

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #3

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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

AGENCY: West Virginia Board of Architects TITLE NUMBER: 2

CITE AUTHORITY: WV Code §30-1-6

AMENDMENT TO AN EXISTING RULE: YES ___ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: Series 3

TITLE OF RULE BEING PROPOSED: Fees for Registration of Architects

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.

E. Keith Dean

Authorized Signature

SUMMARY OF PROPOSED RULE

Clarifies the fee structure in the present Series 1 Rule as to the intent and applicability of each specific fee. The specific fee and amount has not been changed.

STATEMENT OF CIRCUMSTANCES REQUIRING PROPOSED RULE

The Performance Evaluation and Research Division of the West Virginia Legislature has recommended that the fee structure language be clarified as to the intent and applicability of the specific fee to eliminate potential confusion. Neither the specific fee or the amount of the fee has been changed.

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 28, 2000

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: *(Agency Name, Address & Phone No.)* West Virginia Board of Architects

P.O. Box 589, 916 5Th Avenue, Huntington, WV 25710-0589

LEGISLATIVE RULE TITLE: Feēs for Registration of Architects

1. Authorizing statute(s) citation WV Code §30-1-6

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

July 31, 2000

b. What other notice, including advertising, did you give of the hearing?

DNA (Public Comment Period)

c. Date of Public Hearing(s) *or* Public Comment Period ended:

August 31, 2000

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)

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

E. Keith Dean, Board of Architects, P.O. Box 589,
Huntington, WV 25710-0589, Secretary/Member of Board

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)

Marjorie Martorella, 1409 Robin Hood Road, Charleston,
WV 25314, 304-744-3264 or 740-867-3636

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.

DNA

b. Date of hearing or comment period:

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

Circumstances requiring proposed rule filed July 31, 2000

d. Attach findings and determinations and reasons:

Attached _____

□
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: 916 5Th Avenue, Suite 203

P.O. Box 589

Huntington, WV 25701

1. Effect of Proposed rule: No Effect on Present Expenditure Schedule

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	0	0	0	0	0
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERATIONS					
EQUIPMENT					
OTHER					

2. Explanation of Above Estimates: N/A

3. Objectives of These Rules: Clarify language of existing Rules Series 1 as to the intent and applicability of the fee to eliminate any potential confusion.

Rule Title: Fees for Registration of Architects

4. Explanation of Overall Economic Impact of Proposed Rule:

A. Economic Impact on State Government: None

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens: None

C. Economic Impact on Citizens/Public at Large. None

Date: July 28, 2000

Signature of Agency Head or Authorized Representative:

304-528-5825 Telephone

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**TITLE 2
LEGISLATIVE RULE
BOARD OF ARCHITECTS**

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**SERIES 3
FEES FOR REGISTRATION OF ARCHITECTS**

§2-3-1. General.

1.1. Scope. -- The rules of the West Virginia Board of Architects setting 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. --

1.4. Effective Date. --

1.5. Repeal and Replace. -- Repeals and replaces Rule §3.15 of the West Virginia Board of Architects amendments to 2CSR1 effective July 1, 1998.

1.6. Board's Regulatory Authority. -- The rules of the West Virginia Board of Architects are promulgated pursuant to the authority of W. Va. Code §30-12-1 and in conformity with the applicable provisions of the West Virginia Administrative Procedures Act (W. Va. Code §29A-1-1, et seq.).

§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:

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

2.2.2. Architect -- Any person who engages in the practice of architecture as defined in W. Va. Code §§30-12-2 and 30-12-11.

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

2.2.4. NCARB -- The National Council of Architectural Registration Boards.

§2-1-3. 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)

2CSR3

3.2. The applicant is responsible for payment directly to NCARB or its designee all fees related to the cost of the A.R.E. or any division thereof.

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 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 of an expired certificate of registration one hundred fifty dollars (\$150.00), if the certificate of registration is restored within twelve months (12) from the renewal date.

3.7. The applicant shall pay to the Board for restoration of an expired certificate of registration two hundred fifty dollars (\$250.00), if the certificate of registration is restored more than twelve (12) months from the renewal date.