

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

Form #2

Do Not Mark In This Box

FILED

2010 MAY 10 PM 2:17

WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: Board of Barbers and Cosmetologists TITLE NUMBER: 3CSR6

RULE TYPE: ~~Emergency~~ Legislative CITE AUTHORITY: 30-27-5

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 6

TITLE OF RULE BEING AMENDED: Schedule of Fees

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____


TITLE OF RULE BEING PROPOSED: _____

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 June 11, 2010 AT 12:00 noon ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

1201 Dunbar Avenue, Dunbar, WV 25064

wvbbc@wv.gov

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


Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

\$2.80

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Schedule of Fees

Rule Title: _____

Type of Rule: Legislative Interpretive Procedural

Agency: Board of Barbers and Cosmetologists

Address: 1201 Dunbar Avenue
Dunbar, WV 25064

Phone Number: 304-558-2924 Email: adam.l.higginbotham@wv.gov

Fiscal Note Summary

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

This will reduce the revenue generated by the board by \$15,000 annually. However, this will cut the board expenses by nearly \$21,600 annually. This will allow a certified and trained third-party examiner to charge and obtain examination fee as standard for other West Virginia Licensing Boards. This action will save more than \$5,000 a year. The board can save \$12,600 in board per diems for conducting examinations, and around \$9,000.00 for purchasing examination booklets.

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	12,600.00	12,600.00	-12,600.00
Current Expenses	9,000.00	9,000.00	9,000.00
Repairs & Alterations	0.00	0.00	0.00
Assets	0.00	0.00	0.00
Other	0.00	0.00	0.00
2. Estimated Total Revenues	21,600.00	21,600.00	21,600.00

Rule Title: Schedule of Fees

Rule Title: Schedule of Fees

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

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

By using a third-party examiner, the board will cut expenses through the board per diems of \$150.00 per day for 12 days of examinations for 7 board members, which totals \$12,600.00. Additionally, since the third-party examiner will incur the cost of the exam booklets, the Board will reduce expenses of \$15.00 per booklet for 600 annual examinees which totals around \$9,000.00. This will reduce expenses around \$21,600.00.

The cost for the exam, as provided by a NIC sponsor, will be received by the third-party examiner. The NIC sponsor, or National Interstate Council for State Licensing Board of Cosmetology. The estimated cost is around \$99.00 per examinee.

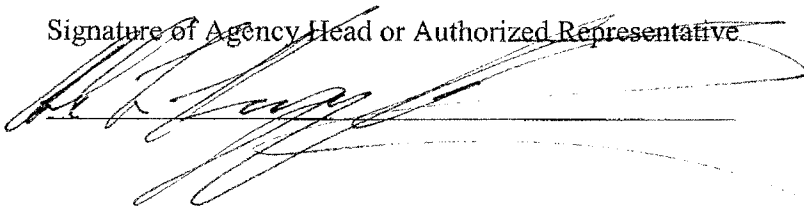
MEMORANDUM

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.

NA

Date: 5/6/10

Signature of Agency Head or Authorized Representative



FILED

TITLE 3
LEGISLATIVE RULES 2010 MAY -7 PM 4: 50
BOARD OF BARBERS AND COSMETOLOGISTS

SERIES 6

OFFICE OF THE CLERK
 SECRETARY OF STATE

SCHEDULE OF FEES

§ 3-6-1. General

- 1.1. **Scope** - This legislative rule establishes the various fees that are to be submitted to the Board of Barbers and Cosmetologists by students, instructors and owners and operators of schools of barbering and/or beauty culture and owners of barber, beauty, manicure and aesthetic shops.
- 1.2. **Authority** - W. Va. Code § 30-27-6
- 1.3. **Filing Date** - April 13, 2010
- 1.4. **Effective Date** - July 1, 2010

§ 3-6-2. Schedule of Fees

2.1	Examination and re-examination fee (to be paid to the National Interstate Council [NIC] sponsored third-party examiner)	\$75.00-\$99.00
2.2	Issuance or License fee	\$35.00
2.3	Reciprocity, application without exam fee	\$100.00
2.4	Annual license renewal fee	\$35.00
2.5	Late renewal fee: <i>Plus a \$10.00 late fee for each 30 days late not to exceed \$205.00</i>	\$35.00
2.6	Student permit	\$25.00
2.7	Initial license fee for a school of Barbering or school of Beauty Culture	\$1,000.00
2.8	Annual renewal fee for a school	\$250.00
2.9	Initial licensed instructor fee	\$50.00
2.10	Annual renewal of licensed instructor fee	\$50.00
2.11	Registration fee for booth or chair rental	\$15.00
2.12	Annual renewal for booth or chair rental	\$15.00
2.13	Late renewal for booth or chair rental: <i>Plus \$10.00 late fee for each 30 days late not to exceed \$100.00</i>	\$15.00
2.14	Shop or school opening inspection fee	\$50.00
2.15	Duplicate license fee	\$10.00
2.16	Initial license fee for beauty , barber, manicure, and aesthetician shop	\$40.00
2.17	Annual renewal fee for beauty, barber, manicure, and aesthetician shop	\$40.00
2.18	Fee for certification of licensure	\$35.00
2.19	Continuing Education Provide Annual Certificate <i>This is intended for approved providers of continuing education.</i>	\$100.00
2.20	Online Sanitation and Law Continuing Education <i>This is for individual licensees that take the Board's online continuing education classes for sanitation and law.</i>	\$25.00
2.21	Place individual license on inactive status	\$10.00
2.22	Permit fee	\$15.00