

**WEST VIRGINIA
SECRETARY OF STATE
BETTY IRELAND
ADMINISTRATIVE LAW DIVISION**

Form #3

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SECRETARY OF STATE
STATE OF WEST VIRGINIA

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: West Virginia State Board of Architects TITLE NUMBER: 2

CITE AUTHORITY: WV Code 30-12-1, 30-12-3 and 30-7a

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 3

TITLE OF RULE BEING AMENDED: Fees for Registration of Architects

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.



Authorized Signature

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Fees for Registration of Architects

Type of Rule: Legislative Interpretive Procedural

Agency: West Virginia State Board of Architects

Address: P.O. Box 9125, Huntington, WV 25704-0125

Phone Number: 304-528-5825 Email: lewilex@mail.wvnet.edu

Fiscal Note Summary

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

There will not be an impact on the costs and revenues of the West Virginia State Board of Architects.

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.

FISCAL YEAR			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00	0.00	0.00
Personal Services			
Current Expenses			
Repairs & Alterations			
Assets			
Other			
2. Estimated Total Revenues	0.00	0.00	0.00

Rule Title: _____

Rule Title: Fees for Registration of Architects

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

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

There will not be an increase or decrease in the Fees for the Registration of the Architects for the West Virginia State Board of Architects.

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.

N/A

Date: 8/29/08

Signature of Agency Head or Authorized Representative

Leya C Lewis

QUESTIONNAIRE

(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)

DATE: August 29, 2008

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) West Virginia State Board of Architects, 916 5th Avenue
Suite 410, P.O. Box 9125, Huntington, WV 25704-0125

LEGISLATIVE RULE TITLE: Fees for Registration of Architects

1. Authorizing statute(s) citation WV State Code 30-12-1, 30-12-3 and 30-1-7a

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:
July 29, 2008

b. What other notice, including advertising, did you give of the hearing?
Notice was given on the West Virginia State Home Web Site and on the Web Site of the West Virginia State Board of Architects

c. Date of Public Hearing(s) *or* Public Comment Period ended:
August 28, 2008

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.
Attached _____ No comments received X

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

N/A

- f. **Name, title, address and phone/fax/e-mail numbers** of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

Lexa C. Lewis, Executive Director of the WV State Board of Architects
P.O. Box 9125, Huntington, WV 25704-0125
Phone: 304-528-5825

E-mail Address: lewilex@mail.wvnet.edu

- g. **IF DIFFERENT FROM ITEM 'f'**, please give **Name, title, address and phone number(s)** of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

N/A

b. Date of hearing or comment period:

N/A

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

N/A

d. Attach findings and determinations and reasons:

Attached N/A

**Statement of Circumstances Requiring Amendment to
TITLE 2
LEGISLATIVE RULE
BOARD OF ARCHITECTS
SERIES 3
FEES FOR REGISTRATION OF ARCHITECTS**

The fees charged for registration renewal and reinstatement do not change. The revisions reflect changes in common practice among Architectural Registration Boards relating to the transition to on-line services and standards for electronic practice. In addition, specific time restrictions are established for the reinstatement of inactive registrations more accurately reflecting the time/cost required for application processing and updating CEU documentation. These changes bring our rules into greater compliance with the language of model professional laws and standards, and common practice among Registration Boards for Architecture and related professions.

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TITLE 2
LEGISLATIVE RULE
BOARD OF ARCHITECTS

SECRETARY OF STATE
STATE OF WEST VIRGINIA

SERIES 3
FEES FOR REGISTRATION OF ARCHITECTS

§2-3-1. General.

1.1. Scope. -- This rule sets fees related to the registration of architects as provided in W. Va. Code §§3-1-6 and 30-12-1, et seq.

1.2. Authority. -- W. Va. Code §30-1-6.

1.3. Filing Date. -- April 27, 2001.

1.4. Effective Date. -- May 1, 2001.

§2-3-2. Definitions.

2.1. Terms Defined by Statute -- Terms defined in W. Va. Code §30-12-2 have the same meanings when used in this rule unless the context or subject matter clearly requires a different interpretation.

2.2. Terms Defined -- ~~As used in this rule, the following terms have the following meanings unless the context or subject matter clearly requires a different interpretation:~~ Terms defined in "Title 2 Legislative Rule Board of Architects - Series 1 - Registration of Architect" have the same meanings when used in this rule unless the context or subject matter clearly requires a different interpretation.

~~2.2.1. Applicant -- An individual who has submitted an application for registration to the Board.~~

~~2.2.2. A.R.E. -- the current Architect Registration Examination, prepared by NCARB.~~

~~2.2.3. NCARB -- The National Council of Architectural Registration Boards.~~

§2-3-3. Fees.

3.1. The applicant shall pay with his or her application for registration or reciprocal registration a non-refundable filing fee in the amount of one hundred dollars (\$100.00)

3.2. The applicant shall pay directly to NCARB or its designee all fees related to the cost of the A.R.E. or any division of the A.R.E.

3.3. The applicant for registration or reciprocal registration shall pay the Board fifty dollars (\$50.00) for a hand seal and printed certification evidencing registration as an architect.

3.4. The applicant shall pay a fee to the Board of seventy-five dollars (\$75.00) for the annual renewal of a certificate of registration. An initial certificate of registration expires on June 30th of the year following initial registration, and annual renewals expire on June 30th of each year thereafter.

3.5. The nonresident applicant for reciprocal registration shall pay to the Board, in addition to the

filing fee accompanying the application and the fee for the ~~hand seal and~~ printed certification, two hundred fifty dollars (\$250.00) for registration.

3.6. The applicant shall pay to the Board for the ~~restoration~~ renewal of an ~~expired~~ inactive certificate of registration one hundred fifty dollars (\$150.00), if the inactive certificate of registration is ~~restored~~ renewed within twelve months (12) ~~from~~ after the renewal date.

3.7. The applicant shall pay to the Board for ~~restoration~~ reinstatement of an ~~expired~~ inactive certificate of registration two hundred fifty dollars (\$250.00), if the inactive certificate of registration is ~~restored~~ reinstated more than twelve (12) months ~~from~~ but not exceeding five years after the renewal date.