



# Oregon

Kate Brown, Governor

## State Board of Architect Examiners

205 Liberty St. NE, Suite A

Salem, OR 97301

503-763-0662

[www.osbae.com](http://www.osbae.com)

March 4, 2021

TO: Oregon Registered Architects & Architectural Firms

FROM: Oregon State Board of Architect Examiners

SUBJECT: Notice of Proposed Rulemaking & Hearing  
2021-2023 Budget & Proposed Fee Increases

### What is Proposed?

At its February 19, 2021 meeting the Oregon State Board of Architect Examiners initiated rulemaking to amend OAR 806-001-0003 (Biennial Budget) and 806-010-0105 (Fee Schedule). This began the rulemaking process for approval of the proposed 2021-2023 biennial budget.

To ensure its finances for the coming years, the Board is proposing a fee increase for firms effective July 1, 2021 and a fee increase for individuals effective July 1, 2022. Please note that individual fee increases proposed to take effect on July 1, 2022 (year 2 of the biennial budget) are not included in this proposed rulemaking.

### Why Fee Increases?

The Board is proposing fee increases in order to provide sufficient operating revenues for 2021-2023 and to help safeguard the continued financial solvency of the Board. The Board proposed the increases in consideration of anticipated expenditures for maintaining existing operations in the 2021-2023 budget. Firm registration/renewal fees were last increased in 1998 and 2002 respectively. In an effort to fully balance the budget, the Board anticipates proposing fee increases for individuals in 2022. Individual registration fees were last increased in 1998 and renewal fees were last increased in 2002.

Board revenues have not kept pace with operating expenses since 2013, but the Board chose to fund the deficits using its financial reserves. Rather than immediately raising fees when the imbalance in revenues and expenses emerged, the Board spent down its financial reserves. Expenses are predicted to outpace revenue for the next two biennia

and the reserves are no longer a feasible source for covering deficits. The proposed fee increases are designed to rebalance the budget while still maintaining an adequate level of reserves to cover nine months of expenses.

As a semi-independent state agency the Board is required to collect fees to cover its operating costs. No state General Fund dollars are available to the Board, which is why Board policy requires the maintenance of a limited financial reserves fund. With the number of new and renewing firms and individuals fluctuating year to year, the Board believes these increases bring the necessary stability to maintain the Board's mission of public health, safety and welfare.

Below is a summary of existing fees and the proposed fees for firms and individuals. The Board's 2019-2021 budget and the proposed 2021-2023 budget are available on the Board's website under Quick Links at [www.osbae.com](http://www.osbae.com).

#### **Proposed Increases for Firms, Effective July 1, 2021**

| <b>FEE TYPE</b>                                | <b>CURRENT FEE</b> | <b>PROPOSED FEE</b> |
|--|--------------------|---------------------|
| Architectural Firm Application                 | \$75               | \$100               |
| Architectural Firm Certificate of Registration | \$100              | \$200               |
| Architectural Firm Registration Renewal        | \$100              | \$200               |
| Architectural Firm Late Renewal                | \$100              | \$150               |
| Architectural Firm Reinstatement Application   | \$0                | \$100               |
| Architectural Firm Registration Reinstatement  | \$400              | \$400               |

#### **Proposed Increases for Individuals, Effective July 1, 2022 (provided for informational purposes; individual fee increases are not included in this rulemaking)**

| <b>FEE TYPE</b>                               | <b>CURRENT FEE</b> | <b>PROPOSED FEE</b> |
|---|--------------------|---------------------|
| Examination Application                       | \$75               | \$75                |
| Certificate of Registration by Examination    | \$100              | \$100               |
| Reciprocal Application                        | \$75               | \$100               |
| Certificate of Registration by Reciprocity    | \$100              | \$200               |
| Architect Certificate of Registration Renewal | \$200 (2 year)     | \$240               |
| Late Certificate of Registration Renewal      | \$100              | \$150               |
| Late Continuing Education                     | \$100              | \$240               |
| Architect Reinstatement Application           | \$0                | \$100               |
| Architect Registration Reinstatement          | \$400              | \$400               |

## How to Comment

The Board invites public comments on the proposed rule amendments. Public comments received will be reviewed by the Board at its April 16, 2021 meeting.

- **Rule Hearing:** A public hearing to submit verbal comments on the proposed rule amendments will be held on **March 23, 2021 at 1:30**. Due to COVID-19 restrictions the hearing will be held via videoconference. Please contact Lisa Howard at [lisa@osbae.com](mailto:lisa@osbae.com) or (503) 763-0662 x 5 for information on how to join the virtual rule hearing.
- **Comment Deadline:** Written comments may be submitted via email to [lisa@osbae.com](mailto:lisa@osbae.com) or by mail to OSBAE, 205 Liberty St NE, Suite A, Salem, OR 97301. The deadline for receipt of written comments is **March 26, 2021 at 4:30 p.m.**



**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 806  
STATE BOARD OF ARCHITECT EXAMINERS

**FILED**

02/24/2021 3:43 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: 2021-2023 Biennium budget, fee increases

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 03/26/2021 4:30 PM

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

CONTACT: Lisa Howard  
503-763-0662, Ext. 5  
lisa@osbae.com

205 Liberty Street NE, Suite A  
Salem, OR 97301

Filed By:  
Lisa Howard  
Rules Coordinator

**HEARING(S)**

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

DATE: 03/23/2021

TIME: 1:30 PM - 2:30 PM

OFFICER: Lisa Howard

ADDRESS: Oregon State Board of  
Architect Examiners

Virtual Meeting

205 Liberty Street NE, Suite A  
Salem, OR 97301

**SPECIAL INSTRUCTIONS:**

Please contact lisa@osbae.com for  
information on how to join the virtual  
meeting.

**NEED FOR THE RULE(S):**

Adopt the 2021-2023 biennial budget and increase fees to be in alignment with that budget.

**DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:**

ORS 671 and OAR 806 are available at [www.osbae.com](http://www.osbae.com). The proposed 2021-2023 budget is available by emailing lisa@osbae.com.

**FISCAL AND ECONOMIC IMPACT:**

The proposed fee increases are as follows (from current to proposed fee): Architectural firm application (\$75 to \$100); architectural firm certificate of registration (\$100 to \$200); architectural firm registration renewal (\$100 to \$200); architectural firm late renewal (\$100 to \$150); architectural firm reinstatement application (\$0 to \$100).

#### COST OF COMPLIANCE:

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

(1) There is a fiscal impact, but it does not affect the General Fund as the fees are dedicated revenues solely for the administration of the programs of the Oregon State Board of Architect Examiners. The fees affect registered architectural firms, architectural firm applicants, and firms applying for reinstatement.

(2)(a) Estimates on the number of businesses subject to the rules are as follows:

Architectural firm applicants, 72 per year

New architectural firm registrants, 63 per year

Architectural firm registration renewals, 731

Architectural firm late renewals, 24 per year

Architectural firm reinstatement applicants, 8 per year

(b) The reinstatement application is a new fee that would have a minimal to no effect on reporting, recordkeeping and administrative activities.

(c) There will be minimal to no costs for professional services, equipment supplies, labor or increased administration to comply with the rules.

---

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

The Board is comprised of 5 registrants and 2 public members, which includes small business representation.

---

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

The budget and fee increases were discussed at a public Board meeting. The proposed rules will be distributed to all actively registered architects and architectural firms and input will be obtained via the public hearing and public comment process.

---

#### RULES PROPOSED:

806-001-0003, 806-010-0105

AMEND: 806-001-0003

RULE SUMMARY: Establishes the Oregon State Board of Architect Examiner's budget for the 2021-2023 biennium.

#### CHANGES TO RULE:

806-001-0003

Biennial Budget ¶

Pursuant to the provisions of ORS 182.462, the Board adopts by reference its ~~2021-2023~~ 2021-2023 Biennial Budget of ~~\$1,459,467,554,085~~ covering the period July 1, ~~2021~~, through June 30, ~~2023~~. The Board's Executive Director will amend budgeted accounts as necessary, within the approved budget of ~~\$1,459,467,554,085~~, for the effective operation of the Board. The Board will not exceed the approved total budget amount without amending this rule, notifying holders of certificates of registration, and holding a public hearing. Copies of the budget are available from the Board's office.¶

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 671.120, 671.125, 182.462, 183.705

Statutes/Other Implemented: ORS 671.125, 182.462

AMEND: 806-010-0105

RULE SUMMARY: Adjusts select fees in order to provide sufficient operating revenues for 2021-2023 and to help ensure the continued financial solvency of the Board. The Board proposed the increases in consideration of anticipated expenditures for maintaining existing operations in the 2021-2023 budget. Firm registration fees were last increased in 1997 and 2002. In order to fully balance the budget the Board anticipates proposing fee increases for individuals in 2022.

CHANGES TO RULE:

806-010-0105

Fee Schedule ¶¶

- (1) Examination Application - \$75; ¶¶
- (2) Reciprocal Application - \$75; ¶¶
- (3) Architect Certificate of Registration - \$100; ¶¶
- (4) Architect Certificate of Registration Renewal - \$200; ¶¶
- (a) Late Certificate of Registration Renewal - \$100; ¶¶
- (b) Late continuing education - \$100; ¶¶
- (c) Architect Certificate of Registration Reinstatement - \$400; ¶¶
- (5) Architectural Firm Application - ~~\$75~~100; ¶¶
- (6) Architectural Firm Certificate of Registration - ~~\$1200~~; ¶¶
- (7) Architectural Firm Certificate of Registration Renewal - ~~\$1200~~; ¶¶
- (a) Architectural Firm Late Renewal - ~~\$1050~~; ¶¶
- (b) Architectural Firm Reinstatement Application - \$100¶¶
- (c) Architectural Firm Certificate of Registration Reinstatement - \$400; ¶¶
- (8) Miscellaneous: ¶¶
- (a) Duplicate Certificate of Registration or Decorative Wall Certificate - \$25; ¶¶
- (b) Copying charges - \$0.25 per page; ¶¶
- (c) Certified Verification of Registration - \$10.

Statutory/Other Authority: ORS 671.125

Statutes/Other Implemented: ORS 671.085