

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

Form #3

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FILE

2011 AUG -3 AM 10:18

OFFICE OF THE SECRETARY OF STATE

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

AGENCY: WV Board of Registration for Foresters TITLE NUMBER: 200

CITE AUTHORITY: _____

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 4

TITLE OF RULE BEING AMENDED: 200-Schedule of Fees

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

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: 7/29/11

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) WV Board of Registration for Foresters, PO Box 1032,
Ripley, WV 25271, 304-415-3952

LEGISLATIVE RULE TITLE: Title 200 Series 4-Schedule of Fees

1. Authorizing statute(s) citation Chapter 30 Article 19

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:
June 28, 2011

b. What other notice, including advertising, did you give of the hearing?
Information was posted on website to notify our registrants.

c. Date of Public Hearing(s) *or* Public Comment Period ended:
July 29, 2011

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached _____ No comments received None received

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

August 1, 2011

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

Cinda Francis, PO Box 1032, Ripley, WV 25271, 304-415-3952, fax:
304-372-1957; wvborf@wirefire.com

- 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)

same as above

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.

does not apply

b. Date of hearing or comment period:

Comment period: June 29-July 29, 2011

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

June 28, 2011

d. Attach findings and determinations and reasons:

Attached attached

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Title 200 Series 4 - Schedule of Fees

Rule Title: _____

Type of Rule: Legislative Interpretive Procedural

Agency: WV Board of Registration for Foresters

Address: PO Box 1032, Ripley, WV 25271

Phone Number: 304-415-3952 Email: wvborf@wirefire.com

Fiscal Note Summary

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

This Rule will allow the Board of Foresters to charge a fee to applicants to cover the costs associated with administering an exam as part of the application fee. Additionally, the Rule will increase the annual renewal fee and modify and clarify how the late fee is calculated and how much is charged. The Board of Foresters receives no State revenue and thus all costs and revenues would only effect the Board. It is expected that an additional \$4000 will be collected as a result of the revised fee schedule.

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			
Personal Services	8,700.00	15,200.00	15,200.00
Current Expenses	2,100.00	6,300.00	6,300.00
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	18,000.00	22,000.00	22,000.00

Title 200 Series 4 - Schedule of Fees

Rule Title: _____

Rule Title: _____

3. **Explanation of above estimates (including long-range effect):**
Please include any increase or decrease in fees in your estimated total revenues.

The Board of Foresters expects to incur additional costs as the administration of an examination is initiated. The Board anticipates a significant increase in personnel services due to exam administrator fees and additional legal fees due to individuals not passing the exam. While revenues will obviously increase (by an estimated \$4000), costs will also increase as a result of this Rule.

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: August 1, 2011

Signature of Agency Head or Authorized Representative

Cynthia Francis

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TITLE 200
LEGISLATIVE RULE
STATE BOARD OF REGISTRATION OF FORESTERS
SERIES 4
SCHEDULE OF FEES

OFFICE OF THE SECRETARY OF STATE

§200-4-1. General.

1.1. Scope. -- This legislative rule establishes the various fees that are to be submitted to the State Board of Registration of Foresters.

1.2. Authority. -- W. Va. Code §30-19-6.

1.3. Filing Date. --

1.4. Effective Date. --

§200-4-2. Schedule of Fees.

2.1	Examination fee to be certified as a registered forester	\$100.00
2.2	Application fee for to be certified as a registered forester or forestry technician	\$50.00
2.2	Annual certification license renewal fee	\$35.00
2.3	Late renewal fee (if not received by June 30th): <i>Plus a \$10.00 late fee for each 12 months late not to exceed \$50.00</i>	\$10.00
2.4	Permit fee	\$10.00
2.5	Duplicate certificate fee	\$10.00
2.7	Place individual license on inactive status	\$10.00
2.8	Roster fee	\$10.00
2.9		