

**WEST VIRGINIA  
SECRETARY OF STATE  
NATALIE E. TENNANT  
ADMINISTRATIVE LAW DIVISION**

Form #2

Do Not Mark In This Box

FILED

2010 JUN 28 AM 10:39

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE**

AGENCY: Secretary of State TITLE NUMBER: 153

RULE TYPE: Legislative CITE AUTHORITY: §29A-2-7(h)

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 41

TITLE OF RULE BEING PROPOSED: Administrative Law Division Publication Fees

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 28, 2010 AT 10:00 a.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

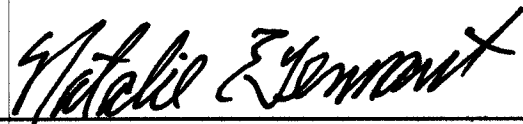
Administrative Law Division

Secretary of State

1900 Kanawha Blvd E., Suite 157K

Charleston, WV 25305

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.



Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

This rule establishes copy fees for the Administrative Law Division in both paper and electronic format.

APPENDIX B

**FISCAL NOTE FOR PROPOSED RULES**

Rule Title: Administrative Law Division Publication Fees

Type of Rule:  Legislative  Interpretive  Procedural

Agency: West Virginia Secretary of State

Address: 1900 Kanawha Blvd E, Suite 157K  
Charleston, WV 25305

Phone Number: 304-558-6000 Email: jcooper@wvsos.com

**Fiscal Note Summary**

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

W. Va. Code §29A-2-7(h) and to support electronic initiative

**Fiscal Note Detail**

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

<b>FISCAL YEAR</b>			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
<b>1. Estimated Total Cost</b>	0.00	0.00	0.00
Personal Services			
Current Expenses			
Repairs & Alterations			
Assets			
Other	(21,753.00)	(43,500.00)	(62,250.00)
<b>2. Estimated Total Revenues</b>	(2,500.00)	(5,000.00)	(7,500.00)

Rule Title: Administrative Law Division Publication Fees ■

Rule Title:

Administrative Law Division Publication Fees

**3. Explanation of above estimates (including long-range effect):**

Please include any increase or decrease in fees in your estimated total revenues.

Other represents 25% in current year, 50% next year and 75% on full implementation of paper subscribers switching to electronic subscriptions with a cost savings of \$.20 per page (copy, binding, labor and postage)

Revenues represent 25% loss of paper subscribers fees in current year, 50% next year and 75% on full implementation.

**MEMORANDUM**

Please identify any areas of vagueness, technical defects, reasons the proposed rule **would not** have a fiscal impact, and/or any special issues **not** captured elsewhere on this form.

Date: June 28, 2010

Signature of Agency Head or Authorized Representative

*Walter E. Bennett*

FILED

TITLE 153  
LEGISLATIVE RULE  
SECRETARY OF STATE

2010 JUN 28 AM 10:39

SERIES 41  
ADMINISTRATIVE LAW DIVISION PUBLICATION FEES

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**§153-41-1. General.**

1.1. Scope. -- This legislative rule establishes the fees to be charged by the Administrative Law Division of the Secretary of State's Office for publications.

1.2. Authority. -- W. Va. Code §29A-2-7(h).

1.3. Filing Date. --

1.4. Effective Date. --

**§153-41-2. Schedule of Fees for Publications by the Administrative Law Division.**

- 2.1. Paper copies of any material filed in the Administrative Law Division: \$2.00 for labor and postage plus twenty (20) cents per page
- 2.2. Copies of state statutes: \$5.00 plus \$.20 per page.
- 2.3. Certification of any document \$10.00 plus copy charges
- 2.4. All requesting parties shall be required to pay for copies, except offices of the Legislative branch, the Judicial branch or documents provided through a subpoena.
  - 2.4.a. Provided that state agencies shall receive one (1) copy of their own rules at no charge.
- 2.5. Annual subscription to the West Virginia State Register published weekly
  - 2.5.a. Paper Copy \$250.00
  - 2.5.b. CD/DVD \$300.00
  - 2.5.c. Email \$100.00
- 2.6. Complete set of the West Virginia Code of State Rules
  - 2.6.a. Paper
    - 2.6.a.1. Rules, tabs and binders \$650.00
    - 2.6.a.3. One-year monthly supplement \$150.00

2.6.b. CD/DVD	
2.6.b.1. Rules	\$100.00
2.6.b.2. One-year monthly supplement	\$100.00
2.6.c. Email/FTP	
2.6.c.1. Rules by FTP	\$100.00
2.6.c.2. One-year monthly supplement by Email	\$100.00
2.7. 4-inch binders	\$10.00 each