17/2015 effective 09/01/2015 | 08/20/2015 |
| | | Changed exam-related application fee to one-time fee instead of per exam section fee. | Perm | 10/2014 | 10/24/2014 | 11/13/2014 | 11/19/2014 | 11/21/2014 |
| + OSLAB adopted one new rule (#20) during the reporting period. All other rule actions were amendments to existing rules. | | | | | | | | |
| OSLAB also completed 5 year reviews per ORS 183.405 of the following rules: 804-022-0025, 804-025-0015, 804-020-0030, 804-025-0035, 804-027-0005, 804-030-0003, and 804-035-0040. | | | | | | | | |

Appendix 10, Enforcement Activities 2013-2015

| | ORS 182.472(5) | Opened 2011-2013 Biennium & Closed 2013-2015 Biennium | Opened & Closed 2013-2015 Biennium | Opened 2013-2015 Biennium & Closed 7/1/2015 - 12/31/2015 |
|-------------|---|---|--|--|
| (5)(e)-(g)# | & TYPES OF INVESTIGATIONS & RESOLUTIONS | | | |
| | Total Registrants (Individuals/Firms) Investigated | 7* | 3** | 2*** |
| | Total Unregistered (Individuals/Firms) Investigated | 3 | 5 | 1 |
| | Types of investigations/issues; | | | |
| | Unregistered individual using title or advertising LA services | 3 | 1 | 1 |
| | Unregistered business & LA services (advertisement/other action) | 0 | 3 | 1 |
| | Business failure to verify no longer providing LA services | 0 | 0 | 0 |
| | Business representing unregistered employees as LAs | 0 | 0 | 0 |
| | Failure of a city/public entity to secure services from LA | 0 | 0 | 0 |
| | Citizen complaint of poor work product (registrant or non-registrant) | 0 | 1 | 0 |
| | Other, including professional code of conduct | 7 | 3 | 1 |
| | Types of Resolutions | | | |
| | Case Dismissed, Allegations Unfounded | 0 | 3 | 0 |
| | Closed with No Action or Issue Resolved Without Action | 1 | 1 | 2 |
| | Outreach Letter Issued | 0 | 0 | 0 |
| | Letter of Concern Issued | 9 | 2 | 1 |
| | Notice of Intent/Final Order | 0 | 0 | 0 |
| | Settlement Agreement | 0 | 2 | 0 |
| | <i>Penalty Imposed as Part of Final Order or Settlement Agreement</i> | 0 | 2 | 0 |

Appendix 10, Enforcement Activities 2013-2015

| | | | | |
|--------|--|-----------|-----------|-----------|
| (5)(h) | # & TYPE OF SANCTIONS IMPOSED | | | |
| A | Disciplinary Action (reprimand, cont. educ., peer review, suspension, revocation, etc.) | 0 | 0 | 0 |
| B | Civil Penalty | 0 | 2 | 0 |
| (5)(i) | # DAYS STARTING INVESTIGATION TO RESOLUTION | | | |
| | Total | 246 | 161 | 93 |
| | Range | 78 to 575 | 92 to 413 | 59 to 160 |
| NOTES | <p>* One complaint was filed against 3 Registered Landscape Architects and thus is counted here as 3 cases. ** One case was filed against 2 Registered Landscape Architects and thus is counted here as 2 cases. *** One case was filed against 2 Registered Landscape Architects and thus is counted here as 2 cases. Average investigation timeframe for all cases reported above is 191 days. Range of days per case was 59 to 575. Only 2 cases took longer than 6 months for the investigations to be completed and resolutions reached. Those cases were complex and required independent expert reviewers which significantly extended the investigation timeframes.</p> | | | |

Appendix 12, Operations Data

Oregon State Landscape Architect Board

| Biennia | Positions | FTE | Board Meetings | # Registrants on 6/30 [@] (close of biennium) | | Board Stipend | Administrator Salary* \$/Month on 6/30 (close of biennium) |
|--|---------------------|-----|----------------|---|-----------------|---------------|--|
| | | | | Individuals | Firms/ Business | | |
| | | | | | | | |
| 2005-2007 | Contract with OSBGE | n/a | 10 | 427 | 158 | 0 | n/a |
| 2007-2009 | Contract with OSBGE | n/a | 12 | 489 | 220 | \$30/day | n/a |
| 2009-2011 | Contract with OSBGE | n/a | 15 | 471 | 201 | \$50/day | n/a |
| 2011-2013 | Contract with OSBGE | n/a | 10 | 477 | 209 | \$50/day | n/a |
| 2013-2015 | Contract with OSBGE | n/a | 11 | 495 | 193 | \$50/day | n/a |
| <i>#s in italics are estimates</i> 2015-2017 | Contract with OSBGE | n/a | <i>10</i> | <i>516</i> | <i>225</i> | \$50/day | <i>n/a</i> |

**OSLAB receives administrative services via contractual agreement with Oregon State Board of Geologist Examiners (OSBGE). OSBGE sets the staff salary and benefits package.*

@ Registrants must renew their registrations annually.