

**Pursuant to ORS 182.472,
A Report of the Work of the Board
from 7/1/2007 to 6/30/2009**

Submitted by the

**OREGON STATE
LANDSCAPE ARCHITECT BOARD**

to

**The Governor,
The President of the Senate,
The Speaker of the House of Representatives, and
The Legislative Fiscal Office**

December 31, 2009

Prepared by:
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OREGON STATE LANDSCAPE ARCHITECT BOARD'S

Report to

The Governor,

The President of the Senate,

The Speaker of the House of Representatives, and

The Legislative Fiscal Office

Reflecting the work of the Board from July 1, 2007 to June 30, 2009

Submitted December 31, 2009

I. INTRODUCTION:

The Oregon State Landscape Architect Board (OSLAB) is a regulatory Board initially established in 1968 and re-empowered by ORS 671.312 in 1982 after a one-year sunset “to safeguard public health, safety, welfare and property and to eliminate unnecessary loss and waste in this state. These safeguards are in the practice of landscape architecture as it relates to engineering, architecture, ground water, land use planning, landscape hazards, the future development of the practice of landscape architecture and the landscape architectural concerns of the people of this state.” The seven-member Board has been carrying out its responsibilities as a semi-independent regulatory Board since Senate Bill 546 was passed by the 1997 Legislative Assembly and signed into law by Governor Kitzhaber on July 25, 1997. See **APPENDIX I** for current Board membership.

In carrying out its responsibilities, OSLAB scheduled eight quarterly Board meetings for the biennium but convened three additional times for a total of eleven meetings. Board Committees are an integral component for carrying out the work of the Board. The Continuing Education Committee, the Rules Advisory Committee, and the Compliance Committee met on a quarterly basis to evaluate assigned information. The Licensure Review Committee regularly reviews registration application information so that qualified applicants may become registered to practice when all required information is processed. See **APPENDIX 2** for committee assignments.

II. AUDIT

The Secretary of State's Office contracted with Moss Adams, CPA of Eugene, Oregon to complete an audit of the 2007-09 biennium. The audit was conducted October 21 and 22, 2009. A copy of the draft audit is enclosed as the final copy has not yet been received by the Board. Please note that the page numbering of the document is incorrect. The “Notes to financial statements” are actually pages 5-9, not 5-11 as indicated in the **Contents**. The **Contents** also lists the “Supplemental Information” as pages 12-13. Those pages should be 10-11. No pages numbered 12 and 13 are included in the draft report. The final copy should be available on the Secretary of State's web site when this report is read and processed. See **APPENDIX 3**.

On page 14 of the enclosed draft audit, it is recommended that “management and the Agency’s governing body should assess the adequacy of the design of its policies and procedures related to preparation of financial statements and design appropriate controls as necessary to rectify inadequacies.” The auditors are concerned that the financial statements prepared for the audit are compiled by staff that lacks knowledge of GAAP requirements. This concern will be presented to the Board at its February 2010 Board meeting.

III. BUDGET INFORMATION:

The following budget information is enclosed: the adopted and actual figures for the audited biennium of 2007-09; the adopted budget for the 2009-11 biennium with an estimated ending fund balance; and the actual budget figures for the 2005-07 biennium. **See APPENDIX 4.**

The Fund Analysis provides both the beginning and ending balances for all three biennia discussed in this report. **See APPENDIX 5.**

The BALANCE SHEET as of June 30, 2009, supports the Ending Fund Balance for the audited 2007-09 Financial Statement. **See APPENDIX 6.**

The 2009-11 ending fund balance is a projection based on budgeted amounts. A copy of the actual financial information for the first quarter of the 2009-11 biennium versus the total budget is included. **See APPENDIX 7.**

INCOME: The *income* for the work of the Board comes from annual registration fees for individuals and businesses. The Board acquires income from application fees for new businesses, initial landscape architect registrations, and examinations. The Board also collects an examination fee for the two national examinations which it administers. All exam fees are passed through to the national office.

During the 2007-09 biennium, an increase in examination revenue occurred for two reasons: a greater number of applications were received than projected and the exam fee was incrementally increased by the national office. Although the actual income from the exam application fee decreased from the 05-07 to the 07-09 biennium, the 07-09 total was greater than the budgeted amount. It is unknown why an increase in examinations occurred during the 2007-09 biennium. The Board does not anticipate that this trend will continue but the budget includes a small increase in exam application fee revenue due to the trend of the two prior biennia.

An increase in individual Landscape Architect renewals also occurred. The adopted 07-09 budget anticipated a decline in registration renewals. But an increase of almost \$5000 occurred. When candidates pass the examination, they also become registered. The unexpected increase in exam candidates ultimately led to an increase in registration income.

Although the 07-09 income from firm renewal fees was up from the 05-07 firm renewal fees, it was almost exactly on the budgeted amount for 07-09. The database system now allows

tracking of businesses so staff is able to follow-up on the business registration requirement. The 09-11 budget anticipates a substantial increase in the business fee. This figure was predicated on a total business number which anticipated additional businesses while maintaining those already registered. But in the 09-11 biennium, the Board is already experiencing a decline in business registrations, so the adopted figure may be highly inflated. This projected income figure should have been similar to the 05-07 and 07-09 biennium. Effective July 1, 2009, the Board changed this fee to an annual collection rather than a biennial collection. This will allow for better income projection in the next biennium and allows the Board to better track current active businesses.

During the 07-09, the Board collected a \$5000 civil penalty for the unlicensed practice of landscape architecture. Such income cannot be anticipated, and when a civil penalty is collected, the message to other possible violators regarding enforcement of the landscape architecture laws could prevent future penalties when others recognize the practice requires registration. No civil penalty is budgeted in the 09-11 biennium.

EXPENSES: The actual 07-09 expenses were down approximately \$21,000 from the budgeted amount. The Board budgeted \$1000 per month for 24 months for Attorney General legal fees but expended only \$12,000 for the biennium. Risk Management Insurance was \$1500 less than budgeted and the audit was \$2500 less than budgeted. The training budget left \$2000 unspent while the temp employee category did not expend approximately \$2000. Stipends for Board members were down \$2300. These items account for the under spent budget amounts.

The Board experienced an unbudgeted +\$7000 expense for PERS payments not submitted prior to December of 2004. At that time the Board was responsible for payroll and associated expenses which included monthly PERS payments.

The Board also experienced a second year increase in the Interagency Agreement with the Oregon State Board of Geologist Examiners for administration of the Board. The administration fee is based on personnel costs. An increase in Administrator salaries mandated through the Governor's office but not known at the time the budget was developed led to the resulting increase in year two of the Interagency Agreement.

The adopted budget for 09-11 increased from the 07-09 adopted budget. During budget deliberations, Board member stipends were raised from \$30 per meeting to \$50 per meeting increasing the Board stipend budget by \$3000. The Interagency Agreement for administration of the Board office was increased by \$22,000 to cover increased costs of health insurance and salary adjustments due to a job reclassification for a half-time position and adjustments to the Administrator's salary schedule which were not previously paid. In addition, the Board office relocated and the lease for office space increased from \$7500 to \$12,300. Part of that increase was offset by a reduction of \$2000 for exam rental space as the new location has examination space available.

HEARING PROCESS: A Public Rulemaking Hearing was convened on June 5, 2009 for purposes of accepting comments on the 2009-11 budget drafted and approved by the Board. Particulars about the budget process can be found in the Report on the Haring. **See APPENDIX 8.**

IV. FEES:

Board fees are listed in the Oregon Administrative Rules, OAR 804-0040-0000. Any revisions to the fee schedule must be processed through a Public Rule Making Hearing. Because the Board does not set the national examination fee, the criterion for establishing that fee is noted in the fee OAR. **See APPENDIX 9.**

The Board did not increase any fees in the 2007-09 biennia. A small fee increase in two sections of the examination administered by the Board did occur because those fees are established by the national office. The Board again considered a decrease in the business fee, but determined that the uncertain economic times did not lend itself to decreasing fees at this time. The Rules Advisory Committee supported this position of the Board.

V. RULEMAKING PROCESS:

The Board worked with fifteen Administrative Rules over the course of the biennium. The Rules Advisory Committee worked diligently in providing review and input to the rule revisions. **See APPENDIX 10.**

A major undertaking was to rewrite OAR 804, Division 50, Code of Professional Conduct. During the revision process, the Code was separated into sections of responsibility: to the Board, to the employer, to the profession. The Board also established the duties, powers, and functions of a Landscape Architect-in-Training. The Board also began research on signing and stamping in the digital era, but new language was not completed within the reporting biennium.

VI. CONSUMER PROTECTION:

The Board has fully implemented its auditing system of Registered Landscape Architects for the continuing education requirement. The continuing education requirement ensures that registrants remain informed and educated about health, safety, and welfare issues so that the consumer can be better protected. Twelve hours of annual continuing education are required to renew registration with the Board. Of the twelve hours, nine hours must relate to health, safety, and welfare.

During the 07-09 biennium, the Oregon State Landscape Architect Board (OSLAB) has been in contact with its Policy Advisor informing him of its concern about the expansion of the scope of practice of landscape contractors. OSLAB has strong concerns that this expansion fails to protect the consumer. The concern was referenced in the 2005-07 biennial report. The Board subsequently addressed the Landscape Contractors Board (LCB) on September 21,

2008 in response to an LCB Administrative Rule implementing the expansion. The Board's five-page statement outlined the requirements for obtaining a Landscape Architect registration which includes passing rigorous national examinations and acquiring supervised experience. The statement alerted LCB about the knowledge, skills and abilities required to practice landscape architecture. The statement can be located on the Board's web page: <http://www.oregon.gov/LANDARCH/pdfs/TestimonytoOLCBNovember212008Final.pdf>.

Subsequent follow-up meetings were convened with landscape contractors and Landscape Architects for ongoing discussions about OSLAB's concerns. At this time, it does not appear that any change has been affected and the issue remains a concern to OSLAB. The concern will be carefully monitored through compliance cases.

During another compliance case, the Board was unable to enforce its statutory requirement under ORS 671.412, Public Contract Requirements due to an exemption clause. The Board was concerned about upholding consumer protection. The loophole will be closed effective January 1, 2010. The Board will then be able to enforce the requirements of ORS 671.412 and move forward with consumer protection.

The Board also closed a compliance case with a civil penalty against a non-registered individual that prepared landscape architecture work products in his business without a Landscape Architect on staff. Over more than a two-year period the Board pursued compliance. The individual now employs a Landscape Architect.

Many phone book yellow pages carry advertisements under Landscape Architecture for non-registered individuals. The consumer is not protected when unqualified people are presented as qualified. The Board has communicated with many individuals through the compliance process and yellow pages have been informed of the dilemma they have created.

The Board continues to publish a quarterly newsletter which is posted on the Board's website. The newsletter is also issued to all cities and counties in Oregon to keep them aware of the regulation of the practice of landscape architecture.

The Board website contains a listing of all current registrants and businesses. This listing is updated monthly. Consumers have access to this information 24/7. The Board is currently developing a format and policy for communicating enforcement action.

VII. LICENSURE ACTIVITIES:

The Board administers three types of registrations: Landscape Architect, Landscape Architect-in-Training, and Businesses that offer landscape architecture services. **See APPENDIX 11.**

Registration applications from the 05-07 to the 07-09 biennium reveal that there has been an increase in both the new Landscape Architects and Landscape Architects-in-Training. The numbers of registrations issued increased the total number of registrants from the 05-07 to

the 07-09 biennium by over 100. However, during the 07-09 biennium, from year 1 to year 2, non-renewing increased from 3% to 6%. A trend was noted in that about 2% of those non-renewing in year 2 moved to an inactive status. There is no fee associated with an inactive registration.

The Board continues to administer two sections of the national examination two times each year over a two-day period. Processing application packets, evaluating qualifications, and following up with deficiencies of the applicants is the responsibility of the Board. The candidate numbers increased for both sections of the examinations. This supports the increase in registration numbers that also occurred during 07-09.

This biennium, the Board began requiring pre-approval for individuals sitting for the three on-line exams administered by the national office. This allows the Board to confirm that the degree requirement has been met by any individual seeking to sit for the on-line exam at an Oregon site. Although the Board charges no fees for the approval process, staff has an increased workload as staff must process the request, review transcripts, enter information in the database, provide written notification to each individual, and notify the national office that the individual has met the standard. Forty-nine applications were processed this biennium.

VIII. ENFORCEMENT ACTIVITIES:

Although no complaints were submitted against Registered Landscape Architects, the Board did open forty-two cases. **See APPENDIX 12.**

The goal of the Board through outreach and education is to bring respondents into compliance. The Board did issue one civil penalty against a non-registered individual. The Board communicated for over two years with the person about violations. In the end, the attempt to work through outreach and education was not successful and a civil penalty was assessed. That individual subsequently hired a Landscape Architect so that his company could offer landscape architecture services.

One company presented a non-registered individual as a Landscape Architect in numerous RFPs. The Board informed the company of the violations and requested that the individual seek registration or cease being identified as a Landscape Architect. The individual became registered. The company's marketing department was educated about the requirement of registration when individuals are presented as Landscape Architects.

Many of the enforcement cases involved the use of the landscape architecture title through advertising in the yellow pages and on web sites. The respondents in the yellow page cases were generally not aware that the yellow page advertisements had occurred and worked with the Board by contacting the yellow pages publisher. The Board was able to close these cases because the respondents, primarily registrants of the Landscape Contractor Board, quickly responded to and sought correction of the Board's concern. The Board focused on educating individuals about their responsibility to monitor advertisements to comply with the law.

During an investigation related to a city project in violation of ORS 671.412, the Board discovered a loophole in its statute. Because the discovery was made after the deadline for submission of Legislative Concepts, a volunteer from the Board's Compliance Committee approached the Landscape Contractor's Board which facilitated a statute change through its legislation in the 2009 session. This will allow the Board to enforce ORS 671.412, the public contract requirement.

With the updating of the database and through the compliance process, the Board was able to identify registrants working for unregistered businesses offering the services of landscape architecture. Many unregistered businesses became registered. In preparing a notice to implement a civil penalty against a registrant for failing to register a business offering landscape architecture services, the Board again became aware of the need to revise rules for enforcement purposes. The Compliance Committee is faced with additional evaluation and attorney consultation to resolve this enforcement issue.

During this biennium, the Compliance Committee greatly reduced the number of days to resolve cases. By working with the Board's attorney in enforcement actions, the Board's understanding of its rules and laws has been expanded. By correcting the statutory loophole and revising the Administrative Rules, the Compliance Committee should be able to resolve future compliance cases in a timelier manner.

IX. OTHER ACTIONS

In February and September of each year, the Administrator and a Board Member(s) have attended the national meetings where they participate in training events, Regional Meetings, and convocations. Networking with other states has broadened the Oregon participant's knowledge of the national examination development process, the grading of the examination, practice issues faced by other states, and regional issues. The Board is also regularly represented in the two Regional teleconference meetings held each year. The national office developed a new database over the past two years and relied on input from staff.

In February 2009, the Board Administrator co-presented a training module at the national meeting convened in Charleston, South Carolina on "Hurdles to Implementing the Continuing Education Requirement". On three different occasions, the Board Administrator also attended three different ASLA Section meetings and did a presentation on continuing education requirements. January of 2009, the Administrator also presented information about the requirements for registration to the Landscape Architect students at the University of Oregon.

In May 2009, two representatives from the City of Portland met with the Board during the Work Session and shared much information about implementing "green streets" in the city. This led to a discussion about what Registered Professional should be stamping which type of work document.

The Board continues its quarterly meeting practice of oral interviews with all individuals seeking initial registration as a Landscape Architect. This process allows new registrants to grasp the concept of the role of a regulatory Board. It also allows each Board Member the opportunity to direct questions to new registrants about the laws and rules under which they will work.

Because the Board's phone number is in the white pages of the phone book, the telephone operators regularly refer inquiries for state agencies to our office. Staff of the Board accommodates these calls and attempts to assist the public in reaching the agency they are seeking. In addition, the yellow pages list the Board under "License Services". If the public is looking for assistance with any type of license, they call this office as this Board is the only one listed. Again, staff facilitates the inquiries by locating phone numbers and directing individuals to agencies that can help them.

Because many individuals now use the internet to access information, staff fielded many DMV calls. Because DMV was geographically in proximity to the Board office, many used the Board phone number to seek DMV assistance. Staff sees this as an opportunity to educate the public about landscape architecture and assist the public in locating the state agency it is actually seeking.

The Board office continues to be located in a private office building. This provides a unique opportunity to educate individuals in response to inquiries related to the regulation of landscape architecture or the role of regulatory Boards in general. Most of the public is just not aware of the role that regulatory Boards play throughout the state. This outreach effort reaches both employees of the building and individuals entering the building. Hardly a day passes without an opportunity to talk about the role of Boards in safeguarding the citizens and land of this great state.

Appendix 1

EXECUTIVE APPOINTMENTS BOARD ROSTER

Oregon State Landscape Architect Board
 707 13th Street SE, Suite 261, 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 (includes 3 public members)
<i>Term Length</i>	4 years
<i>Limit</i>	None

BOARD MEMBER	BUSINESS	CONTACT	TERM(S)
Edwards, Robert L. <i>Public Member</i>	Faith Lutheran Church 4505 River Road N Keizer, OR 97303 pastor-bob_0@qwestoffice.net	W 503-393-4507	09/10/2007 to 06/30/2011
Nichols, Ron <i>Treasurer/Public Member</i>	Retired Salem, Oregon Nichols2463@msn.com	H 503-393-2017	2/09/2006 to 6/30/2009 7/01/2009 to 06/30/2013
Olsen, David P. <i>Landscape Architect</i>	Harper Houf Peterson Righellis, Inc. 1133 NW Wall St., Ste 201 Bend, OR 97701 davido@hhpr.com	W 541-318-1161 F 541-728-1354	02/13/2006 to 06/30/2009 7/1/2009 to 6/30/2013
Pellitier, John P. <i>Landscape Architect</i>	Pellitier & Pellitier 1397 Willamette Street Eugene, OR 97401 john@pellitier.com	W 541-484-2045 F 541-484-0518	05/14/2007 to 06/30/2010
Stout, Mel J. <i>Vice Chair/Landscape Architect</i>	Harper Houf Peterson Righellis, Inc. 205 SE Spokane St Ste 200 Portland, OR 97202 Mels@hhpr.com	W 503-221-1131 F 503-221-1171	07/01/2004 to 06/30/2010
Van Wormer, Timothy C. <i>Board Chair/Landscape Architect</i>	Port of Portland 121 NW Everett Portland OR 97221 tim.vanwormer@portofportland.com	W 503-944-7208	11/08/2004 to 06/30/2008 7/1/2008 to 6/30/2012
Wright, Susan <i>Public Member</i>	Retired Portland, Oregon Vista-house@comcast.net	W 503-703-7406	05/14/2007-06/30/2010

Appendix 2

OSLAB OFFICER AND COMMITTEE ASSIGNMENTS
May 5, 2009

BOARD OFFICERS:

Timothy Van Wormer, LA, Chair
Mel Stout, LA, Vice Chair
Ron Nichols, Public Member, Treasurer

BOARD COMMITTEES:

ADMINISTRATIVE RULES COMMITTEE
Ron Nichols, Public Member, Chair

CONTINUING EDUCATION COMMITTEE
Mel Stout, LA, Chair
David Olsen, LA

COMPLIANCE COMMITTEE
Susan Wright, Public Member, Chair
Bob Edwards, Public Member

INVESTMENT COMMITTEE
Ron Nichols, Public Member, Chair

LEGISLATIVE COMMITTEE
Robert Edwards, Public Member, Chair

LICENSURE REVIEW COMMITTEE
Timothy VanWormer, LA, Chair

OTHER BOARD ASSIGNMENTS

Board Liaison to the Oregon Board of Architect Examiners
David Olsen, LA

Board Liaison to the Oregon Landscape Contractors Board
John Pellitier, LA

Appendix 3

DRAFT

STATE OF OREGON
LANDSCAPE ARCHITECT BOARD
INDEPENDENT AUDITOR'S REPORT
AND
FINANCIAL STATEMENTS
(With Supplemental Information)
FOR THE BIENNIUM ENDED
JUNE 30, 2009

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INDEPENDENT AUDITOR'S REPORT

To the Board of Commissioners
Oregon Landscape Architect Board

We have audited the accompanying financial statements of the governmental activities and the general fund of the Oregon Landscape Architect Board (Board), a semi-independent agency of the State of Oregon, as of and for the biennium ended June 30, 2009, as listed in the table of contents. These financial statements are the responsibility of the Oregon Landscape Architect Board's management. Our responsibility is to express opinions on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Board's internal controls over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the consolidated financial statements, assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall consolidated financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the general fund of the Oregon Landscape Architect Board, as of June 30, 2009, and the budgetary comparison statement for the special revenue fund for the biennium then ended in conformity with accounting principles generally accepted in the United States of America.

The Oregon Landscape Architect Board has not presented *Management's discussion and analysis* (MD&A) that accounting principles generally accepted in the United States of America have determined necessary to supplement, but are not required, to be part of the basic financial statements.

In accordance with *Government Auditing Standards*, we have also issued our report dated December 17, 2009, on our consideration of the Oregon Landscape Architect Board's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Audit Standards* and should be considered in assessing the results of our audit. That report is separately presented in the Other Reports section as listed in the table of contents.

Eugene, Oregon
December 17, 2009

OREGON LANDSCAPE ARCHITECT BOARD
(A Semi-Independent Agency of the State of Oregon)
BALANCE SHEET - GENERAL FUND
STATEMENT OF NET ASSETS
JUNE 30, 2009

	<u>Balance Sheet</u>	<u>Adjustments (Note 2)</u>	<u>Statement of Net Assets</u>
ASSETS:			
Cash and cash equivalents	\$ 119,498		\$ 119,498
Investments	141,572	\$ -	141,572
Total assets	<u>\$ 261,070</u>	<u>\$ -</u>	<u>\$ 261,070</u>
LIABILITIES			
Due to other Government	-	77,808	77,808
Total liabilities		<u>77,808</u>	<u>77,808</u>
FUND BALANCE			
Unreserved	261,070	(261,070)	-
Total fund balance	<u>261,070</u>	<u>(261,070)</u>	<u>-</u>
Total liabilities and fund balance	<u>\$ 261,070</u>		
NET ASSETS			
Unrestricted		(183,262)	183,262
Total net assets		<u>\$ (183,262)</u>	<u>\$ 183,262</u>

OREGON LANDSCAPE ARCHITECT BOARD
(A Semi-Independent Agency of the State of Oregon)
STATEMENT OF REVENUE, EXPENSES AND CHANGE IN FUND BALANCE
STATEMENT OF ACTIVITIES
FOR THE BIENNIUM ENDED JUNE 30, 2009

	Statement of Revenue, Expenditures and Change in Fund Balance	Adjustments (Note 3)	Statement of Activities
REVENUES			
Licenses and fees	\$ 306,818	\$ -	\$ 306,818
Interest income	11,231	-	11,231
Other income	150	-	150
	<u>318,199</u>	<u>-</u>	<u>318,199</u>
EXPENDITURES			
Licensing	270,318	(77,808)	348,126
	<u>270,318</u>	<u>(77,808)</u>	<u>348,126</u>
Excess of revenues over expenditures	47,881	(77,808)	(29,927)
OTHER FINANCING SOURCES			
	<u>-</u>	<u>-</u>	<u>-</u>
NET CHANGE IN FUND BALANCE/NET ASSETS			
Fund Balance /Net Assets - July 1, 2007	213,189	-	213,189
Fund Balance /Net Assets - June 30, 2009	<u>\$ 261,070</u>	<u>\$ 77,808</u>	<u>\$ 183,262</u>

OREGON LANDSCAPE ARCHITECT BOARD
(A Semi-Independent Agency of the State of Oregon)
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND
BALANCE - BUDGET AND ACTUAL
FOR THE BIENNIUM ENDED JUNE 30, 2009

	Biennial	Actual			Variance Positive (Negative)
	Budget Original & Final	FY 2007	FY 2008	Biennial	
REVENUES					
License and fees	\$ 285,460	\$ 149,470	\$ 155,754	\$ 305,223	\$ 19,763
Fines and forfeitures	1,500	1,300	1,600	2,900	1,400
Interest income	7,200	4,133	1,418	5,552	(1,648)
Other income	200	2,877	2,952	5,829	5,629
Miscellaneous income	-	-	-	-	-
Total revenues	294,360	157,780	161,724	319,504	25,144
EXPENDITURES					
Personal service	161,400	8,935	1,697	10,632	(150,768)
Service and supplies	129,765	113,082	147,909	260,991	131,226
Total expenditures	291,165	122,017	149,606	271,623	(19,542)
Revenues over expenditures	3,195	35,763	12,118	47,881	44,686
FUND BALANCE, BEGINNING	60,951	213,189	248,952	213,189	152,238
FUND BALANCE, ENDING	\$ 64,146	\$ 248,952	\$ 261,070	\$ 261,070	\$ 196,924

OREGON LANDSCAPE ARCHITECT BOARD
(A Semi-Independent Agency of the State of Oregon)
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009

NOTE 1 - NATURE OF THE ORGANIZATION

The Oregon Landscape Architect Board's (the Board) objective is to safeguard the public health, safety, welfare and property in this state by providing qualifying criteria for the practice of landscape architecture. These safeguards are in the practice of landscape architecture as it relates to engineering, architecture, ground water, land use planning, and landscape hazards.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Reporting Entity - The Oregon State Landscape Architect Board is a semi-independent agency of the State of Oregon. The Board operates under Oregon Revised Statutes (ORS) Chapter 672.310 to 671.459, 671.992 and 671.995 and implements these statutes through the Oregon Administrative Rules (OAR) Chapter 804. The Board was granted initial semi-independent status by the Legislature in 1997, and pursuant to Oregon Senate Bill 1127 of the 1999 Legislative Session, additional revisions to the statute occurred. Certain ORS chapters do not apply to the Board, except as otherwise provided by law. The Board is subject to all other statutes governing a state agency that do not conflict with ORS 185.456 to 182.472.

The Board consists of seven members appointed by the governor for four-year terms. Four members are Registered Landscape architects and three members are public citizens.

The Board regulates the practice of landscape architecture by administering examinations to applicants who have met the education and experience requirement; issuing certificates to those who qualify for registration; and disciplining those who violate the law. The Board is concerned with providing safeguards in the practice of landscape architecture as it relates to engineering, architecture, ground water, land use planning, landscape hazards, and the further development of the practice of landscape architecture (ORS 671.312).

Basis of presentation - The accompanying financial statements are presented in conformity with accounting principles generally accepted in the United States of America (GAAP) applicable to government entities. The accounts of the Board are organized on the basis of a special revenue fund. Revenues are from license fees, service fees, civil penalties and interest income.

The Board presents both governmental fund financial statements and government-wide financial statements which report on separate measurement focuses. Due to these differences, certain adjustments are necessary to reconcile between governmental fund financial statement and the government-wide financial statements. Those adjustments are described in Note 3.

OREGON LANDSCAPE ARCHITECT BOARD
(A Semi-Independent Agency of the State of Oregon)
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Government-wide Statements - The statement of net assets and the statement of activities display information about the Board as a whole. These statements include all the financial activities of the Board. The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

Fund balance - In the fund financial statements, governmental funds report reservations of fund balance for amounts that are not available for appropriation or are legally segregated for a specific future use. Fund balance reported as of June 30, 2009 was unreserved.

Net assets - Net assets represent the difference between assets and liabilities. Net assets are reported as restricted when there are limitations imposed on their use either through enabling legislation adopted by the Board or through external restriction imposed by creditors, grantors, laws, or regulation of other governments. Net assets as of June 30, 2009 were unrestricted.

Governmental fund financial statements - Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available except for license fees which are recognized when received. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, long-term compensated absences are recorded only when payment is due.

Budget - The Board is required to adopt budgets on a biennial basis through the Public Hearing Process. The Board may adopt or modify a budget only after holding a public hearing and must give notice of budget hearings to all registrants.

Unlike most budgets in state government, where the agency budgets are enacted into law by the Legislature, the Board's budget is not subject to review and approval by the Legislature or to future modification by the Legislature or the Emergency Board. For this reason, the budgets adopted by the Board are considered to be non-appropriated budgets. The budgetary statement included herein compares the total of annualized non-appropriated biennium budget to actual expenditures for biennium ending June 30, 2009.

Cash and cash equivalents - The Board's cash and cash equivalents are considered to be cash on hand, demand deposits, and short term investments with an original maturity of under twenty four months from the date of acquisition. Investments are carried at fair value.

Supplies - Supplies are charged as expenditures when purchased.

OREGON LANDSCAPE ARCHITECT BOARD
(A Semi-Independent Agency of the State of Oregon)
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Compensated Absences - The Board currently has no employees on payroll. Administrative functions of the Board are handled through an inter-agency agreement with the Oregon State Board of Geologist Examiners

Equipment - Equipment with a cost of more than \$5,000 is depreciated over its useful life. Currently, the Board does not have any equipment with a cost basis greater than \$5,000.

Licensee fees - Licensee fees have been recorded on cash basis of accounting due to the timing uncertainty of collections.

Civil penalties - The Board is authorized under state laws to impose civil penalties to enforce certain provisions and professional standards. Civil penalties are recognized upon board motion to impose disciplinary action.

Use of estimates - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires that management make estimates and assumptions which affect the reported amounts of assets and liabilities, disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

NOTE 3 - RECONCILIATION OF GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS

The governmental fund balance sheet includes reconciliation between the fund balance and net assets as reported in the government wide statement of net assets

Long-term liabilities are not due and payable in the current period and therefore are not reported in governmental funds:	\$ 77,808
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The governmental fund statement of revenues, expenditures, and changes in fund balance includes reconciliation between the government-wide statement of activities for the following:

Change in Licensing Expenses	\$(77,808)
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OREGON LANDSCAPE ARCHITECT BOARD
(A Semi-Independent Agency of the State of Oregon)
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009

NOTE 4 - CASH AND INVESTMENTS

As of June 30, 2009, the Board's bank balance was \$119,498. Of this deposit, \$250,000 was covered by Federal Depository Insurance. The CD investment balance as of June 30, 2009 was \$141,572.

Credit risk - State statutes authorize the Oregon State Landscape Architect Board to invest in general obligations of the U.S. Government and its agencies, certain debt obligations of Oregon, California, Washington and Idaho, bank repurchase agreements, bankers' acceptances, and certain corporate debt obligations, among others.

Concentration of credit risk - All investments of the Board shall be made in accordance with Oregon Revised Statutes: ORS 294.035 (Investment of surplus funds of political subdivisions; approved investments), ORS 294.040 (Restriction on investments under ORS 294.035), ORS 294.135 (Investment maturity dates), and ORS 294.145 (Prohibited conduct for custodial officer). Any revisions or extensions of these sections of the ORS shall be assumed to be part of this investment policy immediately upon being enacted.

Custodial credit risk - deposits - In the case of deposits, this is the risk that in the event of a bank failure, the government's deposits may not be returned. Oregon Revised Statutes require the depository institution to maintain on deposit with a collateral pool manager security having a value of not less than 25% of the outstanding certificates of participation issued by the pool manager. However, in accordance with State Statutes, the State Treasurer allows certain depository banks to be the custodian with respect to their own pledged collateral securities. For these institutions, the State Treasurer is the collateral pool manager.

Custodial credit risk - investments - In the case of investments, this is the risk that the Board will not be able to recover the value of its investments or collateral security that is not held in the Board's name but is in the possession of an outside party.

NOTE 5 - INSURANCE

Insurance programs are administered for the Board by the Risk Management Division of the Oregon Department of Administrative Services, which provides insurance coverage to all state agencies with a blanket honesty and faithful performance bond, general liability and vehicle liability self-insurance, and self-insurance property damage program. The cost of servicing insurance claims and payments is covered by charging an assessment to each State entity is based upon its share of services provided in a prior period. The Board's total liability insurance expense for the biennium ended June 30, 2009 was \$3500.

OREGON LANDSCAPE ARCHITECT BOARD
(A Semi-Independent Agency of the State of Oregon)
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009

NOTE 6 - LEASES

Operating lease - The Board leased space under a year-to-year lease expiring June 30, 2009. Total lease payments for the year ended biennium, 07/01/07 to 06/30/09 were \$7,522.00.

The Board relocated effective 07/01/2009.

Future lease payments are based on a base rent of \$465.00 per month. However, the base rent will increase by 3% in year 2 (\$478.95); by 3% of year 2 base for year 3 (\$493.32)

NOTE 7 - INTERAGENCY AGREEMENT

From July 1, 2007 through June 30, 2009, the Board entered an Interagency Agreement with the Oregon State Board of Geologist Examiners (OSBGE) to provide administrative support services for the Oregon State Landscape Architect Board (OSLAB) at a rate of \$5,500.00 per month for the first year. From July 1, 2008 to June 30, 2009 the rate increased to \$7,300.00.

DRAFT

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AN ON
COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL
STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING
STANDARDS***

We have audited the financial statements of the governmental activities and the special revenue fund of the Oregon Landscape Architect Board, as of and for the biennium ended June 30, 2009, which collectively comprise the Oregon Landscape Architect Board's basic financial statements and have issued our report thereon dated December 17, 2009. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Oregon Landscape Architect Board's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Oregon Landscape Architect Board's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Oregon Landscape Architect Board's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and would not necessarily identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses. However, as discussed below, we identified certain deficiencies in internal control over financial reporting that we consider to be significant deficiencies.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Oregon Landscape Architect Board's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the Oregon Landscape Architect Board's financial statements that is more than inconsequential will not be prevented or detected by the Oregon Landscape Architect Board's internal control. We consider the deficiencies described in the accompanying Schedule of Findings and Responses to be significant deficiencies in internal control over financial reporting. These deficiencies are listed as 2009-1.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the Oregon Landscape Architect Board's internal control.

Our consideration of the internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in the internal control that might be significant deficiencies and, accordingly, would not necessarily disclose all significant deficiencies that are also considered to be material weaknesses. We believe that the significant deficiency described above is a material weakness.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Oregon Landscape Architect Board's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Oregon Landscape Architect Board's response to the findings identified in our audit is described in the accompanying Schedule of Findings and Responses. We did not audit Oregon Physical Therapist Licensing Board's response and, accordingly, we express no opinion on it.

This report is intended solely for the information and use of management, the audit committee, Board of Commissioners, the Governor of the State of Oregon, and the Oregon Legislative Assemble, and is not intended to be and should not be used by anyone other than these specified parties

Eugene, Oregon
December 17, 2009

OREGON LANDSCAPE ARCHITECT BOARD
(A Semi-Independent Agency of the State of Oregon)
ABOUT THE SECRETARY OF STATE AUDITS DIVISION
JUNE 30, 2009

Financial Statement Findings

2009-1

Condition

The internal control structure of the Board has focused primarily on the objective of effectiveness and efficiency of operations. However, the system of internal control over the objectives of reliability of financial reporting contains certain deficiencies. A key element of financial reporting is the ability of management to select and apply appropriate accounting principles to prepare financial statements in accordance with generally accepted accounting principles.

Management of the Board maintains accounting records primarily on a cash basis of accounting. Preparation of a GAAP-based financial statement for the Board requires sufficient knowledge about full accrual, modified accrual, and budgetary basis accounting. As a result, certain adjustments were required to be made to the financial statements subsequent to the start of the audit process. Adjustments included the recognition of differences between the government wide financial statements and the fund financial statements. Management required assistance with certain disclosures that included the pension plans and other post employment benefits. Also, as described in the *Independent Auditors Report*, Management has not presented *Management's discussion and analysis* (MD&A) that accounting principles accepted in the United States of America have determined necessary to supplement, the basic financial statements.

The cumulative effect of these observations regarding internal control over the financial close and reporting process could result in a material misstatement of the financial statements; this deficiency is deemed to be a material weakness.

Criteria

To minimize the risk of material errors in the financial statements, management should possess sufficient understanding of the basic reporting requirements as required under generally accepted accounting practices in the United States.

Effect

Lack of internal controls and management education about GAAP significantly increases the risk of material accounting errors in Board financial statements.

OREGON LANDSCAPE ARCHITECT BOARD
(A Semi-Independent Agency of the State of Oregon)
ABOUT THE SECRETARY OF STATE AUDITS DIVISION
JUNE 30, 2009

Financial Statement Findings (Continued)

Cause

Semi-independent State Board's such as the Landscape Architect Board are required to produce GAAP financial statements on a biennium basis. The infrequent nature of financial reporting creates conditions which diminish the significance for possessing a thorough understanding about GAAP reporting requirements.

Recommendations

Management and the Agency's governing body should assess the adequacy of the design of its policies and procedures related to preparation of financial statements and design appropriate controls as necessary to rectify inadequacies.

Response

DRAFT

Appendix 4

Oregon State Landscape Architect Board
Budget Information

	Actual Figures 2005-2007 Biennium	Adopted Budget 2007-2009	Actual Expenses 2007-2009 Biennium	Adopted Budget 2009-2011
Ordinary Income/Expense				
Income				
Revenues				
Examination Fee	\$ 22,402.50	\$ 22,260.00	\$ 29,868.00	\$ 22,932.00
Civil Penalty		0.00	5,000.00	0.00
Registration Renewal Fee	209,821.37	198,650.00	214,158.55	208,200.00
Application Fee, Exam	8,590.00	4,200.00	6,700.00	4,600.00
Application Fee, LA	2,600.00	4,800.00	4,300.00	4,800.00
Application Fee, Firm	5,825.00	0.00	5,800.00	2,000.00
Firm Renewal Fee	30,850.00	40,050.00	39,396.89	62,550.00
Late Fee	10,118.00	1,500.00	2,900.00	0.00
Other Income	150.00	200.00	100.00	200.00
Other Revenue	39,651.73	0.00	50.00	0.00
Interest	2,743.41	7,200.00	5,551.59	5,400.00
TOTAL REVENUES	332,752.01	278,860.00	313,825.03	310,682.00
Fee Refunds				
Late Fee	(380.00)	0.00	0.00	0.00
Examination Fee	(780.00)	0.00	(821.00)	0.00
Renewal	(2,215.24)	0.00	(300.00)	0.00
Reciprocity	(225.00)	0.00	(10.00)	0.00
Application Fee	(125.00)	0.00	(150.00)	0.00
Firm Renewal	(25.00)	0.00	(25.00)	0.00
TOTAL FEE REFUNDS	(3,750.24)	0.00	(1,306.00)	0.00
Total Income	329,001.77	278,860.00	312,519.03	310,682.00
Expense				
Personal Service				
Board Member Stipend	0.00	5,400.00	3,120.00	6,000.00
Unemployment	0.00	0.00	24.96	0.00
PERS Contribution	0.00	0.00	7,242.90	0.00
Work Comp		0.00	0.49	0.00
Social Security Taxes	0.00	0.00	243.74	0.00
TOTAL PERSONAL SERVICE	0.00	5,400.00	10,632.09	6,000.00
Services and Supplies				
Special Payments	99.95	0.00	0.00	0.00
Instate Travel Meals & Lodging	487.95	2,000.00	1,356.35	3,150.00
Instate Travel Misc Exp	1,998.03	4,850.00	3,175.15	3,885.00
OS Travel Misc. Exp	0.00	5,200.00	5,189.04	4,500.00
OS Travel Meals & Lodging	0.00	10,000.00	4,061.68	4,000.00
Office Supplies	1,598.01	4,000.00	1,598.90	1,693.00
Postage	3,300.48	3,075.00	2,888.31	3,400.00
Freight Cartage	314.65	0.00	941.13	0.00
Photocopies	0.00	0.00	764.07	768.00
Printing Office Forms	1,050.20	1,640.00	671.90	600.00
Shredding	2.00	0.00	8.00	0.00

Oregon State Landscape Architect Board
Budget Information

	Actual Figures 2005-2007 Biennium	Adopted Budget 2007-2009	Actual Expenses 2007-2009 Biennium	Adopted Budget 2009-2011
Conference Registrations	0.00	0.00	3,450.00	3,500.00
Reference Material	22.70	0.00	0.00	0.00
Subscriptions	103.00	0.00	99.00	0.00
Lease - Office Space	7,380.80	7,580.00	7,522.20	12,300.00
Rental of Bldg's & Land - Exam	1,200.00	2,000.00	2,150.00	0.00
Analysis Charge	48.00	0.00	767.96	1,560.00
Lock Box Fee	1,725.00	1,800.00	1,875.00	1,800.00
Newsletter	1,400.09	2,000.00	947.48	960.00
Communication Services	2751.75	3,380.00	2,175.17	2300
Data Processing - Hardware	2,971.96	5,000.00	1,313.39	2,000.00
TOTAL SERVICES AND SUPPLIES	26,454.57	52,525.00	40,954.73	46,416.00
Professional Services				
Membership Dues - CLARB	7,235.00	7,680.00	8,930.00	9,730.00
Website	50.00	1,200.00	1,200.00	1,200.00
Computer Support Specialist	916.67	1,500.00	1,500.00	1,500.00
Professional Services, Others	0.00	0.00	875.00	8,000.00
Training	300.00	2,400.00	422.00	1,200.00
Payroll Services	0.00	1,200.00	870.12	840.00
Atty General Legal Fees	11,037.06	24,000.00	12,270.00	24,000.00
Professional Investigator	0.00	6,000.00	0.00	6,000.00
Insurance - RMD	2,000.00	5,000.00	3,500.00	2,000.00
Auditing - Fraud	28,850.70	0.00	0.00	0.00
Financial Audit	11,232.00	6,000.00	3,456.50	6,000.00
Temp Employee	2,585.00	2,400.00	485.00	1,000.00
Administration of Board Contrac	129,000.00	153,600.00	153,600.00	175,464.00
Data Processing Software	1,058.10	0.00	0.00	0.00
Examination Service	22,642.30	22,260.00	29,697.00	22,932.00
Database Design Contract	6,997.50	0.00	1,925.00	2,800.00
TOTAL PROFESSIONAL SERVICES	223,904.33	233,240.00	218,730.62	262,666.00
Interest Expense	142.87			
TOTAL EXPENSE	250,501.77	291,165.00	270,317.44	315,082.00
Net Ordinary Income	78,500.00	(12,305.00)	42,201.59	(4,400.00)
Other Income				
Interest from CD	0.00	0.00	5,679.21	0.00
Insurance Reimbursement	132,559.67	0.00	0.00	0.00
NET INCOME	211,059.67	(12,305.00)	47,880.80	(4,400.00)
<i>BEGINNING FUND BALANCE</i>	<i>2,129.00</i>		<i>213,188.67</i>	<i>261,069.47</i>
<i>ENDING FUND BALANCE</i>	<i>\$ 213,188.67</i>		<i>\$ 261,069.47</i>	<i>\$ 256,669.47</i>

Appendix 5

Oregon State Landscape Architect Board
Biennium Budgets

Fund Analysis

Source	2005-07 Biennium Actual	2007-09 Biennium Actual	2009-11 Biennium Approved
Beginning Fund Balance	\$ 2,129.00	\$ 213,189.00	\$ 261,070.00
Total Revenue	465,311.00	319,504.00	310,682.00
Total Funds Available	<u>467,440.00</u>	<u>532,693.00</u>	<u>571,752.00</u>
Total Expenditure	254,251.00	271,623.00	315,082.00
Ending Fund Balance	<u>\$ 213,189.00</u>	<u>\$ 261,070.00</u>	<u>\$ 256,670.00</u>

Appendix 6

OR State Landscape Architect Board
Balance Sheet
As of June 30, 2009

	June 30, 2009
ASSETS	
Current Assets	
Checking/Savings	
1001 · Pioneer Trust Bank	\$ 119,497.80
Total Checking/Savings	119,497.80
Other Current Assets	
1900 · CD Investments - Pioneer Trust	
1901 · 18 Month - #5312707	
1901.1 · 18 Month CD Interest	1,963.46
1901 · 18 Month - #5312707 - Other	20,000.00
Total 1901 · 18 Month - #5312707	21,963.46
1902 · 18 Month - #5312708	
1902.1 · 18 Month CD Interest	1,698.07
1902 · 18 Month - #5312708 - Other	20,000.00
Total 1902 · 18 Month - #5312708	21,698.07
1903 · 18 Month - #5312709	
1903.1 · 18 Month CD Interest	1,923.86
1903 · 18 Month - #5312709 - Other	20,000.00
Total 1903 · 18 Month - #5312709	21,923.86
1904 · 3 Month - #5312974	
1904.1 · 3 Month CD Interest	249.89
1904 · 3 Month - #5312974 - Other	25,000.00
Total 1904 · 3 Month - #5312974	25,249.89
1905 · 6 Month - #5312975	
1905.1 · 6 Month CD Interest	312.67
1905 · 6 Month - #5312975 - Other	25,000.00
Total 1905 · 6 Month - #5312975	25,312.67
1906 · 12 Month - #5312976	
1906.1 · 12 Month CD Interest	423.87
1906 · 12 Month - #5312976 - Other	25,000.00
Total 1906 · 12 Month - #5312976	25,423.87
Total 1900 · CD Investments - Pioneer Trust	141,571.82
Total Other Current Assets	141,571.82
Total Current Assets	261,069.62
TOTAL ASSETS	\$ 261,069.62
LIABILITIES & EQUITY	
Equity	
3900 · Retained Earnings	248,951.74
Net Income	12,117.88
Total Equity	261,069.62
TOTAL LIABILITIES & EQUITY	\$ 261,069.62

Appendix 7

Oregon State Landscape Architect Board
Budget Information

	Adopted Budget 2009-2011	Actual Figures 07/01/09 - 09/30/09
Ordinary Income/Expense		
Income		
Revenues		
Examination Fee	\$ 22,932.00	\$ 8,208.00
Civil Penalty	0.00	0.00
Registration Renewal Fee	208,200.00	15,950.00
Application Fee, Exam	4,600.00	1,500.00
Application Fee, LA	4,800.00	800.00
Application Fee, Firm	2,000.00	300.00
Firm Renewal Fee	62,550.00	3,262.50
Late Fee	0.00	500.00
Other Income	200.00	0.00
Interest	5,400.00	140.04
TOTAL REVENUES	\$ 310,682.00	\$ 30,660.54
Fee Refunds		
Late Fee	0.00	0.00
Examination Fee	0.00	0.00
Renewal	0.00	0.00
Reciprocity	0.00	0.00
Application Fee	0.00	0.00
Firm Renewal	0.00	0.00
TOTAL FEE REFUNDS	0.00	0.00
Total Income	310,682.00	30,660.54
Expense		
Personal Service		
Board Member Stipend	6,000.00	400.00
Unemployment	0.00	3.20
PERS Contribution	0.00	0.00
Work Comp	0.00	0.00
Social Security Taxes	0.00	45.59
TOTAL PERSONAL SERVICE	6,000.00	448.79
Services and Supplies		
Special Payments	0.00	0.00
Instate Travel Meals & Lodging	3,150.00	167.00
Instate Travel Misc Exp	3,885.00	257.40
OS Travel Misc. Exp	4,500.00	0.00
OS Travel Meals & Lodging	4,000.00	0.00
Office Supplies	1,693.00	192.59
Postage	3,400.00	246.04
Freight Cartage	0.00	0.00
Photocopies	768.00	33.02
Printing Office Forms	600.00	47.52
Conference Registrations	3,500.00	2,025.00
Lease - Office Space	12,300.00	1,101.00

Oregon State Landscape Architect Board
Budget Information

	Adopted Budget 2009-2011	Actual Figures 07/01/09 - 09/30/09
Rental of Bldg's & Land - Exam	0.00	0.00
Analysis Charge	1,560.00	61.98
Lock Box Fee	1,800.00	225.00
Newsletter	960.00	118.84
Communication Services	2300	439.76
Data Processing - Hardware	2,000.00	0.00
TOTAL SERVICES AND SUPPLIES	46,416.00	4,915.15
Professional Services		
Membership Dues - CLARB	9,730.00	0.00
Website	1,200.00	0.00
Computer Support Specialist	1,500.00	0.00
Professional Services, Others	8,000.00	0.00
Training	1,200.00	0.00
Payroll Services	840.00	86.06
Atty General Legal Fees	24,000.00	712.90
Professional Investigator	6,000.00	0.00
Insurance - RMD	2,000.00	13,968.00
Auditing - Fraud	0.00	0.00
Financial Audit	6,000.00	0.00
Temp Employee	1,000.00	75.00
Administration of Board Contract	175,464.00	21,300.00
Government Assessment	0.00	411.00
Data Processing Software	0.00	0.00
Examination Service	22,932.00	0.00
Database Design Contract	2,800.00	0.00
TOTAL PROFESSIONAL SERVICES	262,666.00	36,552.96
Interest Expense	0.00	0.00
TOTAL EXPENSE	315,082.00	41,916.90
Net Ordinary Income	(4,400.00)	(11,256.36)
Other Income		
Interest from CD	0.00	632.51
Insurance Reimbursement	0.00	0.00
NET INCOME	\$ (4,400.00)	\$ (10,623.85)

Appendix 8



Oregon

Theodore R. Kulongoski, Governor

State Landscape Architect Board

707 13th Street SE, Suite 261

Salem, OR 97301

(503) 589-0093

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Presiding Officer's Report to Agency on Rulemaking Hearing

Date: June 5, 2009
To: Members of the Oregon State Landscape Architect Board
From: Susanna Knight, Board Administrator, Presiding Officer
Subject: Presiding Officer's Report on Rulemaking Hearing

Hearing Date: June 5, 2009
Hearing Location: Sunset Center South, Conference Room
Salem, Oregon
Title of Proposed Rules: OAR 804-001-0002, Operating Budget
Staff Present: Susanna Knight, Administrator
Marilou Arrobang, Licensing Specialist
Guests Present: None present

The rulemaking hearing on OAR 804-001-0002, Operating Budget convened at 10:05 AM. Presiding Officer Knight stated that comments would be received from anyone completing a registration card. No Registration Cards were received for presentation during the formal hearing.

Summary of Comments

The purpose of this hearing was to provide an opportunity for public comment on the Board's budget for the 2009-11 biennium approved by the Board at its quarterly Meeting convened February 18, 2009. The budget will become effective July 1, 2009. Notification was published in the May 2009 Oregon Bulletin. Notification was also provided in the Board's March newsletter. Written comments were accepted until 5:00 PM on June 5, 2009.

No requests for a copy of the budget or written comments about the budget were received prior to the hearing or by the June 5, 2009, 5:00 PM deadline. No oral comments were received during the hearing.

The hearing was adjourned at 10:07 AM.

Respectfully submitted,
Susanna R. Knight
OSLAB Administrator
June 8, 2009

Appendix 9

Oregon State Landscape Architect Board
OAR 804-040-0000, Fees

Type of Fee	2007-2009 Biennium	Fee Increase	2009-11 Biennium
Examination, LARE Section C, CLARB	\$ 270.00	\$ 6.00	\$ 276.00
Examination, LARE Section E, CLARB	\$ 270.00	\$ 6.00	\$ 276.00
Architect-in Training, Initial Registration	\$ 50.00	\$ -	\$ 50.00
Architect-in Training, Annual Renewal	\$ 50.00	\$ -	\$ 50.00
Registered Landscape Architect, Initial Registration	\$ 250.00	\$ -	\$ 250.00
Registered Landscape Architect, Annual Renewal	\$ 250.00	\$ -	\$ 250.00
Emeritus Landscape Architect, Annual Renewal	\$ 25.00	\$ -	\$ 25.00
Application Fee, Examination	\$ 50.00	\$ -	\$ 50.00
Application Fee, Landscape Architect by Reciprocity	\$ 100.00	\$ -	\$ 100.00
Application Fee, Initial Landscape Architecture	\$ 100.00	\$ -	\$ 100.00
Application Fee, Business	\$ 100.00	\$ -	\$ 100.00
Business, Initial Registration	\$ 225.00	\$ -	\$ 225.00
Business, Annual Renewal	\$ 112.50	\$ -	\$ 112.50
Duplicate certificate	\$ 50.00	\$ -	\$ 50.00
Late Renewal Fee	\$ 100.00	\$ -	\$ 100.00
Registrant List Fee	\$ 50.00	\$ -	\$ 50.00

Appendix 10

Administrative Rules Coming Under Consideration by OSLAB from 7/1/2007 to 6/30/2009

OAR #	Effective Date	Adopted	Amended	Amend & Renumber	Repeated	Suspend	Filed with SOS	Description
804-022-0010	2/4/2008		11/16/2007				2/4/2008	Allows Landscape Architect applicants by reciprocity to apply directly to the Board
804-022-0015	2/4/2008			11/16/2007			2/4/2008	Previously OAR 804-030-0015; establishes effective date of registration based on type of registration
804-022-0020	2/4/2008			11/16/2007			2/4/2008	Previously OAR 804-030-0035; outlines procedure for reinstatement of delinquent registration
804-025-0020	2/4/2008		11/16/2007				2/4/2008	Changes continuing education to an annual reporting from a biennial reporting process
804-050-0005	7/7/2008			5/7/2008			7/7/2008	Previously OAR 804-050-0001; outlines the registrant's responsibility to the Board
804-050-0010	7/7/2008			5/7/2008			7/7/2008	Previously OAR 804-050-0001; outlines a registrant's responsibility to the profession
804-050-0015	7/7/2008			5/7/2008			7/7/2008	Previously OAR 804-050-0001; outlines a registrant's responsibility to the employer
804-022-0000	7/7/2008			5/7/2008			7/7/2008	Outlines qualification and registration process for Landscape Architect in Training (LAIT)
804-027-0005	7/7/2008			5/7/2008			7/7/2008	Outlines the duties, powers and functions of an LAIT
804-027-0010	7/7/2008			5/7/2008			7/7/2008	Previously OAR 804-030-0005 & 804-030-0010; Registered Landscape Architect
804-001-0005	11/7/2008			8/14/2008			11/7/2008	Update most recent Model Rules of Procedure used by the Board
804-020-0001	11/7/2008			8/14/2008			11/7/2008	Establishes that the Board will accept the Landscape Architect Registration Examination (LARE) from regional sites
804-025-0010	11/7/2008			8/14/2008			11/7/2008	Removes the exemptions to the continuing education requirements for new registrants
804-025-0015	11/7/2008	8/14/2008					11/7/2008	Establishes continuing education requirements for reactivation of registration
804-001-0002	7/1/2009			2/18/2009			6/11/2009	Establishes the 2009-11 Board Budget

Appendix 11

Appendix 11, OSLAB Biennial Report, 12/31/2009

ORS 182.472 Section 5 (a-d)

Licensure Activities

Section 5	7/1/2005 to 6/30/2007	7/1/2007 to 6/30/2009	% Change
(a) The number of license applications;	130	129	-0.008%
New LAIT applications for registration	3	4	+33%
New RLA application for registration	57	61	+7%
New Business Certificate application	70	64	-8.6%
(b) The number of licenses issued; (total)	936	1016	+8.5%
New RLA	56	58	+3.6%
New LAIT	3	4	33%
New Business Certificates	70	62	-11.4%
Renew RLA registration (872 released 07-09 biennium) (760 Released 05-07 biennium)	746	821	+10%
Renew LAIT registration	5	11	+120%
Renew Business Certificate	56	60	+7%
(c) The number of examinations conducted; (total)	8	8	N/C
LARE C	4	4	N/C
Total Candidates for C	29	46	+58.6%
LARE E	4	4	N/C
Total Candidates for E	51	54	+5.9%
Candidates approved for Section A, B, D	N/A	49	N/A
(d) The average time between application for and issuance of licenses;	2-3 weeks	2-3 weeks	2-3 weeks

Appendix 12

Appendix 12, OSLAB Biennial Report, 12/31/2009

ORS 182.472 Section 5 (e - i)

Enforcement Activities

Section 5	2005-07 Biennium Total	2007-09 Biennium Total	% Change
(e) The number and types of complaints received about persons holding licenses; (total)	1	0	-100%
(f) The number and types of investigations conducted;	15	42	+280%
Advertising landscape architecture services without registrant	0	16	+1600%
Non-registered individuals representing themselves as registrants	4	5	+25%
Failure of a city to secure services from a Landscape Architect	1	2	+100%
Business representing employees as Landscape Architects	2	3	+50%
Unregistered business advertising landscape architecture on its webpage	1	1	N/C
Unregistered business providing landscape architecture services	5	5	N/C
Offering LA services without business registration	0	10	+1000%
Citizen complaint of poor work product by non-registrant	2	0	-200%
(g) The number and types of resolutions of complaints;	15	35	+130%
Board to revise statutory exemptions in ORS 671.321	1	2	+100%
Company information resolved	5	26	500%
Landscape Architect registration resolved	7	8	+14%
(h) The number and type of sanctions imposed; (total)	1	1	N/C
Civil Penalty	1	1	N/C
(i) The number of days between beginning an investigation and reaching a resolution.	365	120	-200%