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34 West Main Street
Romney, WV 26757

WEST VIRGINIA
STATE BOARD OF EXAMINERS OF LAND SURVEYORS

34 West Main Street
Romney, West Virginia 26757
Phone: (304) 822-4090



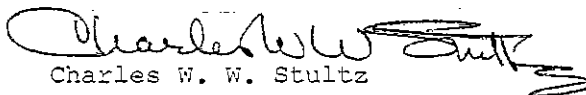
TO: SECRETARY OF STATE

NOTICE OF EMERGENCY RULE

RULE TITLE: Rules and Regulations for the practice of land surveying in West Virginia.

The attached rule is filed as an Emergency Rule. These are the modifications made to the Rules and Regulations as approved by the Legislative Rule-Making Review Committee and to be filed with the current Emergency Rules.

WEST VIRGINIA STATE BOARD
OF EXAMINERS OF LAND SURVEYORS


Charles W. W. Stultz
Secretary of the Board

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EMERGENCY RULES

CHAIRMAN
Robert H. McCoy
P.O. Box 133
Martinsburg, WV 26104

SECRETARY
Charles W. Slutz
34 West Main Street
Martinsburg, WV 26102

MEMBER
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Belle, WV 26001

WEST VIRGINIA STATE BOARD OF EXAMINERS OF LAND SURVEYORS

34 West Main Street
Martinsburg, West Virginia 26102
Phone: (304) 822-4060



April 19, 1985

Mr. Rich O. Hartman
Director, Administrative Law
State Capitol
Charleston, WV 25305

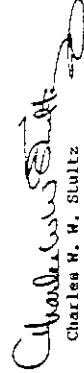
Dear Mr. Hartman:

It is requested that the Rules and Regulations governing the practice of land surveying recently filed by the Board of Examiners of Land Surveyors be implemented on an emergency filing basis. Emergency filing is necessary for the following reasons.

1. The existing Rules and Regulations were filed effective October 30, 1981. Apparently the requirements of House Bill No. 1432, effective May 10, 1982 were not fully satisfied by January 1983. Consequently, the Rules and Regulations are considered non-existent at the present time. Without the guidance and standards provided by the Rules and Regulations governing the practice of land surveying, enforcement of Chapter 30-13A is seriously hindered and detrimental to the public interest.
2. Licensed land surveyors are required to prepare property surveys to prescribed standards to insure public properties are identified consistent with the modern state of the art, thus providing accurate descriptions for valid title to public lands surveyed.
3. Additional justification may be found in the report on the Proposed Rules included with the rules provided.

Sincerely,

WEST VIRGINIA STATE BOARD
OF EXAMINERS OF LAND SURVEYORS


Charles W. Slutz
Secretary of the Board

CWS/ljd
cc: Andrew Lopez
File

KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

BARBARA STARCHER
Deputy Secretary of State

RICHARD S. STEPHENSON
Deputy Secretary of State

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STATE OF WEST VIRGINIA

SECRETARY OF STATE

Charleston 25305

July 29, 1986

WILLIAM H. HARRINGTON
Chief of Staff

RICH O. HARTMAN
Director, Administrative Law

DONALD R. WILKES
Director, Corporations

VIRGINIA SKEEN
Special Assistant

(Plus all the volunteer
help we can get)

The emergency rule filed by the State Board of Examiners for Land Surveyors on April 29, 1986 expires on this date. The 1986 Legislature failed to pass a Bill of Authorization on the proposed rule which was in effect as an emergency rule. The maximum time limit for an emergency rule is 15 months from the date filed as an emergency rule. Since the Board failed to re-file the rule on or before January 1, 1983 as required by 29A-2-5, they had no rule to revert to after this emergency rule expired. As of July 30, 1986 the Board has no rules in effect.

A handwritten signature in dark ink, appearing to read "Rich O. Hartman".

Rich O. Hartman
Dir. Admin. Law Div.

FILED IN THE OFFICE OF
THE SECRETARY OF STATE
THIS DATE July 29, 1986
ADMINISTRATIVE LAW DIVISION