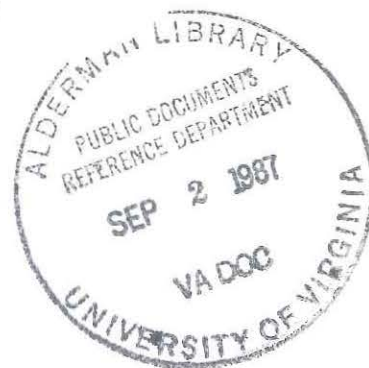


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# VIRGINIA REGISTER

OF REGULATIONS



VOLUME THREE • ISSUE TWENTY-FOUR

August 31, 1987

# 1987

PAGES 2815 THROUGH 2932

# INFORMATION ABOUT THE VIRGINIA REGISTER OF REGULATIONS

## VIRGINIA REGISTER

The *Virginia Register* is an official state publication issued every other week throughout the year. Indexes are published quarterly, and the last index of the year is cumulative.

The *Virginia Register* has several functions. The full text of all regulations, both as proposed and as finally adopted or changed by amendment are required by law to be published in the *Virginia Register of Regulations*.

In addition, the *Virginia Register* is a source of other information about state government, including all Emergency Regulations issued by the Governor, and Executive Orders, the *Virginia Tax Bulletin* issued monthly by the Department of Taxation, and notices of all public hearings and open meetings of state agencies.

## ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS

An agency wishing to adopt, amend, or repeal regulations must first publish in the *Virginia Register* a notice of proposed action; a basis, purpose, impact and summary statement; a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations.

Under the provisions of the Administrative Process Act, the Registrar has the right to publish a summary, rather than the full text, of a regulation which is considered to be too lengthy. In such case, the full text of the regulation will be available for public inspection at the office of the Registrar and at the office of the promulgating agency.

Following publication of the proposal in the *Virginia Register*, sixty days must elapse before the agency may take action on the proposal.

During this time, the Governor and the General Assembly will review the proposed regulations. The Governor will transmit his comments on the regulations to the Registrar and the agency and such comments will be published in the *Virginia Register*.

Upon receipt of the Governor's comment on a proposed regulation, the agency (i) may adopt the proposed regulation, if the Governor has no objection to the regulation; (ii) may modify and adopt the proposed regulation after considering and incorporating the Governor's suggestions, or (iii) may adopt the regulation without changes despite the Governor's recommendations for change.

The appropriate standing committee of each branch of the General Assembly may meet during the promulgation or final adoption process and file an objection with the *Virginia Registrar* and the promulgating agency. The objection will be published in the *Virginia Register*. Within twenty-one days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative Committee, and the Governor.

When final action is taken, the promulgating agency must again publish the text of the regulation, as adopted, highlighting and explaining any substantial changes in the final regulation. A thirty-day final adoption period will commence upon publication in the *Virginia Register*.

The Governor will review the final regulation during this time and if he objects, forward his objection to the Registrar and the agency. His objection will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation are substantial, he may suspend the regulatory process for thirty days and require the agency to solicit additional public comment on the substantial changes.

A regulation becomes effective at the conclusion of this thirty-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative

objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the twenty-one day extension period; or (ii) the Governor exercises his authority to suspend the regulatory process for solicitation of additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified which date shall be after the expiration of the period for which the Governor has suspended the regulatory process.

Proposed action on regulations may be withdrawn by the promulgating agency at any time before final action is taken.

## EMERGENCY REGULATIONS

If an agency determines that an emergency situation exists, it then requests the Governor to issue an emergency regulation. The emergency regulation becomes operative upon its adoption and filing with the Registrar of Regulations, unless a later date is specified. Emergency regulations are limited in time and cannot exceed a twelve-months duration. The emergency regulations will be published as quickly as possible in the *Virginia Register*.

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures (See "Adoption, Amendment, and Repeal of Regulations," above). If the agency does not choose to adopt the regulations, the emergency status ends when the prescribed time limit expires.

## STATEMENT

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 of Chapter 1.1:1 (§§ 9-6.14:6 through 9-6.14:9) of the Code of Virginia be examined carefully.

## CITATION TO THE VIRGINIA REGISTER

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**Staff of the Virginia Register:** Joan W. Smith, Registrar of Regulations; Ann M. Brown, Deputy Registrar of Regulations.

VIRGINIA REGISTER OF REGULATIONS

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Noon Wednesday

**PUBLICATION DATE**

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Aug. 26	Sept. 14
Sept. 9	Sept. 28
Final Index - Vol. 3	

Volume 4 - 1987-88

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Oct. 21	Nov. 9
Nov. 4	Nov. 23
Nov. 18	Dec. 7
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Dec. 16	Jan. 4, 1988
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Jan. 27	Feb. 15
Feb. 10	Feb. 29
Feb. 24	Mar. 14
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Index - 2nd Issue, Vol. 4	

Mar. 23	Apr. 11
Apr. 6	Apr. 26
Apr. 20	May 9
May 4	May 23
May 18	June 6
June 1	June 20
Index - 3rd Issue, Vol. 4	

June 15	July 4
June 29	July 18
July 13	Aug. 1
July 27	Aug. 15
Aug. 10	Aug. 29
Aug. 24	Sept. 12
Sept. 7	Sept. 26
Final Index - Vol. 4	

# TABLE OF CONTENTS

## PROPOSED REGULATIONS

### ALCOHOLIC BEVERAGE CONTROL BOARD

Manufacturers and Wholesalers Operators. (VR 125-01-6) ..... 2817

### STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND CERTIFIED LANDSCAPE ARCHITECTS

Rules and Regulations of the State Board of Architects, Professional Engineers, Land Surveyors, and Certified Landscape Architects. (VR 130-01-2) .... 2817

### VIRGINIA BOARD OF GEOLOGY

Rules and Regulations of the Virginia Board of Geology. (VR 335-01-2) ..... 2867

### VIRGINIA HOUSING DEVELOPMENT AUTHORITY

Procedures, Instructions and Guidelines for Mortgage Credit Certificate Program. (VR 400-02-0010) ..... 2876

### DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

Fees for Court Services Provided by Local Departments of Social Services. (VR 615-50-5) ..... 2879

## FINAL REGULATIONS

### DEPARTMENT OF GAME AND INLAND FISHERIES (BOARD OF)

Turkey. (VR 325-02-22) ..... 2881

### DEPARTMENT OF LABOR AND INDUSTRY Safety and Health Codes Board

Asbestos Standard for General Industry (Corrections). (VR 425-02-09) ..... 2881

Asbestos Standard for Construction Industry (Corrections). (VR 425-02-10) ..... 2882

Asbestos Standard for Nonasbestiform Tremolite, Anthophyllite and Actinolite (Extension of Partial Administrative Stay). (VR 425-02-26) ..... 2882

Hazardous Waste Operations and Emergency Response Standard - Virginia Occupational Safety and Health Standards for General Industry. (VR 425-02-29) ..... 2884

### DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

Virginia Fuel Assistance Program. (VR 615-08-1) ..... 2884

## STATE CORPORATION COMMISSION

### ORDERS

Rules Governing Multiple Employer Health Care Plans. (INS870162) ..... 2887

Small Water or Sewer Utility Act. (PUE870037) ..... 2897

## VIRGINIA TAX BULLETIN

### VIRGINIA DEPARTMENT OF TAXATION

Interest Rates. (87-2) ..... 2898

## GOVERNOR

### EXECUTIVE ORDERS

Declaration of State of Emergency Arising from Flooding in Dickenson and Buchanan Counties, Virginia. 48 (87) ..... 2899

### GOVERNOR'S COMMENTS

### DEPARTMENT OF FORESTRY

Public Participation Guidelines. (VR 312-01-1) ..... 2899

### BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

Virginia Private Activity Bond Regulations. (VR 394-01-200) ..... 2899

### DEPARTMENT OF LABOR AND INDUSTRY

Regulations Governing the Administration of Apprenticeship Programs in the Commonwealth of Virginia, XI - Program Sponsor Evaluation

# Table of Contents

---

Procedure. (VR 425-01-27) ..... 2899

## DEPARTMENT OF WASTE MANAGEMENT

Hazardous Waste Management Regulations,  
Amendment 8. (VR 672-10-1) ..... 2899

## STATE WATER CONTROL BOARD

Water Quality Standards. (VR 680-21-00) ..... 2900

## GENERAL NOTICES/ERRATA

### NOTICES OF INTENDED REGULATORY ACTION

Notices of Intent ..... 2901

### GENERAL NOTICES

## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Legal Notice: Assessment on Soybeans. .... 2904

## BOARD OF GAME AND INLAND FISHERIES

Notice to the Public: Turkey Hunting Season Prince  
George County. .... 2904

Notice to the Public: Turkey Hunting Season  
Southampton County ..... 2904

## DEPARTMENT OF LABOR AND INDUSTRY

General Notice: Regulations Governing the  
Administration of Apprenticeship Programs in the  
Commonwealth of Virginia, IV.B.(14) Numeric Ratio  
of Apprentices to Journeymen. (VR 425-01-28) ..... 2905

## GOVERNOR'S COMMISSION ON TRANSPORTATION FOR THE TWENTY-FIRST CENTURY

Notice of Public Hearing: Phase II - Local  
Transportation Needs. .... 2905

### NOTICE TO STATE AGENCIES

Forms for filing material on date for publication in  
the Virginia Register of Regulations ..... 2905

## CALENDAR OF EVENTS

### EXECUTIVE

Open Meetings and Public Hearings ..... 2906

### LEGISLATIVE

Open Meetings and Public Hearings ..... 2926

### CHRONOLOGICAL LIST

Open Meetings ..... 2929

Public Hearings ..... 2931

# PROPOSED REGULATIONS

For information concerning Proposed Regulations, see information page.

## Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates proposed new text. Language which has been stricken indicates proposed text for deletion.

## ALCOHOLIC BEVERAGE CONTROL BOARD

**EDITOR'S NOTE:** The proposed regulation entitled VR 125-01-6, Manufacturers and Wholesalers Operators, issued by the Alcoholic Beverage Control Board was inadvertently omitted from the August 17, 1987, issue of the Virginia Register (Vol. 3, Issue 23), and is published below.

**Title of Regulation:** VR 125-01-6. Manufacturers and Wholesalers Operators.

**Statutory Authority:** § 4-11 of the Code of Virginia.

**Public Hearing Date:** November 19, 1987 - 10 a.m.  
(See Calendar of Events section for additional information)

### Summary:

*The proposed amendments permit wholesale wine distributors to take an actual physical inventory on a quarterly rather than a monthly basis as presently required.*

VR 125-01-6. Manufacturers and Wholesalers Operators.

§ 2. Wines; purchase orders generally; wholesale wine distributors.

A. Purchase orders generally. Purchases of wine from the board, between licensees of the board and between licensees and persons outside the state *Commonwealth* shall be executed only on orders on forms prescribed by the board and provided at cost if supplied by the board.

B. Wholesale wine distributors. Wholesale wine distributors shall comply with the following procedures;

1. Purchase orders. A copy of each purchase order for wine and a copy of any change in such order shall be forwarded to the board by the wholesale wine distributor at the time the order is placed or changed. Upon receipt of shipment, one copy of such purchase order shall be forwarded to the board by the distributor reflecting accurately the date received and any changes.

2. Sales in the state. Separate invoices shall be used for all nontaxed wine sales in the state *Commonwealth* and a copy of each such invoice shall be furnished to the board upon completion of the sale.

3. Out of state sales. Separate sales invoices shall be used for wine sold outside the state *Commonwealth*

and, a copy of each such invoice shall be furnished to the board upon completion of the sale.

4. Peddling. Wine shall not be peddled to retail licensees.

5. Repossession. Repossession of wine sold to a retailer shall be accomplished on forms prescribed by the board and provided at cost if supplied by the board, and in compliance with the instructions on the forms.

6. Reports to the board. Each month wholesale wine distributors shall, on forms prescribed by the board and in accordance with the instructions set forth therein, report to the board the purchases and sales made during the preceding month ; , and the amount of state wine tax collected from retailers pursuant to § 4-22.1 of the Code of Virginia ; and the quantity of wine on hand at the close of business on the last day of the month based on the actual physical inventory by brands . Each wholesale wine distributor shall on forms prescribed by the board on a quarterly basis indicate to the board the quantity of wine on hand at the close of business on the last day of the month of the preceding quarter based on actual physical inventory by brands. Reports shall be accompanied by remittance for the amount of taxes collected, less any refunds, replacements or adjustments and shall be postmarked no later than the 15th day of the month or, if the 15th day is not a business day, the next business day thereafter.

## STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND CERTIFIED LANDSCAPE ARCHITECTS.

**Title of Regulations:** VR 130-01-2. Rules and Regulations of the State Board of Architects, Professional Engineers, Land Surveyors, and Certified Landscape Architects.

**Statutory Authority:** § 54-25 of the Code of Virginia.

**Public Hearing Date:** November 6, 1987 - 10 a.m.  
(See Calendar of Events section for additional information)

### Summary:

*The proposed regulations establish the requirements for licensure or certification of architects, professional engineers, land surveyors and certified landscape*

# Proposed Regulations

architects, as well as the professional corporations and businesses offering such professional services.

Proposed revisions include deletion of fee schedule to facilitate board conformance to the Callahan Act; further requirements for truthful statements by the professional to potential clients, peers and board; reduction of experience requirements for nonapproved degreed applicants' admission to the Engineer In Training examination. Many other changes reflect language revisions to improve the clarity of the regulations without altering substantive requirements.

VR 130-01-2. Rules and Regulations of the State Board of Architects, Professional Engineers, Land Surveyors, and Certified Landscape Architects.

## PART I. GENERAL.

§ 1.1. Who is required to obtain a license/certificate.

(Reserved for §§ 54-17.1, 54-26.1, 54-37, 54-37.1 of the Code of Virginia.)

§ 1.2. Determining qualifications of applicants.

In determining the qualifications of an applicant for a license as an architect, a majority vote of only the architect members of the board shall be required. In determining the qualifications of an applicant for a license as a professional engineer, a majority vote of only the engineer members of the board shall be required. In determining the qualifications of an applicant for a license as a land surveyor, a majority vote of only the land surveyor members of the board shall be required, and in determining the qualifications of an applicant for certification as a landscape architect, a majority vote of the certified landscape architect members only shall be required. (§§ 54-1.28 1., 54-25.)

§ 1.3. Expiration, renewal and fees of licensees.

For purposes of this regulation, "licenses" shall also mean certificates and certificates of authority. The word "licensee" shall mean certificate holder when referring to certified landscape architects. All fees are nonrefundable.

A. Licenses that expire on December 31, 1984, for individuals licensed will be renewed in a staggered renewal system whereby an approximately equal number of licenses will be renewed each month during a biennium. Renewal notices mailed in the fall of 1984 will indicate the amount of fee due and the next expiration date. The amount of fees charged to each licensee will be determined by the following schedule on a one-time basis:

Expiration Date	Amount of Fee	
	Architects Land Surveyors Landscape Architects	Professional Engineers
July 31, 1985	\$15	\$10
Aug. 31, 1985	17	12
Sept. 30, 1985	19	13
Oct. 31, 1985	21	15
Nov. 30, 1985	23	16
Dec. 31, 1985	25	17
Jan. 31, 1986	27	19
Feb. 28, 1986	29	20
March 31, 1986	31	22
April 30, 1986	33	23
May 31, 1986	35	25
June 30, 1986	38	26
July 31, 1986	40	28
Aug. 31, 1986	42	29
Sept. 30, 1986	44	31
Oct. 31, 1986	46	32
Nov. 30, 1986	48	34
Dec. 31, 1986	50	35
Jan. 31, 1987	52	36
Feb. 28, 1987	54	38
March 31, 1987	56	39
April 30, 1987	58	41
May 31, 1987	60	42
June 30, 1987	63	44

A. Any license expiring on or after July 31, 1986, Licenses will be renewed for a two-year period upon payment of a fee of \$50 for architects, land surveyors, and certified landscape architects; and \$35 for professional engineers established by the board pursuant to § 54-1.28:1 of the Code of Virginia. Fees are nonrefundable and shall not be prorated.

B. Beginning on July 1, 1984, all new licenses will expire two years from the last day of the month in which issued.

C. Failure to receive a renewal notice shall not relieve the licensee of the obligation responsibility to renew. If the licensee fails to receive the renewal notice, a copy of the license may be submitted with the required fee.

D. For any licensee failing to renew the license within one month following the date it expires, a penalty fee of \$50 for architects, land surveyors, and certified landscape architects; and \$35 for professional engineers will be required, in addition to the regular renewal fee. Any licensee failing to renew the license within six months after it expires must apply for reinstatement of the license.

E. The date a fee is received by the Department of Commerce, or its agent, will be used to determine whether a penalty fee or the requirement for reinstatement of a license is applicable.

F. Revoked or suspended licenses are not renewable until reinstated by the board.

G. Licenses for professional corporations and business entities shall expire on December 31 of each odd-numbered year. Each license will be renewed upon payment of \$50 for professional corporations and \$10 for business entities a fee established by the board pursuant to § 54-1.28:1 of the Code of Virginia. Fees are nonrefundable and shall not be prorated. Failure to receive written notice from the department shall not relieve the license holder from the responsibility to renew. (~~§§ 54-1.28. 4., 54-27.3 C.~~)

## § 1.4. Reinstatements.

If the licensee fails to renew the license within six months following its expiration date, the licensee will be required to apply for license reinstatement. The applicant will be required to present reasons why the license should be reinstated, and the board may grant reinstatement of the license or require requalification ~~and/or~~, reexamination, or both. The application fee for reinstatement of a license shall be an amount equal to twice the renewal fee.

A. The date the renewal application and fee are received in the office of the department shall be the factor determining determine whether a license shall be renewed without penalty fees or shall be subject to reinstatement procedures.

B. Revoked licenses, suspended licenses, and licenses not renewed from past renewal periods shall not be renewable under this regulation. (~~§ 54-1.28. 4.~~)

## § 1.5. Replacement of wall certificate.

Any licensee may obtain a replacement for a lost, destroyed, or damaged wall certificate only upon submission of a \$20 fee accompanied by a written request indicating that the certificate was lost, destroyed, or damaged.

## § 1.6. Grounds for suspension, denial of renewal, or revocation.

No license/certificate shall be suspended, denied renewed, or revoked unless a majority of the members of the entire board and a majority of the board members of the profession involved vote for the action. The board may suspend, fail to renew, or revoke any license, certification, certificate of authority, or registration as a business entity, after the granting of a hearing to the holder thereof if the board finds that:

1. The license, certification or registration was obtained or renewed through fraud or misrepresentation; or
2. The holder has been found guilty by the board, or

by a court of competent jurisdiction, of any material misrepresentation in the course of professional practice, or has been convicted of any felony or misdemeanor which, in the judgment of the board, adversely affects the individual's ability to perform satisfactorily within the licensed discipline; or

3. The holder is guilty of professional incompetence or negligence; or

4. The holder is addicted to drugs or alcohol to the extent that professional competence is adversely affected; or

5. The holder violates or induces others to violate any provision of Chapters 1.1 and 3 of Title 54, or Chapter 7 of Title 13.1, of the Code of Virginia, or any other statute applicable to the practice of the professions herein regulated or any provision of these rules and regulations. (~~§§ 54-25., 54-1.20., 54-1.21., 54-1.28.~~)

## § 1.7. Responsibility to the public.

The primary obligation of the professional is to the public. If the professional judgment of the licensee is overruled under circumstances when the safety, health, property, and welfare of the public are endangered, the professional shall inform the employer or client of the possible consequences and notify appropriate authorities. (~~§ 54-25.~~)

## § 1.8. Public statements.

The professional shall be truthful in all professional matters. When serving as an expert or technical witness, the professional shall express an opinion only when it is based on an adequate knowledge of the facts in the issue and on a background of technical competence in the subject matter. Except when appearing as an expert witness in court or an administrative proceeding when the parties are represented by counsel, the professional shall issue no statements, reports, criticisms, or arguments on matters relating to professional practice which are inspired or paid for by an interested party or parties, unless the licensee has prefaced the comment by disclosing the identities of the party or parties on whose behalf the professional is speaking, and by revealing any self-interest. (~~§ 54-25. (2)~~)

*A. A registered professional shall not deliberately make a materially false statement or fail deliberately to disclose a material fact requested in connection with his application for registration or renewal.*

*B. A registered professional shall not assist the application for a registration of an individual known by the registrant to be unqualified in respect to education, training, experience, or character.*

## § 1.9. Conflicts of interest.



# Proposed Regulations

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The professional shall promptly and fully inform an employer or client of any business association, interest, or circumstance which may influence the professional's judgment or the quality of service.

A. The professional shall not accept compensation, financial or otherwise, from more than one party for services on or pertaining to the same project, unless the circumstances are fully disclosed to all parties of current interest.

B. The professional shall neither solicit nor accept financial or other valuable consideration from material or equipment suppliers for specifying their products or services.

C. The professional shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with a client or employer in connection with work for which the professional is responsible. (~~§ 54-25~~)

## § 1.10. Solicitation of work.

The professional shall not bribe. The professional shall not falsify or permit misrepresentation of the professional's work or an associate's academic or professional qualifications, nor shall the professional misrepresent the degree of responsibility for prior assignments. Materials used in the solicitation of employment shall not misrepresent facts concerning employers, employees, associates, joint ventures or past accomplishments of any kind. (~~§ 54-25~~)

## § 1.11. ~~Improper~~ Professional conduct.

The professional shall not knowingly associate in a business venture with, or permit the use of the professional's name or firm name by any person or firm where there is reason to believe that that person or firm is engaging in activity of a fraudulent or dishonest nature or is violating statutes or any of these regulations.

A. If the professional who has direct knowledge that another individual or firm may be violating any of these provisions, or the provisions of Chapters 1.1 and 3, Title 54, or Chapter 7, Title 13.1 of the Code of Virginia, the professional shall immediately inform the Secretary of the board in writing and shall cooperate in furnishing any further information or assistance that may be required.

B. Competency for assignments. The professional shall undertake to perform professional assignments only when qualified by education or experience *and licensed or certified* in the specific technical field of the profession involved. The professional may accept an assignment requiring education or experience outside of the field of the professional's competence, but only to the extent that services are restricted to those phases of the project in which the professional is qualified. All other phases of such project shall be the responsibility of licensed or

certified associates, consultants or employees.

C. A registered professional shall not misrepresent to a prospective or existing client or employer his qualifications and the scope of his responsibility in connection with work for which he is claiming credit.

D. If evidence is furnished to the board which creates doubt as to the competency of a regulant to perform professional assignments in a technical field, the board may require that individual to prove competence by interview, presentation, or examination. Failure to appear before the board, pass an examination, or otherwise demonstrate competency to the board shall be basis for revocation or suspension of licenses/certificates. (~~§ 54-25~~)

## § 1.12. Licensee's approval of an unlicensed person's work. Use of seal.

The application of a professional seal to design work shall indicate that the professional has analyzed the design issues and has exercised his professional judgment and expertise in the solution of these issues. Therefore, no licensee shall affix a name, seal, or certification to any plat, design, specification, or other work constituting the practice of the professions regulated which has been prepared by an unlicensed person unless such work was performed under the direction and supervision of the licensee ; either while employed by the licensee or while employed by the same firm as the licensee .

A. For the purposes of this section, an "employee" shall mean an individual who receives compensation for work performed from a firm which employs or which has as a principal on a full-time basis, a licensee in the appropriate professional discipline.

B. A licensee shall exert control over the end product of professional work performed. (~~§ 54-25~~)

## § 1.14. Use of seal.

A principal or authorized licensed employee shall apply a rubber stamp or preprinted seal to final and complete cover sheets and to each original sheet of plans, drawings, ~~and~~ or plats, prepared by the regulant. The seal shall be applied to the cover sheet of technical reports and specifications prepared by the regulant or by someone directly responsible to the regulant. (~~§ 54-20, § 54-25~~)

1. All seal imprints on final documents shall be signed.

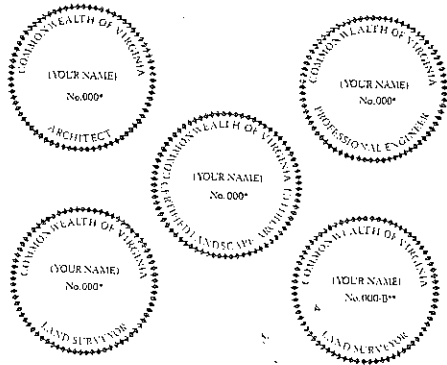
2. Uncompleted plans, documents, and sketches, whether advance or preliminary copies, shall be so identified and need not be sealed or signed.

3. The seal or each person responsible for each discipline shall be used.

# Proposed Regulations

D. 4. Application of the seal and signature indicates acceptance of responsibility for work shown thereon.

E. 5. The seal shall conform in detail and size to the design illustrated below:



\* The number referred to is the number, usually four or five digits, as shown on the wall certificate and not the license renewal number issued each biennium as indicated on the licensee's pocket card. The number \* will not change every two years, but is permanent.

\*\* The 3A certificate number with a suffix B shown on the land surveyor seal applies only if the land surveyor is licensed under § 54-17.1(3)(a) and (3)(b).

## § 1.13. Organization and styling of practice.

Nothing shall be contained in the name, letterhead, or other styling of a professional practice implying a relationship, ability, or condition which does not exist. (§ 54-1.20, § 54-26.1 C, § 13-1-544.1)

## § 1.15. § 1.14. Licensee required at each place of business.

Corporations, partnerships, firms, or other legal entities maintaining any place of business in the Commonwealth of Virginia for the purpose of providing or offering to provide architectural, engineering, land surveying, or certified landscape architectural services to the general public, shall have in responsible charge at each place of business a licensed or certified professional *exercising supervision and control of work* in each discipline being offered. (§ 54-37.3, Chapter 7, Title 13-1)

## PART II.

### QUALIFICATIONS FOR LICENSING OF ARCHITECTS.

#### § 2.1. Fees.

##### A. Deadline for applications and examination fees.

Complete applications with fee in the amount prescribed shall be filed with all references, experience validations, and official transcripts, not less than 90 days prior to the

date of the examination. (§ 54-1.28 4.)

##### B. Application, examination and review fees.

All fees shall be ~~nonrefundable~~; established by the board pursuant to § 54-1.28:1 of the Code of Virginia. Fees are nonrefundable and shall not be prorated.

1. Application Fee for an Original or a Reciprocal License .....- \$40.

2. Architect registration examination fee .....- \$300.

##### 3. Architect registration reexamination fees:

a. Division A - Pre-Design .....- \$44.

b. Division B - Site Design .....- \$43.

c. Division C - Building Design .....- \$80.

d. Division D - Structural Technology (General) .....- \$22.50

e. Division E - Structural Technology (Lateral Forces) .....- \$16.50

f. Division F - Structural Technology (Long Span) .....- \$11.50

g. Division G - Mechanical Plumbing/Electrical and Life Systems .....- \$21.50

h. Division H - Materials and Methods .....- \$20.

i. Division I - Construction Documents and Services .....- \$32.

4. Architect Examination Review (Division B or C) each .....- \$25.

#### § 2.2. Written examination required.

All applicants for original licensing in Virginia are required to pass an Architect Registration Examination after submitting sufficient evidence of education or equivalent education credits and experience.

#### § 2.3. Character and age.

Applicants must be of good character and be at least 18 years of age. (§§ 54-1.28, 54-26.)

#### § 2.4. Character of experience.

The applicant shall have 36 months of combined experience or exposure in the essential areas of architectural practice as defined below. Evidence shall be in the form of official records of a structured internship development program approved by the board, or incorporated in the candidate's application and verified by employers. Experience shall include:

A. A minimum of approximately 18 months in the area of design and construction documents directly related to the practice of architecture; and

B. A minimum of approximately five months in the area of construction administration directly related to the

# Proposed Regulations

practice of architecture; and

C. A minimum of approximately three months in the area of office management directly related to the practice of architecture. (~~§ 54-1-28, § 54-25~~)

## § 2.5. References for Architect Registration Examination.

Eligibility for the examination is determined by an indication of the applicant's demonstrated competence and integrity to engage in the practice of architecture by submitting three references with the application, all of whom are licensed architects in a jurisdiction or territory of the United States. These professionals must have personal knowledge of the applicant's architectural experience and have known the applicant for at least one year. References ~~must shall~~ be current. (~~§ 54-1-28 2~~)

## § 2.6. Examinations.

A. The Virginia board is a member of the National Council of Architectural Registration Boards (NCARB) and as such is authorized to adopt the NCARB examinations and grading procedures.

B. The Architect Registration Examination (ARE) will be offered once a year in the month of June.

C. Applicants approved to sit for an examination must register for the examination and submit the required examination fee not less than 45 days prior to the scheduled examination. Applicants not properly registered for a scheduled examination shall not be allowed into the examination site.

D. Candidates must successfully pass each division of the Architect Registration Examination.

E. Candidates taking the examination for the first time are required to take all divisions.

F. All failed or noncredited divisions must be retaken each time the candidate sits for the examination.

G. A transfer of credits to the ARE from the previous NCARB examinations will be as follows:

PREVIOUS NCARB EXAM SUCCESSFULLY COMPLETED	OLD NCARB EXAMS	CONVERSION CREDITS TO ARE	ARE REQUIREMENTS
			A
			B
	Qualifying Test/Sec.B	Division D, E, & F	C
	Qualifying Test/Sec.C	Division H	D
	Qualifying Test/Sec.D	Division G	E
			F
	Professional Exam - Sec. A (Design/Site)	Division B & C	G
	Professional Exam - Sec. B, Parts I & II	Division A	H
	Professional Exam - Sec. B, Part III	Divisions D, E, F, G & H	I
	Professional Exam - Sec. B, Part IV	Division I	

Division A. Pre-design	Division F. Structural Technology: Long Span
Division B. Site Design	Division G. Mechanical, Plumbing, Electrical & Life Safety Systems
Division C. Building Design Building Systems	Division H. Materials & Methods
Division D. Structural Technology: General	Division I. Construction Documents & Services
Division E. Structural Technology: Lateral Forces	

H. Candidates who are taking portions of the examination in accordance with the transition schedule must take all divisions required by the schedule at one sitting.

I. Examinees will be given specific instructions as to the conduct of each division of the exam at the exam site. Examinees are required to follow these instructions to assure fair and equal treatment to all examinees during the course of the examination.

J. Examinees will be advised only of passing or failing the examination. Only the board and its staff shall have access to examination papers, scores, and answer sheets.

## K. Examination reviews.

1. Upon written request to the board, examinees will be permitted to individually view only their own failed examinations in the graphic divisions.

2. The board, upon such written request, will schedule a group meeting with failing examinees for the purposes of reviewing the graphic divisions of the examination.

3. Upon agreement of the board that a failed examination of Division B or Division C merits a change in grade from fail to pass, ~~the board will forward that specific examination to the Master Juror's committee for re-review. All decisions made by the Master Juror's committee are final that grade will be credited in the examinee's record toward licensure in this Commonwealth .~~ (~~§ 54-1-28 2~~)

## § 2.7. License by reciprocity.

A. Any person licensed in another state, jurisdiction or territory of the United States may be granted a license without written examination, provided that:

1. The applicant meets all the requirements for licensing in Virginia; and

2. The applicant holds a currently valid license in good standing in the jurisdiction of original licensure.

B. The board may accept a currently valid license in good standing from the applicant's current base state if transferred from the jurisdiction of original licensure. (~~§ 54-1-28 10~~)

TABLE I.  
REQUIREMENTS FOR ARCHITECTURAL LICENSURE

EXPERIENCE DESCRIPTION	Education Credits			Training Credits	
	First 2 Years	Succeeding Years	Max. Credit Allowed	Credit Allowed	Max. Credit Allowed
<p><b>PART I</b> <b>EDUCATION AND TRAINING REQUIREMENTS</b></p> <p style="text-align: right;">EDUCATION AND TRAINING REQUIREMENTS RELEASED: JULY, 1984; THIS EDITION SUPERSEDES ALL PREVIOUS TABLES OF EQUIVALENTS.</p> <p style="text-align: right;">INTERN-ARCHITECT DEVELOPMENT PROGRAM (IDP) APPLICANTS REFER TO PART II FOR THEIR TRAINING REQUIREMENTS. (Information may be obtained from NCARB.)</p> <p style="text-align: right;">A person seeking licensure is required to have five years of professional education or equivalent education credits and three years of practical training. Education and training may be gained in a variety of ways. This document identifies and explains those education and training equivalents and alternatives.</p>					
A-1 First professional degree in architecture, or credits toward the first professional degree, where the degree program has been approved by the Board not later than two years after termination of enrollment.	75%	100%	5 years	See B-2.1.2	
A-2 First professional degree in architecture, or credits toward that degree, where the degree program has not been approved by the Board.	75%	75%	4 years		
A-3 Bachelor degree, or credits toward that degree, in architectural engineering, architectural technology, or in civil, mechanical, or electrical engineering, or in interior architecture, each of the above being approved by the Board.	50%	75%	3 years		
A-4 Any other bachelor degree.			2 years		
A-5 Diversified experience in architecture as an employee in the offices of licensed architects.	50%	50%	5 years	100%	no limit
A-6 Diversified experience in architecture as a principal practicing in the office of a licensed architect with a verified record of substantial practice.	50%	50%	5 years	100%	no limit
A-7 Diversified experience in architecture as an employee of an organization (other than offices of registered architects) when the experience is under the direct supervision of a registered architect.	50%	50%	4 years	100%	2 years
A-8 Experience directly related to architecture, when under the direct supervision of a licensed architect but not qualifying as diversified experience or when under the direct supervision of a professional engineer, landscape architect, interior designer, or planner.		0		50%	1 year
A-9 Experience, other than A-5, A-6, A-7 or A-8 experience, directly related to on-site building construction operations or experience involving physical analyses of existing buildings		0		50%	6 months
A-10 A Master or Doctoral degree in architecture (except where the degree is the first professional degree)		0		100%	1 year
A-11 Teaching or research in an architectural program approved by the Board		0		100%	1 year
A-12 Other Education or Training Experience (see B-4.2)					
<b>EXPLANATION OF REQUIREMENTS</b>					
B-1 Entry to Exam	To be approved to sit for the exam, an applicant must:				
B-1.1.1	Be at least 18 years of age;				
.2	Hold a high school diploma or equivalent;				
.3	Be of good character as verified by employers and architects;				
.4	Hold an architecture degree, approved by the Board, or have at least 5 years of education credits;				
.5	Have at least 3 years of training credits;				

# Proposed Regulations

**B-2 Education Credits** Education Credits shall be subject to the following conditions:

- B-2.1.1 No education credits may be earned prior to graduation from high school.
- .2 Applicants with the degree specified in A-1 through A-4 will be allowed the credit shown in the Maximum Credit Allowed column, regardless of the length of the degree program. Applicants without the degree specified in A-1 or A-2 may not accumulate more than 3 years of education credits in the aggregate from all degree programs.
- .3 32 semester credit hours or 48 quarter credit hours are considered to be 1 year. Fractions of a year of one-half or greater will be considered one-half year, and smaller fractions will not be counted.
- .4 Foreign education credits will be granted only under classifications A-2 and A-4. Any cost of translation and evaluation will be borne by the applicant.

**B-3 Training Credits** Training credits shall be subject to the following conditions:

- B-3.1.1 No training credits may be earned prior to accumulating 2 1/2 education credits.
- .2 Every applicant must earn at least one year of training credit under A-5 or A-6 and must earn it after earning 5 years of education credits.
- .3 To earn credit under A-10 or A-11, an applicant's credit hours must be in subjects evaluated by the Board as directly related to architecture. 20 semester credit hours or 30 quarter credit hours of teaching or equivalent time in research will equal 1 year.
- .4 No credit used as an education credit may be used as a training credit.
- .5 Organizations will be considered to be "offices of registered architects": (a) the architectural practice of the organization in which the applicant works is in the charge of a person practicing as a principal and the applicant works under the direct supervision of a registered architect, and (b) the organization is not engaged in construction, and (c) the organization has no affiliate engaged in construction which has a substantial economic impact upon the person or persons in the organization practicing as a principal.
- .6 An organization (or an affiliate) is engaging in construction if it customarily engages in either of the following activities:
  - (a) undertakes to provide labor and/or material for all or any significant portion of a construction project, whether on lump sum, cost plus or other basis of compensation,
  - (b) agrees to guarantee to an owner the maximum construction cost for all or any significant portion of a construction project.
- .7 A person practices as a "principal" by being (a) a registered architect and (b) the person in charge of the organization's architectural practice, either alone or with other registered architects.
- .8 In evaluating training credits the Board may, prior to licensure, require the applicant to substantiate training experience by comparing this experience to the training requirements as indicated for the Intern-Architect Development Program (IDP). See IDP Training Requirements below.

**B-4 General Evaluation Criteria**

- B-4.1 To earn full education or training credits under A-5, A-6, A-7, A-8 and A-9 an applicant must work at least 35 hours per week for a minimum period of ten consecutive weeks under A-5 or 6 consecutive months under A-6, A-7, A-8 or A-9. An applicant may ear one-half the credit specified under A-5 for work of at least 20 hours per week in periods of 6 or more consecutive months; no credit will be given for part-time work in any category other than A-5.
- .2 Other education and training may be substituted for the requirements outlined above, only insofar as the Board considers them to be equivalent to the required qualifications.
- .3 In evaluating credits, the Board may, prior to registration, require substantiation of the quality and character of the applicant's experience, notwithstanding the fact that the applicant has complied with the technical education and training requirements set forth above.

**PART II** SPECIAL TRAINING REQUIREMENTS FOR INTERN-ARCHITECT DEVELOPMENT PROGRAM (IDP) APPLICANTS

**IDP Applicant Defined** An IDP Applicant for registration is a person whose training is evaluated by the following criteria in accordance with procedures accepted by the Board.

**Training Requirements** An IDP Applicant must acquire a total of 700 Value Units (VU's) to satisfy the training requirements. One VU equals 8 hours of acceptable activity. The following chart lists the IDP Training Categories and Areas and the Value Unit requirements for each.

CATEGORY A		CATEGORY B
Design and Construction Documents	Minimum VU's Required	Construction Administration
1. Programming--Client Contact.....	10	10. Bidding Procedures.....
2. Site and Environmental Analysis..	10	11. Construction Phase--Office.....
3. Schematic Design.....	15	12. Construction Phase--Observation..

<ul style="list-style-type: none"> <li>4. Building Cost Analysis.....10</li> <li>5. Code Research.....15</li> <li>6. Design Development.....40</li> <li>7. Construction Documents.....155</li> <li>8. Specifications &amp; Materials Research.....15</li> <li>9. Documents Checking and Coordination.....15</li> </ul>	Minimum Total VU's Required <b>70*</b>
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Minimum Total VU's Required      **360\***

**CATEGORY C**

**Office Management**

<ul style="list-style-type: none"> <li>13. Office Procedures.....15</li> <li>14. Professional Activities.....10</li> </ul>	Minimum Total VU's Required <b>35*</b>
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\*The differences between the minimum total VU's required in each of Categories A, B and C and the sum of the minimums required for each Training Area within the Category must be acquired by earning VU's from Training Areas within the same Category.

**CATEGORY D**

**Related Special Activities**

No Minimum Required

The above listing of required minimums in Categories A, B and C totals 465 VU's, allowing for 235 additional VU's to be acquired in any of the listed Categories. All of the 235 additional VU's may be acquired in one Category or distributed among the Categories.

**Explanation of Requirements**

1. VU's in Categories A, B and C may be acquired only if the applicant meets the time requirements of B-5.1 of Part I. VU's may be acquired in Category D only if the activity is substantial and continuous.
2. No VU's may be acquired prior to earning 2½ years of education credits (see Part I).
3. A Master or Doctoral degree in architecture (except where the degree is the first professional degree) qualifies for 235 VU's under Category D.
4. An IDP applicant may earn VU's by completing Board-approved supplementary education programs; credit to be in accordance with a table of credits established by the Board. VU's may be earned for supplementary education while enrolled in a first or second professional degree program in architecture.
5. To satisfy Categories A and B of the Training Requirements, VU's must be acquired in settings described in A-5 or A-7 of Part I.
6. A minimum of 235 VU's must be acquired in the setting described in A-5 of Part I after having earned five years of education credits.
7. In evaluating training, the Board may, prior to registration, require substantiation of the quality and character of the training notwithstanding the fact that the IDP applicant has complied with the technical training requirements set forth above.
8. For detailed descriptions of the IDP Training Categories and Supplementary education requirements, see IDP Training Guidelines available through NCARB. Refer to Part I for education requirements and registration requirements.

# Proposed Regulations

## PART III. QUALIFICATIONS FOR LICENSING AS A OF PROFESSIONAL ENGINEER ENGINEERS .

### § 3.1. Definitions.

The following definitions shall apply in the regulations relating to the licensing of professional engineers.

A. "Approved engineering curriculum" means an engineering curriculum of four years or more approved by the board as being of satisfactory standing. ABET approved engineering curricula are acceptable to the board.

B. "Approved experience" means a specific record of acceptable professional experience which the board, in its discretion, judges to be pertinent in acquiring engineering skills, on engineering projects of a grade and character indicating that the applicant may be competent to practice engineering. Experience required "in responsible charge of important engineering projects" shall also be subject to the board's approval.

C. "Engineering examination" means the professional examination in engineering consisting of an eight-hour written examination in the fundamentals of engineering and an eight-hour written examination in the principles and practice of engineering ~~and/~~ or the oral examination , or both, where required.

D. "Engineering intern designation" means the designation of applicants who complete any one of several combinations of education, or education and experience, and pass the fundamentals of engineering examination. (~~§§ 54-25-~~)

### § 3.2. Fees.

A. The required fees are listed below. All fees shall be nonrefundable, including the registration fee for any examination the applicant fails to appear for or complete established by the board pursuant to § 54-1.28:1 of the Code of Virginia. Fees are nonrefundable and shall not be prorated .

1. To apply for a professional engineer's license ..... \$ 40.
2. To apply for a professional engineer's examination ..... \$40.
3. To apply for the professional engineer's examination when the applicant has previously obtained engineer intern status in Virginia ..... \$ 20.
4. To apply for engineer intern status only ..... \$ 20.
5. To register for the fundamentals-of-engineering examination or reexamination ..... \$ 40.

6. To register for the principles and practice of engineering examination or reexamination ..... \$ 40.

7. To register for an oral examination ..... \$100.

### § 3.3. Character and age.

A. Applicants must be of good character and at least 18 years of age. (~~§§ 54-1.28-, 54-25-~~)

### § 3.4. References for professional engineering examination.

To be eligible for admission to the principles and practice of the engineering examination, an applicant must indicate competence and integrity to engage in the engineering profession by submitting three references with the application, all of whom shall be licensed professional engineers in some state or territory of the United States. The professional engineers providing the references must have personal knowledge of the applicant's engineering experience and must have known the applicant for at least one year. References ~~must~~ shall be no more than one year old at the time the applicant is approved to take the requisite examination. (~~§§ 54-1.28-, 54-25-~~)

### § 3.5. References for fundamentals examination.

Applications for the fundamentals-of-engineering examination only must provide one reference from a professional engineer, or from the dean of the engineering school or a departmental professor in the school attended by the applicant, or an immediate work supervisor. Any reference provided shall be from a person who has known the applicant for at least one year. (~~§§ 54-1.28-, 54-25-~~)

### § 3.6. Engineering intern status.

The education ; ~~and/~~ or experience, or both, and examination requirements for engineering intern status:

A. An applicant who has graduated from an approved engineering ; related science or approved engineering technology curriculum of four years or more shall pass an eight-hour written examination in the fundamentals of engineering; or

B. An applicant who is a graduate of an engineering or related science curriculum of four years or more, other than ones approved by the board, and with a specific record of two or more years of approved professional experience on engineering projects of a grade and character satisfactory to the board shall pass the fundamentals-of-engineering examination; or

B. C. An applicant who is a graduate of a nonapproved technology program or who is not a graduate of a an engineering or related science curriculum of four years or more but who, in the judgment of the board, has obtained the equivalent of such graduation as described, by self study or otherwise, and who has acquired six additional years of board-approved professional experience on

engineering projects, shall pass the fundamentals-of-engineering examination. Experience used to determine educational equivalency shall not be used in satisfying professional experience. (~~§§ 54-1-28, 54-25~~)

## § 3.7. Requirements for professional engineering license.

Education, experience, and examination requirements for licensing as a professional engineer, except for licensing by endorsement as set forth in § 3.8 of these regulations, are as follows:

A. An applicant who has graduated from an approved engineering curriculum, who has passed the fundamentals-of-engineering examination or an equivalent exam, and who has a specific record of at least four years of progressive professional experience, shall pass the principles and practice of engineering examination; or

B. An applicant who has graduated from an engineering or a related science curriculum of four years or more, other than those approved by the board, or an approved engineering technology curriculum, shall pass who has passed the fundamentals-of-engineering examination or an equivalent exam, and who has acquired a specific record of at least six years of progressive professional experience, shall pass the principles and practice of engineering examination; or

C. An applicant who is not a graduate of an approved engineering curriculum of four years or more but who has obtained the equivalent of such graduation by self-study or otherwise, shall pass who has passed the fundamentals-of-engineering examination and who has acquired 10 years of approved professional experience, shall pass the principles and practice of engineering examination. (Experience used to determine educational equivalency not to be used in satisfying professional experience); or

D. An applicant who has graduated from an engineering or related science curriculum of four years or more, and who has acquired a specific record of 20 years or more of board-approved professional experience on engineering projects, of which at least 10 years have been in responsible charge of important engineering projects and of a grade and character which the board judges to be pertinent to acquiring professional skills, such that the applicant may be competent to practice engineering, shall pass the examination in the principles and practice of engineering; or

E. An applicant who has graduated from an engineering or related science curriculum of four years or more, and who has acquired a specific record of 30 years or more of board-approved professional experience on engineering projects, of which at least 20 years have been in positions of responsible charge of important engineering projects and of a grade and character which the board judges to be pertinent to acquiring professional skills, demonstrating that the applicant is eminently qualified to practice

engineering, shall pass a special oral examination which indicates to the board that the applicant is eminently qualified to practice engineering. If the board has any doubt concerning an applicant's eminent qualifications, the applicant shall be reclassified as an advanced professional engineer candidate. (~~§§ 54-1-28, 54-25~~)

## § 3.8. Licensing by endorsement (reciprocity).

A person holding a license to engage in the practice of engineering, issued to the applicant by another state, territory, or possession of the United States, or the District of Columbia, based on requirements that do not conflict with and are at least as vigorous as these regulations and supporting statutes of this board, may be licensed without further examination. No person shall be so licensed, however, who has not passed a written examination in another jurisdiction which is comparable to that administered by the board. (~~§ 54-1-28, 10~~)

## § 3.9. Training and experience.

Professional engineering training and experience shall be progressive in complexity and based on a knowledge of engineering mathematics, physical and applied sciences, properties of materials, and fundamental principles of engineering design, provided:

1. In general, experience in sales, estimating, field surveying, nonengineering military service, and inspection are considered nonqualifying; and
2. Engineering experience gained by post-graduate engineering study or by engineering teaching as an instructor or higher in an institution approved by the board may be deemed professional experience; and
3. Engineering experience gained during a board-approved co-op program may be deemed professional experience to a maximum of one year of credit; and
4. The board, in its sole discretion, may permit partial credit, not to exceed 3/4 of that required, for engineering experience obtained prior to graduation from an engineering school when such experience is judged to be pertinent in acquiring engineering skills and involves engineering projects under the direct supervision of a licensed professional engineer, who shall clearly differentiate between subprofessional and professional level experience. (~~§§ 54-1-28, 54-25~~)

## § 3.10. Conduct of the examination.

Written examinations shall be conducted under the following general rules:

A. No candidate shall communicate with any other candidate in any way without the direct permission of the proctor.



# Proposed Regulations

B. All papers handed in by a candidate shall bear an assigned code number and shall not bear any other identification which can identify the candidate.

C. Textbooks, bound notes, and standard printed references may be used as aids during any part of any examination.

D. Silent, self-powered, electronic calculators may be used.

E. A candidate eligible for admission to both parts of the examination must first successfully complete the fundamentals of engineering examination before being admitted to the principles and practice of engineering examination.

F. Grading. Each part of the written examination will have a value of 100 points. A passing score shall be 70 points. Candidates will be notified of passing or failing and their scores. All requests for score appeals must be received within one year of the date the examination was administered, after which time examinations will no longer be retained.

G. Reexamination. Upon paying a reexamination fee, an applicant may retake either part of the written examination which may have been failed.

H. The oral examination shall consist of a review of the engineering background and examples of the work of the professional engineering candidate in the presence of one or more members of the board and their consultants. This examination may encompass any facts appearing in the application and supporting papers of the candidate and such direct evidence as the candidate may desire to present to the board to substantiate the breadth and depth of professional engineering experience, primarily in experience in engineering design and analysis.

1. Substantiating evidence shall be in the form of drawings, sketches, reports, specifications, calculations, published articles, textbooks, or other suitable information demonstrating the engineering experience of the candidate. Based upon this information, the candidate will be subject to questions regarding principles of engineering followed in the execution of such work.

2. The candidate shall demonstrate that the experience record is of a professional level and shall leave no doubt as to the ability to protect the public in the practice of engineering. ~~To fail~~ Failure to demonstrate this ability shall result in reclassification. (§ 54-1-28. 2-)

## § 3.11. Engineering intern designation.

The engineering intern designation shall remain valid indefinitely.

## PART IV. QUALIFICATIONS FOR LICENSING AS A LAND SURVEYOR SURVEYORS .

### § 4.1. Fees.

A. The following nonrefundable fees are required All fees shall be established by the board pursuant to § 54-1-28:1 of the Code of Virginia. Fees are nonrefundable and shall not be prorated .

Upon application for 3(a) Parts I and II ..... \$ 40.

Upon application for 3(a) Part I only ..... \$ 20.

Upon application for 3(a) Part II only ..... \$ 40.

Upon application for 3(b) ..... \$ 40.

Upon examination or reexamination for Part I or II of 3(a) or 3(b) ..... \$ 40.

B. Applicants approved to sit for an examination must shall register for the examination and submit the appropriate examination fee not less than 45 days prior to the scheduled examination. Failure to appear for or complete any examination shall result in the forfeiture of said fees. Applicants not properly registered for a scheduled examination shall not be allowed into the examination site. (§ 54-1-28.4)

### § 4.2. Transcript of educational records.

The application shall be accompanied by an official transcript of the applicant's college, university or technical institute record or board approved equivalent , with evidence of successful completion of the required courses in algebra, geometry, trigonometry and surveying. (§ 54-25.)

### § 4.3. Character and age.

Applicants must be of good character and at least 18 years of age. (§§ 54-1-28, 54-25.)

### § 4.4. Applicants licensed in other states.

No land surveyor license shall be granted in this state Commonwealth on the basis of reciprocity to any applicant licensed as a land surveyor in another jurisdiction of the United States; however, full credit will be given to the applicant who has passed the NCEE examination for surveyors given in other jurisdictions. In any event, it will be necessary for an applicant to pass a four-hour examination on Virginia principles, practices, and law in order to obtain a license to practice surveying in this state Commonwealth . (§ 54-1-28. 10.)

### § 4.5. Reference.

The applicant shall send to each person listed as a

reference on the application form a questionnaire, to be completed according to its accompanying instructions. The references furnished shall be from current business associates or from employees of the same or closely related firm. (~~§§ 54-1-28, 54-25.~~)

## § 4.6. Practical 3(a) experience.

"Satisfactory or approved practical experience" means diversified practical training in land surveying under the supervision and direction of a licensed land surveyor. This experience shall have been acquired in positions requiring the exercise of independent judgment, initiative, and professional skill. (~~§§ 54-1-28, 54-25.~~)

## § 4.7. Education.

Credit for education shall be allowed as follows:

A. Five years of the six-year 3(a) experience requirement shall be credited to any applicant holding a bachelor of science degree in a board-approved program emphasizing professional land surveying, with courses including a minimum of 20 semester hours (30 quarter hours) in advanced surveying courses; and a minimum of 10 semester hours (15 quarter hours) in supporting courses directly related to land surveying (for example: real property law; land planning; drainage); or

B. In lieu of the foregoing, a program of courses having the prior endorsement and approval of the Land Surveyor Section will be credited with five years of the six-year requirement.

C. Any applicant holding a bachelor of science degree in a board-approved program emphasizing professional land surveying, including less than the 20 semester hours in advanced surveying courses and 10 semester hours in suitable supporting courses, shall be credited with up to a maximum of four years of the six-year experience requirement.

D. An applicant satisfactorily completing at least two academic years of a curriculum satisfactory to the Land Surveyor Section in a college or technical institute shall be credited with 3/4 year for each year completed, limited to a maximum allowance of three years. The curriculum shall have included surveying, geometry, trigonometry, and algebra, in addition to geodesy, mapping, and related courses.

E. Applicants for 3(b) land surveyor licensure shall present satisfactory evidence of having passed a course in hydraulics, acceptable to the board, in addition to meeting the other minimum education requirements. Training in any apprenticeship program shall not be an acceptable equivalent to any approved college-level curriculum, but may satisfy one or more of the minimum requirements in mathematics. (~~§§ 54-1-28, 54-25.~~)

## § 4.8. Combined education and experience requirements.

To be eligible for admission to the land surveyor examination, an applicant shall meet the following requirements:

A. For Part I of the 3(a) examination: Have six years of practical experience, or a combination of six years of formal education and practical experience acceptable to the Land Surveyor Section, as described in § 4.2 of these regulations.

B. For Part II of the 3(a) examination and for license pursuant to § 54-17.1 (3)(a): Pass Part I of the 3(a) examination and have eight years of practical experience, or have a combination of eight years of formal education and practical experience of a nature and character satisfactory to the Land Surveyor Section.

C. For the 3(b) examination: Hold a valid license as a 3(a) land surveyor and present satisfactory evidence of two years of practical experience in 3(b) professional land surveying, as defined in § 54-17.1 (3)(b) of the Code of Virginia, under the supervision and direction of a 3(b) land surveyor or professional engineer. (~~§§ 54-1-28, 54-25.~~)

## § 4.9. Interval and duration of examination.

A. The examination for land surveying under § 54-17.1 (3)(a) of the Code of Virginia shall consist of two parts, each part being of eight hours duration. These examinations shall be given at approximately six-month intervals.

B. The examination for land surveying under § 54-17.1 (3)(b) of the Code of Virginia shall be of eight hours duration and shall be given annually. (~~§ 54-1-28, 2.~~)

## § 4.10. Grading.

Candidates shall be notified of passing or failing but shall not be notified of their grades. All requests for score appeals *must shall* be received within one year of the date the examination was administered, after which examinations will no longer be retained.

A. Each part of the written examination for Part I of the 3(a) examination shall have a value of 100. The passing grade for each separate part shall be 70.

B. For Part II of the (3)(a) examination, each applicant must obtain a minimum passing grade of 70 ~~on the four-hour NCEE increment (Part III) and must obtain a grade of 75 for the four-hour increment related to Virginia requirements~~.

C. For the (3)(b) examination, each applicant must obtain a minimum passing grade of 75 for the entire eight-hour examination. (~~§ 54-1-28, 2.~~)

## § 4.11. Reexamination eligibility.

Should the applicant not pass that examination approved

# Proposed Regulations

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for within two years of the applicant's first sitting, the applicant must reapply for examination. In considering any applicant for requalification, the Land Surveyor Section shall consider all prior examination results as part of the review. The Land Surveyor Section, if notified in advance, will extend the stated time limit up to three years for an applicant serving in the United States armed forces, if the applicant qualifies before entering the military service. (~~§ 54-1-28, 2~~)

§ 4.12. Minimum standards and procedures for land boundary surveying practice.

The following minimum standards and procedures are to be used in the Commonwealth of Virginia. The application of the land surveyor's seal and signature as required by ~~§ 1-14~~ § 1.12 of these regulations shall be evidence that the boundary survey or other land survey to be used for conveyance of title or mortgage purposes is correct to the best of the land surveyor's knowledge and belief, and complies with the minimum standards and procedures.

## A. Research procedure.

The land surveyor shall search the land records for the proper description of the land to be surveyed and obtain the description of adjoining land as it pertains to the common boundaries. The land surveyor shall have the additional responsibility to utilize any other available data pertinent to the survey being performed from any other source that is known. Evidence found, from all sources, shall be carefully compared with that located and found in the field survey in order to establish the correct boundaries of the land being surveyed. It is not the intent of this rule to require the land surveyor to research the question of title or encumbrances on the land involved.

## B. Minimum field procedures.

1. Angular measurement. Angle measurements made for traverse or boundary survey lines will be made by using a properly adjusted transit type instrument which allows a direct reading to a minimum accuracy of 30 seconds of arc or metric equivalent. The number of angles turned a given station or corner will be the number which, in the judgment of the land surveyor, can be used to substantiate the average true angle considering the condition of the instrument being used and the existing field conditions.

2. Linear measurement. Distance measurement for the lines of traverse or boundary surveys shall be made with metal tapes which have been checked and are properly calibrated as to incremental distances, or with properly calibrated electronic distance measuring equipment following instructions and procedures established by the manufacturer of such equipment. All linear measurements shall be reduced to the horizontal plane and other necessary corrections performed before using for computing purposes.

3. Field traverse and boundary closure. The maximum permissible error of closure for a field traverse in connection with a boundary survey located in a rural area shall be one foot in 5,000 feet or metric equivalent of perimeter length. The attendant angular closure shall be that which will sustain the 1/5,000 foot closure. The maximum permissible error of closure for a traverse in connection with a boundary survey located in an urban area shall be one foot in 10,000 feet or metric equivalent of perimeter length. The attendant angular closure shall be that which will sustain the 1/10,000 foot closure. (~~§§ 54-1-28, 54-25~~)

§ 4.13. Office procedures.

## A. Computations.

The computation of field work data shall be accomplished by using mathematical routines that produce closures and mathematical results that can be compared with descriptions and data of record. Such computations shall be used to determine the final boundary of the land involved.

## B. Plats and Maps.

The following information shall be shown on all plats ~~and~~ or maps, or both, used to depict the results of the boundary survey:

1. The title of the boundary plat identifying the land surveyed and showing the district and county or city in which the land is located.
2. The owner's name and deed book referenced where the acquisition was recorded.
3. Names of all adjacent owners or subdivision lot designations.
4. Names of highways and roads with route numbers, railroads, streams adjoining or running through the land, and other prominent or well-known objects or areas which are informative as to the location of the boundary survey.
5. Bearings of all property lines to nearest 10 seconds, or metric equivalent.
6. Distances of all property lines to the nearest one hundredth (.01) of a foot or metric equivalent.
7. Area to the nearest hundredth (.01) of an acre or metric equivalent for rural located surveys.
8. Area to the nearest square foot or decimal of an acre or metric equivalent for urban located surveys.
9. North arrow and source of meridian used for the survey.

- 10. On interior surveys, a reference distance to a property corner of an adjoining owner.
- 11. Tax Map designation of parcel number if available.
- 12. Each monument found and each monument set by the land surveyor.
- 13. A statement that the boundary survey shown is based on a current field survey. If the land boundaries shown on the plat are the result of a compilation from deed ~~and~~ or plats , or both, by others, that fact will be clearly stated and the title of plat shall not represent a current boundary survey.
- 14. Name and address of the land surveyor. (~~§§ 54-1.28., 54-25.~~)

§ 4.14. Monumentation.

A. Each boundary survey of a tract or parcel of land shall be monumented with objects made of permanent materials at all corners and changes in direction on the boundary with the exceptions of meanders of streams, tidelands, swamps, and roads. Where it is not feasible to set actual corners, appropriate reference markers shall be set, preferable on line, and the location of each shown on the plat or map of the boundary.

B. Original subdivision surveys shall be monumented in accordance with *subsection A* above. Corner monuments are required to be set on subdivision lots or parcels of land to be used for conveyance of title or mortgage purposes, or, if found to be correctly in place, identified by witness stakes. The plat of such survey shall show corner monuments found and those set. (~~§§ 54-1.28., 54-24.~~)

PART V.  
QUALIFICATIONS FOR CERTIFICATION OF  
LANDSCAPE ARCHITECTS.

§ 5.1. Fees.

A. ~~The following nonrefundable fees are required All fees shall be established by the board pursuant to § 54-1.28:1 of the Code of Virginia. Fees are nonrefundable and shall not be prorated .~~

Upon application .....	\$ 40.
Upon entire examination .....	\$175.
Upon Part A reexamination .....	\$ 30.
Upon Part B reexamination .....	\$ 30.
Upon Part C reexamination .....	\$ 65.
Upon Part D reexamination .....	\$ 65.

B. Examination fees must be received at least 45 days

~~prior to the examination Applicants approved to sit for an examination shall register for the examination and submit the appropriate examination fee not less than 45 days prior to the scheduled examination. Failure to appear for or complete any examination shall result in the forfeiture of said fees. Applicants not properly registered for a scheduled examination shall not be allowed into the examination site . (§ 54-1.28. 4.)~~

§ 5.2. Character and age.

Each applicant shall be of good character and at least 18 years of age. (~~§§ 54-1.28., 54-25.~~)

~~§ 5.5.~~ § 5.3. Written examination required.

Every applicant for certification as a landscape architect shall be required to pass a written examination, testing competence to plan, design, specify, and supervise the construction or installation of landscape architectural projects. Written examination may be supplemented by ~~such~~ oral examinations in testing these competencies. (~~§§ 54-1.28. 2., § 54-26.~~)

§ 5.4. Education/ experience required.

An applicant for certification by examination shall provide evidence acceptable to the board of having completed the education ; or the combined education and experience requirements as follows specified in § 54-26 of the Code of Virginia. For the purposes of evaluating education and experience, the Table of Equivalents 1-13 shall be used as a guide in determining equivalent status. (See Table II.) (~~§§ 54-1.28., 54-25.~~)

§ 5.7. § 5.5. Experience.

Professional landscape architectural training and experience shall be progressive in complexity and based on a knowledge of natural, physical and mathematical science, and the principles and methodology of landscape architecture. (~~§§ 54-1.28., 54-26.~~)

§ 5.6. Grading of examination.

Candidates will be notified of their passing or failing grades. All requests for score appeals ~~must reviews shall~~ be received *in writing* within one year 30 days of the date the examination was administered, after which time the examination will no longer be retained scores are mailed to examinees . (~~§ 54-1.28. 2., 54-26~~)

~~§ 5.3.~~ § 5.7. Waiver of examination. Certification by reciprocity.

Any applicant who has passed an examination in another jurisdiction of the United States equivalent to the examination required by these regulations or who is CLARB certified may have the required Virginia examination waived. (~~§ 54-1.28. 10.~~)

# Proposed Regulations

Table 11  
TABLE OF EQUIVALENTS FOR EDUCATION, TRAINING AND EXPERIENCE FOR CERTIFIED LANDSCAPE ARCHITECTS

EXPERIENCE DESCRIPTION	EDUCATION		TRAINING EQUIVALENTS		PRACTICE EQUIVALENTS	
	FIRST 2 YEARS	SUCCESSING YEARS	RAVISON ALLOWED	CREDIT ALLOWED	RAVISON ALLOWED	CREDIT ALLOWED
1. Degree in landscape architecture or credits from non-accredited school of landscape architecture.	100%	100%	5 years			
2. Degree in landscape architecture.	100%	67%	4 years			
3. Degree or credits in architecture, civil, mechanical engineering from school accredited by EPO or NAB.	100%	50%	3 years			
4. Same as 3, except from non-landscape architecture.	75%	50%	2 1/2 years			
5. BS or AS degree or higher education in courses other than landscape architecture.	75%	25%	2 years			
6. Experience as a registered landscape architect in the offices of a registered landscape architect, who practices.	50%	50%	5 years	100%	no limit	100%
7. Practical training prior to acquisition of landscape architect.				100%	no limit	
A. Continuous employment periods, 12 mo. or more.				75%	no limit	
B. Continuous employment periods, 3 to 12 mos. in duration after completion of 3 yrs. college.				50%	no limit	
C. Continuous employment periods, 3 to 12 mos. in duration prior to completion of 3 yrs. college.				100%	2 years	100%
B. Advanced degree from accredited school teaching or research in one of above.				50%	2 years	5 years
10. Employment by gov't. agencies, including the military, when diversified and comparable to employment in the office of a registered landscape architect with verified record of substantial practice. Such work shall be directly related to landscape architectural work and shall be under the direct supervision of a registered landscape architect employed in capacity of manager.				100%	no limit	100%

capacity of manager in such fields as: interior design, architecture, engineering, city planning, and periods of employment with such organizations as VISTA, HUD, PEACE CORPS and ADVOCACY PLANNING.

33- ADVANCED DEGREE: A master's degree in a related field with practical experience will not be acceptable.

34- STANDARDS FOR CERTIFICATION

35- STANDARDS FOR EDUCATION

36- STANDARDS FOR TRAINING

37- STANDARDS FOR PRACTICE

38- STANDARDS FOR EQUIVALENTS

39- STANDARDS FOR EQUIVALENTS

40- STANDARDS FOR EQUIVALENTS

41- STANDARDS FOR EQUIVALENTS

42- STANDARDS FOR EQUIVALENTS

43- STANDARDS FOR EQUIVALENTS

44- STANDARDS FOR EQUIVALENTS

45- STANDARDS FOR EQUIVALENTS

46- STANDARDS FOR EQUIVALENTS

17. Capacity of manager in such fields as: interior design, architecture, engineering, city planning, and periods of employment with such organizations as VISTA, HUD, PEACE CORPS and ADVOCACY PLANNING.

33- ADVANCED DEGREE: A master's degree in a related field with practical experience will not be acceptable.

34- STANDARDS FOR CERTIFICATION

35- STANDARDS FOR EDUCATION

36- STANDARDS FOR TRAINING

37- STANDARDS FOR PRACTICE

38- STANDARDS FOR EQUIVALENTS

39- STANDARDS FOR EQUIVALENTS

40- STANDARDS FOR EQUIVALENTS

41- STANDARDS FOR EQUIVALENTS

42- STANDARDS FOR EQUIVALENTS

43- STANDARDS FOR EQUIVALENTS

44- STANDARDS FOR EQUIVALENTS

45- STANDARDS FOR EQUIVALENTS

46- STANDARDS FOR EQUIVALENTS

47. With a passing grade, 32 semester credit hours or 48 quarters credit hours is considered to be one full semester greater than one-half year and smaller fractions will not count.

48. With a passing grade, 32 semester credit hours or 48 quarters credit hours is considered to be one full semester greater than one-half year and smaller fractions will not count.

49. With a passing grade, 32 semester credit hours or 48 quarters credit hours is considered to be one full semester greater than one-half year and smaller fractions will not count.

## PART VI. PROFESSIONAL CORPORATIONS AND BUSINESS ENTITIES.

### § 6.1. Professional corporations.

#### A. Definition.

"Landscape architecture," as used in these regulations, means certified landscape architecture.

B. The initial application shall include certified true copies of the articles of incorporation, bylaws, and charter, after the applicant corporation has been issued a charter as a domestic corporation by the State Corporation Commission; or, if a foreign professional corporation, after the corporation has been registered with the State Corporation Commission pursuant to § 13.1-544.2 of the Code of Virginia.

C. Bylaws must specifically state that cumulative voting is prohibited. Bylaws shall include a statement, in each applicable instance, that nonlicensed individuals as authorized by §§ 13.1-549, 13.1-544.2, 13.1-550, and other pertinent sections of applicable law, will not have voice or standing in any matter affecting the practice of the corporation requiring professional expertise ~~and~~ or considered professional practice, or both, as defined in § 54-17.1 of the Code of Virginia.

#### D. Fees.

The application fee for a certificate of authority shall be ~~§59. As established by the board pursuant to § 54-1.28:1 of the Code of Virginia. Fees shall be nonrefundable and shall not be prorated. (§ 54-37.3 C.)~~

#### E. Certificates of authority.

Certificates of authority shall be issued in two categories, general or limited. A general certificate of authority will entitle the corporation to practice the professions of architecture, professional engineering, land surveying, and landscape architecture. A limited certificate of authority will permit a corporation to practice only the profession or professions shown on its certificate of authority, architecture, engineering, land surveying, landscape architecture, or in any two or three. Professional corporations offering services in landscape architecture under provisions of this section must meet the requirements established in § 13.1-549 of the Code of Virginia.

F. In the event there is a change in the corporate directorship, whether the change is temporary or permanent and whether it may be caused by death, resignation, or otherwise, the certificate of authority shall be automatically modified to be limited to that professional practice permitted by those pertinent licenses held by the remaining directors of the corporation. The corporation shall notify the state board within 30 days of

the occurrence.

#### G. Joint ownership prohibited.

Any type of joint ownership of the stock of the corporation is prohibited. Ownership of stock by nonlicensed or noncertified employees shall not entitle those employees to vote in any matter affecting the practice of the professions herein regulated. Cumulative voting is prohibited.

#### H. Definition of "employee."

For the purpose of stock ownership, an employee of a corporation is a person regularly employed by the corporation who devotes 60% or more of his gainfully employed time to that of the corporation.

I. Amendments to charter, articles of incorporation, or bylaws.

Each corporation holding a certificate of authority to practice in one or in any combination of the professions covered in these regulations shall file with the Secretary of the board, within 20 days of its adoption, a certified true copy of any amendment to the articles of incorporation or bylaws.

#### J. Board of directors.

At least one director appropriately licensed or certified in each discipline offered or practiced by a professional corporation shall devote substantially full time to the business of the corporation to provide effective supervision and control of the final professional product. Nonlicensed or noncertified directors shall not be entitled either to exercise control or to vote in any matters affecting the practice of the professions herein regulated. (~~§ 13.1-549.~~)

### § 6.2. Business entities other than professional corporations.

#### A. Filing of applications.

Each application for registration shall be filed on a form approved by the board. The application shall identify each regulated professional responsible for professional services in architecture, professional engineering, *land surveying* or certified landscape architecture.

#### B. Fees.

The application fee for registration shall be ~~§20 established by the board pursuant to § 54-1.28:1 of the Code of Virginia. All Fees shall be nonrefundable and shall not be prorated. (§ 54-37.3 C.)~~

#### C. Registration certification.

The application shall contain an affidavit by an authorized official in the corporation, partnership, sole proprietorship, or other entity unit that the practice of

## Proposed Regulations

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architecture, professional engineering, land surveying, or certified landscape architecture to be done by that entity shall be under the direct supervision and control of the individuals identified in the application as responsible for the practice. In addition, the individuals responsible for the practice shall sign their names indicating that they are the responsible individuals and that they understand and shall comply with all statutes and regulations of the board.  
(§ 54-37.3)

### D. Change of status.

Any change in the information on the application ~~must~~ *shall* be reported to the board within 30 days following the change.

COMMONWEALTH OF VIRGINIA

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS

DEPARTMENT OF COMMERCE  
Post Office Box 11066  
Richmond, Va. 23230-1066

APPLICATION FOR ARCHITECT REGISTRATION

FILE NO.: \_\_\_\_\_ NAME IN FULL: \_\_\_\_\_ PHONE NO.: \_\_\_\_\_

BUSINESS ADDRESS: STREET: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

Change of address: \_\_\_\_\_

RESIDENCE ADDRESS: STREET: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

Change of address: \_\_\_\_\_

ADDRESS FOR CORRESPONDENCE:  Residence  Business

CITIZENSHIP:  Birth  Naturalized

BIRTHDATE: \_\_\_\_\_ PLACE: \_\_\_\_\_

I hereby apply for registration and license to practice architecture by the following methods:

- By Written Examination. DURATION OF RESIDENCY IN STATE. YEARS: \_\_\_\_\_ MONTHS: \_\_\_\_\_
- By Reciprocal Registration with NCARB CERTIFICATE. NCARB CERT. NUMBER: \_\_\_\_\_ STATE OF REGISTRATION: \_\_\_\_\_ NUMBER: \_\_\_\_\_
- By Reciprocal Registration with NCARB RECORD. NCARB FILE NUMBER: \_\_\_\_\_ STATE OF REGISTRATION: \_\_\_\_\_ NUMBER: \_\_\_\_\_
- By Other - Explain: \_\_\_\_\_

Has any state denied you registration, revoked or declined same? \_\_\_\_\_

Have you ever been convicted of a felony or any crime involving fraud or deceit? \_\_\_\_\_

\*If "yes" please explain on a separate sheet.

FILE NO.: \_\_\_\_\_ NAME IN FULL: \_\_\_\_\_

PREPARATORY SCHOOLS, HIGH SCHOOLS \_\_\_\_\_ DATES OF ATTENDANCE (FROM-TO) \_\_\_\_\_ GRADES COMPLETED \_\_\_\_\_

COLLEGES, UNIVERSITIES, TECHNICAL SCHOOLS \_\_\_\_\_ DATES OF ATTENDANCE (FROM-TO) \_\_\_\_\_ DEGREES \_\_\_\_\_

A. EDUCATIONAL BACKGROUND \_\_\_\_\_

TRAVEL, CONTINUING EDUCATION, RESEARCH, PUBLICATIONS \_\_\_\_\_

B. PROFESSIONAL ORGANIZATION SERVICE \_\_\_\_\_

C. PUBLIC AND COMMUNITY SERVICE \_\_\_\_\_

NAME OF ORGANIZATION, NAME OF SECRETARY, ADDRESS \_\_\_\_\_

Form 308-79, page 2  
VIRGINIA





COMMONWEALTH of VIRGINIA

Department of Commerce

DAVID R. HATHCOCK  
Director

3600 WEST BROAD STREET, RICHMOND, VIRGINIA 23230 - 4317

TELEPHONE: (804) 257-8500  
TOLL FREE: 1 (800) 552-3016

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

Dear Applicant:

Your application kit contains the following information:

1. Applicant check-off form
2. One (1) application
3. One (1) letter of instruction - DOC Form A-5
4. Two (2) State Verification of Registration forms - DOC Form A-2
5. Six (6) Architect Employer Reference forms - DOC Form A-3
6. Three (3) Reference Forms - DOC Form A-4
7. A Written Examination Schedule for 1983-89
8. Architect Registration Examination - Description of Divisions
9. An envelope to return your application and fee.

If, upon inspection, you find that any of the above items are not included, please contact the office of the Virginia State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects at (804) 257-8506.

All completely documented applications must be received in this office no later than 90 days prior to the scheduled examination in order to qualify for the desired examination, (See the Board's Procedural Requirements #6).

Sincerely,

Joan L. White  
Assistant Director  
VIRGINIA STATE BOARD OF ARCHITECTS,  
PROFESSIONAL ENGINEERS, LAND SURVEYORS  
AND CERTIFIED LANDSCAPE ARCHITECTS

JLW/pjs

Enclosures

Effective 2-11-86

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

APPLICANT CHECK-OFF FORM

Dear Applicant:

Please review your application and qualifications prior to making application, since your application fee is non-refundable. The following check-off sheet is provided for your convenience (not to be returned to the Board) as your application package cannot be reviewed by the Board without the appropriate information.

Prior to mailing my application package to the Board, I have made certain that the following items were complete and appropriate:

- \_\_\_\_\_ 1. Application Fee of \$40.00, made payable to the Treasurer of Virginia.
- \_\_\_\_\_ 2. Completed and notarized application form.
- \_\_\_\_\_ 3. Verification of Registration if licensed/registered in another State - DOC Form A-2.
- \_\_\_\_\_ 4. Transcript(s)
- \_\_\_\_\_ 5. All experience listed under Item C (practical experience) of the application verified - DOC Form A-3.
- \_\_\_\_\_ 6. Three letters of reference - DOC Form A-4.

Effective 2-11-86

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

Department of Commerce  
Seaboard Building - 5th Floor  
3600 West Broad Street  
Richmond, Virginia 23230-4917

Architect Section  
Instruction Sheet

(In addition to the instructions outlined in Circular 310)

1. RULES AND REGULATIONS: All applicants must have a thorough knowledge of the Rules and Regulations of the Board.
2. APPLICATION: The application must be typewritten except for signatures. The applicant is responsible for insuring that all material, including references, transcripts, etc., is submitted at least ninety days prior to the examination for which you wish to sit.

Applications for architectural registration:

- A. Application for the Architect Registration Examination - Applicants in this category must complete the entire application.
  - B. Application for Licensure Based on Comity/Reciprocity with Another State - Applicants in this category will complete the application in accordance with instructions given below.
3. EDUCATION: A transcript must be submitted from each college or university from which the applicant has received a degree to document credit the applicant wishes to claim.
  4. PRACTICAL EXPERIENCE: The applicant will provide to each employer listed in Section D of the application a copy of DOC Form A-3. The lower portion of the form is to be completed by the employer and returned to the applicant. This is required of each engagement, including self-employment for which an associate may be used as a reference. No credit is allowed for non-referenced employment.
  5. ARCHITECTURAL REFERENCE: The applicant shall provide to each architect listed in Section E of the application a copy of DOC Form A-4. The lower portion of this form is to be completed by the referencer and returned to the applicant. All architects used as references must be licensed in some state or legal jurisdiction. Architect references may not be present or past employment references, relatives or fellow employees.
  6. FEE: Each application shall be accompanied by a fee of \$40.00. Should examination be required, an additional fee will be assessed based on the cost of such examination. All checks should be made payable to the Treasurer of Virginia to be returned in the enclosed envelope.

7. NCARB CERTIFICATE/RECORD: As stated in Circular 310, the applicant that submits a Council Certificate/Record need only complete pages 1 and Item F onward on page 4 of the Virginia application. The applicant is responsible to insure that such information is transmitted to the State Board from NCARB. It is suggested that should an applicant apply on the basis of an NCARB Council Certificate, all material, including fee and state application, be forwarded to NCARB for transmittal to the Virginia Board. Items 3, 4, and 5 above do not apply to those submitting a Council Record/Certificate.
8. COMITY/RECIPROCITY: Applicants who are licensed in another jurisdiction will be considered for license via comity/reciprocity. The applicant must indicate on page 1 of the application the state in which the applicant was registered on the basis of written examination and submit DOC FORM A-2.
9. All supplementary papers, forms, transcripts, etc. must be identified with the applicant's name.

APPLICATIONS NOT COMPLETED IN ACCORDANCE WITH THESE INSTRUCTIONS WILL BE PROMPTLY RETURNED TO THE APPLICANT.

Effective 2-11-86

DOC Form A-5

VERIFICATION OF REGISTRATION

Date: \_\_\_\_\_

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPLICANT'S NAME \_\_\_\_\_

The person named above has filed an application in Virginia for licensing as an Architect. Your response to the following will expedite the processing of their application.

1. Is applicant registered in your State?  License Number \_\_\_\_\_  
Date issued \_\_\_\_\_  
Date expires \_\_\_\_\_
2. If not, has applicant ever applied?  Date \_\_\_\_\_
3. Does examination conform to NCARB Syllabus? \_\_\_\_\_  
Check examinations required and completed:  
 Seven Part Examination  Professional Examination  
 Equivalency Examination  Other (Specify) \_\_\_\_\_
4. Does your Board grant reciprocity with Virginia? \_\_\_\_\_  
Will Virginia applicants be required to submit to oral or special examination? \_\_\_\_\_ Must applicant apply through NCARB? \_\_\_\_\_
5. Were your training and experience requirements the same as NCARB? \_\_\_\_\_  
If not, give details \_\_\_\_\_
6. Is registration current? \_\_\_\_\_ If not, give details \_\_\_\_\_

(Use the back of this sheet for any additional remarks).

PLEASE RETURN TO THE APPLICANT. Signature \_\_\_\_\_

Name \_\_\_\_\_

(BOARD SEAL) Title \_\_\_\_\_

VIRGINIA STATE BOARD OF ARCHITECTS,  
PROFESSIONAL ENGINEERS, LAND SURVEYORS  
AND CERTIFIED LANDSCAPE ARCHITECTS

Department of Commerce  
Seaboard Building - 5th Floor  
3600 West Broad Street  
Richmond, Virginia 23230-4917

ARCHITECT EMPLOYER REFERENCE

A. To be completed by the applicant:

Applicant's Name \_\_\_\_\_  
Firm or Employer \_\_\_\_\_  
Address \_\_\_\_\_

Experience: From \_\_\_\_\_ Mo. Yr. To \_\_\_\_\_ Mo. Yr. Total Months \_\_\_\_\_

I. Design and Construction Documents  
Approximate number of months spent in this area of architectural practice: \_\_\_\_\_ months

Check the areas of practice in which you have had exposure:

- environmental analysis \_\_\_\_\_ building analysis \_\_\_\_\_ material research \_\_\_\_\_
- client exposure \_\_\_\_\_ code analysis \_\_\_\_\_ consultant coordination \_\_\_\_\_
- programming \_\_\_\_\_ cost analysis \_\_\_\_\_ document coordination \_\_\_\_\_
- schematic design \_\_\_\_\_ design development \_\_\_\_\_ specifications \_\_\_\_\_
- general drafting \_\_\_\_\_ quality control \_\_\_\_\_

II. Construction Administration  
Approximate number of months spent in this area of architectural practice: \_\_\_\_\_ months

Check the area of practice in which you have had exposure:

- bidding procedures \_\_\_\_\_ dispute consideration \_\_\_\_\_ contractors requisitions \_\_\_\_\_
- submittals \_\_\_\_\_ progress meetings \_\_\_\_\_ project close out \_\_\_\_\_
- observations \_\_\_\_\_ instructions \_\_\_\_\_

III. Office Management  
Approximate number of months spent in this area of architectural practice: \_\_\_\_\_ months

Check the areas of practice in which you have had exposure:

- management \_\_\_\_\_ contract \_\_\_\_\_ promotion \_\_\_\_\_
- personnel \_\_\_\_\_ public relations \_\_\_\_\_ professional responsibilities \_\_\_\_\_

IV. Other Experience  
If you have gained experience or exposure which is not described above, please give a brief description below. \_\_\_\_\_ months

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(over)

Applicant's Name \_\_\_\_\_

B. To be completed by the employer or associate.

The above named individual is filing application with the Virginia Board for licensing as an architect. In order to assess the applicant's qualifications, your verification is requested below. Please forward this form directly to the applicant.

1. Name \_\_\_\_\_
2. Are you a licensed architect? \_\_\_\_\_
3. Nature of firm's business \_\_\_\_\_
4. Was the applicant's period of employment as stated above? \_\_\_\_\_
5. Did the applicant gain experience or exposure to the essential areas of architectural practice as stated above? (Please elaborate as necessary) \_\_\_\_\_
6. Is the applicant now competent to practice architecture as a principal? \_\_\_\_\_
7. Further comments and recommendations \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Address \_\_\_\_\_

State of Registration \_\_\_\_\_  
Certificate Number \_\_\_\_\_

Effective 2-11-86

DOC Form A-3

REFERENCE FORM

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

WRITTEN EXAMINATION SCHEDULE - 1983 - 1989

To The Reference:

The applicant named below has made application with the Virginia State Board for licensing as an Architect and has listed you as a reference.

In order that the Board might have sufficient information to assess the applicant's qualifications, you are requested to provide frank answers to the following questions. Please feel free to provide any other information which you feel would be helpful. This form should be returned directly to the applicant.

The following examination dates have been set for the 1983 - 1989 examination:

EXAMINATION	DATE	DEADLINE FOR APPLICATION
Architect Registration Examination (ARE)	June 13-16, 1983	March 13, 1983
	June 18-21, 1984	March 19, 1984
	June 17-20, 1985	March 18, 1985
	June 16-19, 1986	March 17, 1986
	June 15-18, 1987	March 18, 1987
	June 20-23, 1988	March 21, 1988
	June 19-22, 1989	March 19, 1989

Applicant name: \_\_\_\_\_

- Your business relationship to the applicant \_\_\_\_\_
- Number of years you have known the applicant \_\_\_\_\_
- Whether or not you feel that the applicant possesses adequate technical knowledge \_\_\_\_\_
- In your judgment, has the applicant's experience been of a satisfactory grade and character? \_\_\_\_\_
- What is the applicant's reputation in the applicant's chosen profession? \_\_\_\_\_
- Your further comments and recommendations \_\_\_\_\_

Signature \_\_\_\_\_  
 Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 State of Registration \_\_\_\_\_ No. \_\_\_\_\_

Applications are not considered filed prior to the deadline unless all supporting data such as transcripts, endorsements, employer verifications are also received. It is the applicant's responsibility to insure all forms are received. Applicants are urged to apply six months in advance of any examination for which qualified.

Each applicant approved for the examination will be informed, in writing, of details concerning the examination location, time and rules.

The Board does not approve any individual for examination or licensing unless the applicant meets the standards of character, training and experience required in the regulations.

Application deadlines do not apply to applicants of reciprocal licensing as architects.

Effective 2-11-86

DOC Form A-4

Effective 2-11-86

ARCHITECT REGISTRATION EXAMINATION

Description of Divisions

DIVISION A - PRE-DESIGN (Programming, concept development):

Application of the principles of land use planning with respect to the interrelationship of the intended use or uses with the environment in which it is a part; the conversion of raw data, identification of missing data, evaluation of implications, establishing alternatives, and stating the building problem in terms usable for conceptual resolution in the building and site design development phase of service.

DIVISION B - SITE DESIGN:

The analysis and resolution of the problems involving the topography, geologic aspects of sites, and vegetation and climate, and incorporation of the principles of land use planning, site design and aesthetics, in conjunction with the site placement of a building, group of buildings and/or other site improvements.

DIVISION C - BUILDING DESIGN:

The synthesis of programmatic and environmental requirements into a coherent and aesthetic concept through the processes of schematic design and design development.

DIVISION D - STRUCTURAL TECHNOLOGY (General):

The identification, resolution, and incorporation of the technical aspects of construction in structural systems as related to the design of buildings.

DIVISION E - STRUCTURAL TECHNOLOGY (Lateral Forces):

The identification and resolution of the effects of lateral forces on the technical aspects of the design of buildings and the process of construction.

DIVISION F - STRUCTURAL TECHNOLOGY (Long Span):

The identification, resolution, and incorporation of the technical aspects of long span design in the design of buildings and the process of construction.

DIVISION G - MECHANICAL PLUMBING/ELECTRICAL AND LIFE SYSTEMS:

The identification and resolution of the technical aspects of construction as they relate to mechanical, plumbing, electrical, and life safety systems with their incorporation into building design.

DIVISION H - MATERIALS AND METHODS:

The evaluation and selection of materials and methods as related to the technical aspects of construction and their incorporation into the design of buildings.

DIVISION I - CONSTRUCTION DOCUMENTS AND SERVICES:

The translation of design concepts, building materials, and systems into instruments of service for construction and the related construction administration of a building project.

COMMONWEALTH OF VIRGINIA

FILE NO.: NAME IN FULL:

D. PRACTICAL EXPERIENCE

FULL NAME AND COMPLETE CURRENT ADDRESS OF EMPLOYER	DATES OF EMPLOYMENT		TOTAL TIME EMPLOYED		General practice of architecture	Teaching and research	Public service	CHECK APPROPRIATE EXPERIENCES
	GIVE MONTH AND YEAR		PART TIME	FULL TIME				
	From		Yrs.	Yrs.				
	To		Mo.	Mo.				
	From		Yrs.	Yrs.				
	To		Mo.	Mo.				
	From		Yrs.	Yrs.				
	To		Mo.	Mo.				
	From		Yrs.	Yrs.				
	To		Mo.	Mo.				
	From		Yrs.	Yrs.				
	To		Yrs.	Yrs.				

\*\* If part-time work is noted, state average number of hours per week. \*\* If "other" kinds of work are noted, describe.

Form 308-79, page 3 VIRGINIA



DOC Form E-1

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS  
AND CERTIFIED LANDSCAPE ARCHITECTS

Department of Commerce  
Post Office Box 11066  
Richmond, Virginia 23230-1066

APPLICATION FOR LICENSING AS PROFESSIONAL ENGINEER

(NOTE: Read Instruction Sheet before filling in this application form)  
Please type or print clearly. Date \_\_\_\_\_, 19\_\_

1. Name in full \_\_\_\_\_ Rank/Title \_\_\_\_\_  
First Middle Last

2. Residence address \_\_\_\_\_ ( )   
No. Street City/County State Zip Telephone

2a. Change of address \_\_\_\_\_

3. Business name and address \_\_\_\_\_ ( )   
Name No. Zip  
City/County State Zip Check Address for mailing

3a. Change of address \_\_\_\_\_

4. Birth date \_\_\_\_\_ Birth place \_\_\_\_\_ Social Security Number \_\_\_\_\_

5. Name and address of high school from which graduated \_\_\_\_\_  
Year graduated

6. College or university attended \_\_\_\_\_

7. Year graduated \_\_\_\_\_ Degree received \_\_\_\_\_

8. In which states are you now registered as a P.E.? \_\_\_\_\_ as an E.I.T.?

9. In which states was your registration granted on the basis of a written examination as a P.E.? \_\_\_\_\_  
as an E.I.T.?

10. Have you ever taken a Virginia professional engineer examination?\*

11. Has any state denied you registration, revoked or declined same?\*

12. Have you ever been convicted of a felony or any crime involving fraud or deceit?  
\*If "yes" please explain on a separate sheet.

13. Under which of the following paragraphs of the Board rules do you wish to qualify for licensure.  
Check only one. \$3.6.A. \_\_\_\_\_ \$3.6.B. \_\_\_\_\_ \$3.7.A. \_\_\_\_\_ \$3.7.B. \_\_\_\_\_ \$3.7.C. \_\_\_\_\_  
\$3.7.D. \_\_\_\_\_ \$3.7.E. \_\_\_\_\_ \$3.8. \_\_\_\_\_

13a. Check here if applying through NCEE \_\_\_\_\_

14. REFERENCES

The following registered Professional Engineers are personally acquainted with the applicant and have agreed to promptly, conscientiously and confidentially complete and mail Form E-2 directly to the applicant.

	Typewritten name	Complete typewritten address	P.E. Reg. State
15.	_____	_____	_____
16.	_____	_____	_____
17.	_____	_____	_____

APELS 18: PE.APPI-4



# Proposed Regulations

## 18. EDUCATION, TRAINING, AND EXPERIENCE RECORD

NAME: \_\_\_\_\_  
First Middle Last

19. In which branch of engineering are you most competent? \_\_\_\_\_

Complete the following record after reading the Instruction Sheet.

A		B	C	D	E	F	G	H	I	J
Date Mo./Yr.	From TO	SCHOOL TERMS, DURATION, TITLE OF POSITION, NAME OF EMPLOYER, CHARACTER OF EACH ENGAGEMENT AND DEGREE OF YOUR RESPON- SIBILITY THEREFORE	Signature, with typewritten name and address on this form or copy, of the imme- diate supervisor unless deceased or otherwise un- available. Under those circumstances, the signatures should be of some responsible person familiar with each engagement, preferably employer of person to whom applicant reported or with whom applicant was associated. Title and relationship of endorser to each engagement should be indicated.	TIME SPENT Yrs. in Decimals to 10ths					FOR OFFICE USE ONLY	
		Separate each engagement by 3 spaces or a horizontal line. Do not use separate sheets.		SUB-PROFESSIONAL	PROFESSIONAL	DESIGN TIME	RESPONSIBLE CHARGE TIME	TOTAL TIME	Credit for profes- sional work granted. Reasons why credit Not granted.	
TOTALS BY APPLICANT										
APPROVED BY BOARD										TOTAL TIME APPROVED BY THE BOARD



COMMONWEALTH of VIRGINIA

Department of Commerce

DAVID R. HATHCOCK  
Director

3600 WEST BROAD STREET, RICHMOND, VIRGINIA 23230-4917

RONALD K. LAYNE  
Senior Deputy Director

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

Dear Applicant:

Your application kit contains the following information:

1. One (1) application - DOC Form E-1.
2. One (1) letter of instruction - DOC Form E-4.
3. Two (2) verification of degree granted forms - DOC Form E-3.
4. Three (3) reference forms - DOC Form E-2.
5. A written examination schedule for 1986-90.
6. An envelope to return your application and fee.

If, upon inspection, you find that any of the above items are not included, please contact the office of the Virginia State Board of Architects, Professional Engineers, Land Surveyors, and Certified Landscape Architects at (804) 257-8512.

Pursuant to Board regulations, all completely documented applications must be received in this office no later than 90 days prior to the scheduled examination in order to be evaluated for the desired examination.

Sincerely,

Joan L. White  
Assistant Director  
VIRGINIA STATE BOARD OF ARCHITECTS,  
PROFESSIONAL ENGINEERS, LAND SURVEYORS,  
AND CERTIFIED LANDSCAPE ARCHITECTS

JLW:pjs

Enclosures

Effective 4-14-87

TELEPHONE: (804) 257-8500 TOLL FREE: 1(800) 552-3016

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

APPLICANT CHECK-OFF FORM

Dear Applicant:

Please review your application and qualifications prior to making application since your application fee is non-refundable. The following check-off sheet is provided for your convenience (not to be returned to the Board) as your application package cannot be reviewed by the Board without the appropriate information.

-----  
Prior to mailing my application package to the Board, I have made certain that the following items were complete and appropriate:

- 1. Application Fee of \$20.00, if an EIT applicant, made payable to the Treasurer of Virginia.
- 2. Application Fee of \$40.00, if a PE or reciprocity applicant, made payable to the Treasurer of Virginia. If you have previously applied as an EIT applicant in Virginia, only a \$20.00 application fee is required.
- 3. Completed and notarized application form.
- 4. If an EIT applicant, one letter of endorsement (reference) from a Professional Engineer, or from the Dean of the engineering school or a departmental professor in the school attended by the applicant, or an immediate work supervisor. The person providing the reference must have known the applicant for at least one year.
- 5. Three letters of endorsement (reference) if a PE applicant.
- 6. All experience listed under item 19 of the application verified with an original signature and a detailed job description for each engagement provided.
- 7. Verification of Bachelor's degree.

Effective 4-14-87

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

SPECIAL ATTENTION  
PROFESSIONAL ENGINEER APPLICANTS

The following additional information concerning the application process is provided for your information:

- A. Applications are circulated by mail to each Board member for review. The average transit time required is 30 days. This, coupled with the administrative review requirements makes strict compliance with the established cut-off dates mandatory. All required verifications of experience and education must be submitted with the basic application.
- B. Applicants planning to enroll in refresher courses should make application in sufficient time to be approved to sit the examination prior to enrollment. Individuals electing to enroll in such courses prior to having obtained board approval to sit the scheduled examination risk the loss of valuable time and expense.

FEES:

All applications must be accompanied by a fee to defray costs of reviewing same.

1. All applicants seeking licensing as an engineer-in-training by examination must submit a fee of \$20.00. An additional fee of \$20.00 will then be required prior to consideration of eligibility for Part B of the examination.
2. All other applicants (with the exception of those who have previously applied for certification as an engineer-in-training by examination in Virginia) must submit a fee of \$40.00. This includes the following:
  - A. All applicants who seek approval for both examinations leading to certification as an engineer-in-training and licensing as a Professional Engineer by examination.
  - B. All applicants who seek approval for Part B only, and have obtained certification as an engineer-in-training in a jurisdiction other than Virginia.
  - C. All applicants seeking endorsement (reciprocity) as a Professional Engineer.
3. For each exam an additional \$40.00 fee must be submitted.
4. Make all checks payable to the Treasurer of Virginia and return them in the enclosed envelope.
5. All fees are non-refundable. Deposit of application fee does not indicate application approval; this is a processing fee.

Effective 4-14-87

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS  
AND CERTIFIED LANDSCAPE ARCHITECTS

DEPARTMENT OF COMMERCE  
Seaboard Building, 5th floor  
3500 West Broad Street  
Richmond, Virginia 23230-4917

APPLICATION FOR PROFESSIONAL ENGINEER OR ENGINEER-IN-TRAINING

1. All applicants must have a thorough knowledge of the Rules and Regulations of the Board.
2. Forms must be legible or typewritten. Applications arriving to the Assistant Director must be complete to include all required documentation, references, and verifications. Submission of applications just prior to the cut-off date normally results in extremely late notification of eligibility to sit for the scheduled examination.
3. EDUCATION: One copy of DOC Form E-3 should be supplied to the college or university from which a bachelor's degree in engineering or engineering technology has been obtained. This form shall be completed by the institution and returned to the applicant. If a degree was awarded but not in engineering, a transcript must be submitted.
4. REFERENCES: One copy of DOC Form E-2 shall be supplied to each of the references listed in Item 14. (Persons applying for the EIT should also refer to § 3.6 of the Board's regulations.) All references should be licensed Professional Engineers. If possible, at least two of the references should be experience (See 5 below). The references shall be other than those persons who verify the applicant's experience. The references shall submit completed forms either to the applicant or state Board office.
5. EDUCATION, TRAINING AND EXPERIENCE RECORD: Under Item 19, show all education, training and experience. Make concise and explicit statements giving a description of your tasks, duties and nature of work performed for each engagement. List engagements in chronological order with earliest engagement first. Each engagement (except formal education) must be verified by original supervisor's signature in Column D and returned to the applicant. This includes periods of self employment which may be verified by an associate. This may be done by copying the completed form E-1 and submitting that copy with signature. However, the original form submitted must be completed as outlined above. Persons who act as references may not verify experience!
6. RECIPROCIITY: If you are registered in another jurisdiction, reciprocity will be routinely considered upon submission of a completely documented application. Should you be registered in another state, show all states in Item 9 in which you took a written examination.
7. VERIFICATION OF REGISTRATION: If you are registered in another jurisdiction by written examinations indicate so on Item 9 and the Board office will obtain written confirmation of such examinations to be inserted with your application.
8. NEC/NCEE CERTIFICATE: Any person applying on the basis of a National Engineering Council Certificate will be required to complete Items 1 through 13a and Items 20 and 21 of the Virginia DOC Form E-1 only. There is no requirement for references or an experience record. This record must be submitted directly from the National Council of Engineering Examiners.
9. FEES: Each application must be accompanied by the appropriate fee to be returned in the enclosed envelope. (See fee schedule.)
10. EXAMINATION: Additional information concerning the examination can be obtained from the National Council of Engineering Examiners, P. O. Box 1686, Clemson, South Carolina 29633-1686.
11. All supplementary papers accompanying the application must be identified with the applicant's name.
12. If degree obtained outside United States, transcripts may be required by the Board to evaluate degree.

APPLICATIONS NOT COMPLETED IN ACCORDANCE WITH THESE INSTRUCTIONS WILL BE PROMPTLY RETURNED TO THE APPLICANT

Effective 4-14-87

DOC Form E-4

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS  
AND CERTIFIED LANDSCAPE ARCHITECTS

DEPARTMENT OF COMMERCE  
Seaboard Building, 5th Floor  
3600 West Broad Street  
Richmond, Virginia 23230-4917

VERIFICATION OF DEGREE GRANTED

(Applicant shall complete upper portion of this form.)

Name in full \_\_\_\_\_  
 Residence address \_\_\_\_\_  
 Business address \_\_\_\_\_  
 Birth date \_\_\_\_\_ Social Security Number \_\_\_\_\_  
 College or University attended \_\_\_\_\_  
 Applicant's signature \_\_\_\_\_

(After completion of above, applicant shall send this form to the College or University from which the applicant has obtained a degree in engineering, with a request that the following Certificate be completed and this form returned directly to the applicant.)

CERTIFICATE

I hereby certify that the above named applicant has been graduated from this institution with the degree of:

on \_\_\_\_\_ Major \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Official Position \_\_\_\_\_  
 Institution \_\_\_\_\_  
 Date \_\_\_\_\_  
 (College Seal)

Effective 2-11-86

DOC Form E-3

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS  
AND CERTIFIED LANDSCAPE ARCHITECTS

DEPARTMENT OF COMMERCE  
Seaboard Building, 5th Floor  
3600 West Broad Street  
Richmond, Virginia 23230-4917

To The Referencer:

As a licensed professional engineer or referencer you have been named on the application of the individual listed below to the State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects for consideration of registration. In addition, any other comments which you feel would provide sufficient information to assess the applicant's qualifications would be appreciated.

Please return this form to the applicant or state board office.

1. Applicant's Name \_\_\_\_\_  
 2. Your business relationship to applicant \_\_\_\_\_ Approx. Age \_\_\_\_\_  
 3. Number of years you have known the applicant \_\_\_\_\_  
 4. Is the applicant of good moral character? \_\_\_\_\_  
 5. How long has the applicant been engaged in engineering work? \_\_\_\_\_  
 6. What is the applicant's reputation as an engineer? \_\_\_\_\_  
 7. Do you have any reservations or do you wish to qualify any of your above statements? \_\_\_\_\_  
 8. Your comments and recommendations \_\_\_\_\_

Signature \_\_\_\_\_  
 Date \_\_\_\_\_  
 Name \_\_\_\_\_ Please Type or Print \_\_\_\_\_  
 Address \_\_\_\_\_  
 P.E. Reg. No. \_\_\_\_\_ Date Registered \_\_\_\_\_  
 State \_\_\_\_\_

Effective 6-14-87

DOC Form E-2

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

Seaboard Building - 5th Floor  
3600 West Broad Street  
Richmond, Virginia 23230-4917

WRITTEN EXAMINATION SCHEDULE 1986-1990

The following examination dates have been set for the 1986-1990 examinations:

Examination	Date	Application
Professional Engineer Examination	April 11, 1986	January 13, 1986
	October 24, 1986	July 25, 1986
	April 10, 1987	January 12, 1987
	October 30, 1987	August 3, 1987
	April 15, 1988	January 18, 1988
	October 28, 1988	July 29, 1988
	April 14, 1989	January 17, 1989
	October 27, 1989	July 28, 1989
	April 20, 1990	January 23, 1990
	October 26, 1990	July 27, 1990
Engineer-in-Training Examination	April 12, 1986	January 13, 1986
	October 25, 1986	July 25, 1986
	April 11, 1987	January 12, 1987
	October 31, 1987	August 3, 1987
	April 16, 1988	January 18, 1988
	October 29, 1988	July 29, 1988
	April 15, 1989	January 17, 1989
	October 28, 1989	July 28, 1989
	April 21, 1990	January 23, 1990
	October 27, 1990	July 27, 1990

Applications are not considered filed prior to the deadline unless all supporting data such as transcripts, endorsements, employer verifications are also received. It is the applicant's responsibility to insure all forms are received. Applicants are urged to apply six months in advance of any examination for which qualified.

Each applicant approved for examination will be informed, in writing, of details concerning the examination location, time and rules.

The Board does not approve any individual for examination or licensing unless the applicant meets the standards of character, training and experience required in the regulations.

Application deadlines do not apply to engineers applying under Section §3.8 of the regulations or applicants for reciprocal licensing as architects, engineers, surveyors or landscape architects.

Effective 4-14-87

20. AFFIDAVIT

State \_\_\_\_\_  
County or City of \_\_\_\_\_

The undersigned being duly sworn deposes and says that the applicant is the person who executed this application, that the statements herein contained are true, that the applicant has not suppressed any information that might affect this application, and that the applicant has read and understands this affidavit.

Signature of Applicant: \_\_\_\_\_

(SEAL)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Signature of Notary Public \_\_\_\_\_ My commission expires: \_\_\_\_\_

21. Name as you want it to appear on your certificate (please print or type):  
\_\_\_\_\_  
\_\_\_\_\_

22. BOARD NOTES:

Date of Review	Initials of Reviewer	Reasons for Non-approval

23. Approved as:

Board members initials and date

Professional Engineer Candidate:	Part A (E.I.T.)	_____	_____
	Part B	_____	_____
	Part A and B	_____	_____
Advanced Engineer Candidate:	Part B only	_____	_____
Veteran Engineer Candidate:		_____	_____

24. Record of Grades:

Examination Failures:			Examination Failures:					
Part	Grade	Date	Part	Grade	Date	Part	Grade	Date
						A		
						B		

25. Approved for Certification as Engineer-in-Training

Board members initials and date

By written examination \_\_\_\_\_  
By reciprocity with \_\_\_\_\_

26. Approved for Certification as Professional Engineer:

Board members initials and date

By written examination \_\_\_\_\_  
By oral examination \_\_\_\_\_  
By reciprocity with \_\_\_\_\_

DDC Form L-2  
Rev. 11-18-85

VIRGINIA STATE BOARD OF  
ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS  
DEPARTMENT OF COMMERCE  
Post Office Box 11066  
Richmond, Virginia 23230-1066

APPLICATION FOR LICENSING AS A LAND SURVEYOR

(NOTE: Read Instruction Sheet before filling in this application form)

Date \_\_\_\_\_, 19\_\_\_\_

1. Name in full: First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_ Rank/Title \_\_\_\_\_

2. Residence address: No. \_\_\_\_\_ Street \_\_\_\_\_ City/County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Telephone No. \_\_\_\_\_

3. Business name and address: Name \_\_\_\_\_ No. \_\_\_\_\_ Street \_\_\_\_\_ Telephone No. \_\_\_\_\_   
City/County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Check address for mailing

4. Birth date \_\_\_\_\_ Birth place \_\_\_\_\_ Social Security Number \_\_\_\_\_

5. Name and address of high school from which graduated \_\_\_\_\_  
Year graduated \_\_\_\_\_

6. College or university attended \_\_\_\_\_

7. Year graduated \_\_\_\_\_ 8. Degree received \_\_\_\_\_

9. In which states are you now registered as a land surveyor? \_\_\_\_\_

10. In which states was your registration granted on the basis of a written examination? \_\_\_\_\_

11. Have you ever taken a Virginia land surveyor examination? \_\_\_\_\_

12. Has any state denied you registration, revoked or declined same? \_\_\_\_\_

13. Have you ever been found guilty by a court of record of fraud or deceit or been convicted of a felony? \_\_\_\_\_  
If your answer is "yes" to 11, 12 or 13, explain on a separate sheet.

14. Name and grade of membership in professional societies \_\_\_\_\_

15. ENDORSEMENTS

The following registered land surveyors are personally acquainted with the applicant and have agreed to promptly, conscientiously and confidentially complete and mail DDC Form L-4 directly to the applicant. Not more than two of the supplied endorsements may be relatives or current business associates or employees of the same or closely related firm.

	Typewritten name	Complete typewritten address	L. S. Reg. State
(1)	_____	_____	_____
(2)	_____	_____	_____
(3)	_____	_____	_____

# Proposed Regulations

## 16. EDUCATION, TRAINING, AND EXPERIENCE RECORD

NAME: \_\_\_\_\_  
 First Middle Last

Complete the following record after reading instruction sheet.

A Number of Engage- ment	B Date (Mo./Yr.)  From  TO	C IN CHRONOLOGICAL ORDER LIST:  FIRST-Accredited college level work (or equivalent). SECOND-Work experience giving title of position, name of employer, character of each engagement and degree of responsibility therefore.  (Separate each engagement by three spaces or a horizontal line.)	D E F TIME SPENT (Years in Decimals to Tenths)			G Typewritten name and address on this form of some responsible person familiar with each engagement, preferably employer or person to whom applicant reported or with whom he was associated. Title and relationship of endorser to each engage- ment should be indicated.
			(1) Subpro- fession- al	(2) Pro- fession- al Work	(3) Total time (1) plus (2)	
		TOTALS BY APPLICANT				
		APPROVED BY BOARD				

\* For each work engagement copy of this complete description on DPOR Form L-3 and provide that to the employer/supervisor shown in column G.



COMMONWEALTH of VIRGINIA

Department of Commerce

3600 WEST BROAD STREET, RICHMOND, VIRGINIA 23220-4917

TELEPHONE (804) 257-8500  
TOLL FREE: 1 (800) 552-3018

DAVID B. MATHCOCK  
Officer

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

APPLICANT CHECK-OFF FORM

Dear Applicant:

Please review your application and qualifications prior to making application since your application fee is non-refundable. The following check-off sheet is provided for your convenience (not to be returned to the Board) as your application package cannot be reviewed by the Board without the appropriate information.

Dear Applicant:

Your application kit contains the following information:

1. Applicant check-off form.
2. One (1) application - DOC Form L-2.
3. One (1) letter of instruction - DOC Form L-1.
4. Two (2) State Verification of Registration forms - DOC Form L-3.
5. Three (3) reference forms - DOC Form L-4.
6. Five (5) Experience Verification forms - DOC Form L-5.
7. A written examination scheduled for 1988-89.
8. An envelope to return your application and fee.

If, upon inspection, you find that any of the above items are not included, please contact the office of the Virginia State Board of Architects, Professional Engineers, Land Surveyors, and Certified Landscape Architects at (804) 257-8506.

All completely documented applications must be received in this office at least 90 days prior to a scheduled examination to qualify for examination.

Sincerely,

*Joan L. White*

Joan L. White  
Assistant Director  
VIRGINIA STATE BOARD OF ARCHITECTS,  
PROFESSIONAL ENGINEERS, LAND  
SURVEYORS, and CERTIFIED LANDSCAPE  
ARCHITECTS

JLW:pjs

Enclosures

Effective 11-18-85

Prior to mailing my application package to the Board, I have made certain that the following items were complete and appropriate:

1. Application Fee of \$20.00, if an applicant for Part I or Part II only, made payable to the Treasurer of Virginia.
2. Application Fee of \$40.00, if a 3A applicant for both Part I and Part II, made payable to the Treasurer of Virginia.
3. Completed and notarized application form.
4. Verification of Registration. DOC Form L-3
5. Three letters of reference on DOC Form L-4.
6. All experience listed under item 16 of the application verified on DOC Form L-5.

Effective 11-18-85



VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

Department of Commerce  
Seaboard Building - 5th Floor  
3600 West Broad Street  
Richmond, Virginia 23230-4917

"Instruction Sheet"  
Land Surveyor Application - 3A

1. Rules and Regulations: All applicants must have a thorough knowledge of the Rules and Regulations of the Board.
2. Application: The application must be typewritten except for signatures. The applicant is responsible to insure that all materials, including references, transcripts, etc., be submitted at least 90 days prior to the examination for which the applicant intends to sit. The application and all supporting materials become property of the Board.
3. Education: A transcript must be submitted from each institution from which the applicant has received credit the applicant wishes to claim. Note the requirement for courses in surveying, geometry, trigonometry, and algebra in addition to geodesy, mapping, and related courses.
4. Practical Experience and References: (a) The applicant will complete item 16 by engagement. The applicant shall give a brief description of each engagement and outline duties performed. In addition, the applicant must indicate the level of responsibility for each the time span of each level of responsibility, whether each of the levels was on a full-time or part-time basis, and the specific duties of the applicant in fulfilling those responsibilities. Note that professional level experience is that attained under the direct supervision of a licensed land surveyor in positions of responsibility which require exercise of independent judgment, initiative and professional skill. Sub-professional experience such as chainman, rodman, instrumentman or transitman, ordinary draftsman is considered non-qualifying. (See explanation on reverse side.)  
  
(b) The applicant will copy each engagement exactly as listed in item 16 separately on DOC Form L-5. This form will be forwarded to the employer listed in column "G" for return to the applicant. This is required for each engagement including periods of self-employment for which an associate may be used. All forms should be returned directly to the applicant.
5. References: The applicant shall provide to the three references listed in item 15 a copy of DOC Form L-4. The lower portion of the form is to be completed by the referencer and returned directly to the applicant. Note that the referencers must be licensed surveyors in Virginia.

6. Application Fee: Each application shall be accompanied by a fee as follows:
 

(a) Application fee for 3A licensure	Part I and Part II	-----	\$40.00*
	Part I only	-----	\$20.00
	Part II only	-----	\$20.00

7. \*Applicants licensed in other states: If all requirements of Virginia law and regulations have been met, applicants who are licensed in another jurisdiction will be routinely considered for licensing via credit for previous examinations. The applicant must indicate the states in which he was licensed in items 9 and 10. If, in the opinion of the Board, the written examinations were not equivalent to that given in Virginia, an examination in part or in entirety may be required. The Verification of Registration Form (DOC Form L-3) should be submitted to all states listed under item 10. The application fee is the same as for Part I and II.

8. Identification: All supplementary papers, forms, transcripts, etc., must be identified with the applicant's name. All appropriate forms, transcripts, references, fees, etc., must accompany the application at the time it is submitted.

APPLICATIONS NOT COMPLETED IN ACCORDANCE WITH THESE INSTRUCTIONS WILL BE PROMPTLY RETURNED TO THE APPLICANT

-----  
The following information is provided in determining how to classify experience as professional or sub-professional in item 16 of the application form.

PROFESSIONAL EXPERIENCE

Professional experience is that obtained under the direction and supervision of a licensed land surveyor or someone authorized under statute to engage in such work. Such positions as party chief, computer or others in such positions whose work requires exercise of independent judgment, initiative and skill may so qualify for admission to the examination. Experience as party chief in construction or other such commercial activity is not considered as covering all aspects of land surveying as defined in Section 54-17.1 3(a) and will be credited at a rate of 2/3 year for each year gained with a maximum credit of 2/3 year toward the total requirement. Accredited education, gained in approved colleges and universities, may be credited in accordance with the Board's regulations if related to surveying.

SUB-PROFESSIONAL EXPERIENCE

Sub-professional experience is that experience such as draftsman, chainman, rodman, instrumentman, transitman, apprentice or other positions of routine work. Education, not surveying related or gained through correspondence courses or self-study, is considered non-qualifying.

VERIFICATION OF REGISTRATION

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPLICANTS NAME \_\_\_\_\_ SOC. SEC. NO. \_\_\_\_\_

The above named person has requested registration as a Land Surveyor in Virginia. Your response to the following will expedite his/her application:

1. Is applicant registered as a Land Surveyor in your State? License No. \_\_\_\_\_  
Date Issued \_\_\_\_\_  
Date Expires \_\_\_\_\_

2. Did the applicant successfully complete the following NCEE Exams?

Fundamentals of Land Surveying Exam Part I and Part II \_\_\_\_\_

Date \_\_\_\_\_ Length of Exam \_\_\_\_\_

Principles and Practice of Land Surveying Exam Part I \_\_\_\_\_

Date \_\_\_\_\_ Length of Exam \_\_\_\_\_

Other Exam (Please describe be and give grade and minimum passing score) \_\_\_\_\_

3. If not registered by exam, how registered? \_\_\_\_\_

4. Is certificate now in force? If not, why? \_\_\_\_\_

5. Has certificate even been revoked? If so, why? \_\_\_\_\_

SEAL

Signature \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

Effective 11-20-85

DOC Form L-3

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

Department of Commerce  
Seaboard Building - 5th Floor  
3600 West Broad Street  
Richmond, Virginia 23230-4917

PART I TO BE COMPLETED BY APPLICANT

REFERENCE FORM

Applicants Name \_\_\_\_\_  
Address \_\_\_\_\_

PART II REFERENCE:

The individual named above is applying for licensure as a land surveyor and has listed you as a land surveyor. As one of the applicant's references you are being asked by the State Board for your frank answers to the following questions. In addition, any other comment which you feel would provide sufficient information to assess the applicant's qualifications would be appreciated. Please return this form to the applicant.

1. What is your business relationship to the applicant? \_\_\_\_\_
2. How many years have you known the applicant? \_\_\_\_\_
3. Do you feel the applicant has adequate technical knowledge to do land surveying as a principal? \_\_\_\_\_
4. Do you feel the applicant has had adequate diversified experience? \_\_\_\_\_
5. What is the applicant's reputation as a land surveyor? \_\_\_\_\_
6. Do you wish to qualify or enlarge upon any of the above statements? \_\_\_\_\_
7. Your comments and recommendations \_\_\_\_\_

Date \_\_\_\_\_  
Signature \_\_\_\_\_  
Name \_\_\_\_\_  
(Please Print)  
Address \_\_\_\_\_  
License No. \_\_\_\_\_ State \_\_\_\_\_

Effective 11-18-85

DOC Form L-4

VIRGINIA STATE BOARD OF ARCHITECTS PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

EXPERIENCE VERIFICATION FORM

PART I To Be Completed By The Applicant

1. Name \_\_\_\_\_

A. Your:

2. Address \_\_\_\_\_  
APT/RFD/PO# STREET ADDRESS CITY STATE ZIP

B. From your experience record copy one engagement below and forward this form to the employer in question as stated on the Instruction Sheet.

1. Names: Employer/Firm \_\_\_\_\_ Immediate Supervisor \_\_\_\_\_

2. Period(s) of Employment FROM \_\_\_\_\_ TO \_\_\_\_\_ ; FROM \_\_\_\_\_ TO \_\_\_\_\_

3. Description of Work Performed \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE \_\_\_\_\_

PART II TO BE COMPLETED BY EMPLOYER/SUPERVISOR

The above name individual is filing application with the Virginia State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects for licensure as a land surveyor. In order to evaluate the applicant's qualifications, your comments below are needed. Please forward this directly to the applicant.

1. Firm Name \_\_\_\_\_ 2. Type of Business \_\_\_\_\_

3. Are you licensed as a land surveyor? \_\_\_\_\_  
License \_\_\_\_\_  
State \_\_\_\_\_ Number \_\_\_\_\_

4. Were applicant's position and duties as described above? Yes \_\_\_\_\_ or No \_\_\_\_\_ If No please comment. \_\_\_\_\_

5. Was the applicant in a position of responsible charge at a professional level? \_\_\_\_\_  
Yes or No\*

6. Did you rely upon professional judgements made by the applicant? Yes \_\_\_\_\_ No\* \_\_\_\_\_

7. General Comments \_\_\_\_\_  
\_\_\_\_\_

\*If answer to items 4, 5 or 6 is no please comment.

SIGNATURE \_\_\_\_\_

Date \_\_\_\_\_

Effective 11-31-85

DOC Form L-5

3A

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

Seaboard Building - 5th Floor  
3600 West Broad Street  
Richmond, Virginia 23230-4917

WRITTEN EXAMINATION SCHEDULE

The following examination dates have been set for the 1986-1990 examinations:

Examination	Date	Deadline for Application
Land Surveyor 3(a)	April 11, 1986	January 13, 1986
	October 24, 1986	July 25, 1986
	April 10, 1987	January 12, 1987
	October 30, 1987	August 3, 1987
	April 15, 1988	January 18, 1988
	October 28, 1988	July 29, 1988
	April 14, 1989	January 17, 1989
	October 27, 1989	July 28, 1989
	April 20, 1990	January 23, 1990
	October 26, 1990	July 27, 1990

Applications are not considered filed prior to the deadline unless all supporting data such as transcripts, endorsements, and employer verifications are received. It is the applicant's responsibility to insure all forms are received. Applicants are urged to apply six months in advance of any examination for which qualified.

Each applicant approved for examination will be informed, in writing, of details concerning the examination location, time and rules.

The Board does not approve any individual for examination or licensing unless the applicant meets the standards of character, training and experience required in the regulations.

Effective 11-18-85

**17. AFFIDAVIT**

State of \_\_\_\_\_  
 County or City of \_\_\_\_\_

The undersigned being duly sworn deposes and says that the applicant is the person who executed this application, that the statements herein contained are true, and that the applicant has not furnished any information that might affect this application, and that the applicant has read and understands this affidavit.

Signature of applicant: \_\_\_\_\_

SEAL

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Signature of Notary Public: \_\_\_\_\_

My commission expires: \_\_\_\_\_

18. Name as you want it to appear on your certificate: \_\_\_\_\_

19. BOARD NOTES: \_\_\_\_\_

20. Approved For Examination \_\_\_\_\_

Record of Grades:			Examination Failures:			Applicant holds credit for:		
Part	Grade	Date	Part	Grade	Date	Part	Grade	Date
						I		
						II		

# Proposed Regulations

Department of Commerce  
Form LA-1

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

DEPARTMENT OF COMMERCE  
SEABOARD BUILDING - 5th FLOOR  
POST OFFICE BOX 11066  
RICHMOND, VIRGINIA 23230-1066

## APPLICATION FOR CERTIFICATION AS A LANDSCAPE ARCHITECT

(NOTE: Read Instruction Sheet before filling in this application form)

Date \_\_\_\_\_, 19\_\_

1. Name in full  
First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_

2. Residence address  
No. \_\_\_\_\_ Street \_\_\_\_\_ City/County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Telephone No. \_\_\_\_\_

Change of address \_\_\_\_\_

3. Business name and address  
Name \_\_\_\_\_ No. \_\_\_\_\_ Street \_\_\_\_\_ Telephone No. \_\_\_\_\_

City/County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Check address for mailing

Change of address \_\_\_\_\_

4. Birth date \_\_\_\_\_ Birth place \_\_\_\_\_ Social Security Number \_\_\_\_\_

5. Under which of the categories of the Board's rules do you wish to qualify for certification? Check only one.

- \_\_\_ a. Examination (Holder of an accredited degree in Landscape Architecture)
- \_\_\_ b. Examination (By combined education and experience)
- \_\_\_ c. Reciprocity

6. Name and address of high school from which graduated \_\_\_\_\_

Year graduated \_\_\_\_\_

7. College(s) or university(s) attended \_\_\_\_\_

8. Degree(s) received/year granted \_\_\_\_\_

9. In which states are you now registered as a Landscape Architect? \_\_\_\_\_

10. In which states was your registration/certification granted on the basis of a CLARB examination as a Landscape Architect? \_\_\_\_\_

11. Have you ever taken a Virginia Landscape Architect examination? \* \_\_\_\_\_

12. Has any state denied you registration/certification, revoked or declined same? \* \_\_\_\_\_

13. Have you ever been found guilty by a court of record of fraud or deceit or been convicted of a felony? \* \_\_\_\_\_

\*If your answer is "yes" to any of the three questions, explain on a separate sheet.

# Proposed Regulations

NAME: \_\_\_\_\_  
First Middle Last

14. Item 14 should be completed by persons applying under 5b. only. Record your active professional practice in sequence under Column C, starting with your earliest position. Wherever possible, please mention important projects in which you have been engaged during any particular period of experience. Attach an additional sheet, if necessary.

A	B	C	D E F			G
Number of Engagement	Date (Mo./Yr.) From TO	SCHOOL TERMS DURATION, TITLE OF POSITION, NAME OF EMPLOYER, CHARACTER OF EACH ENGAGEMENT AND DEGREE OF YOUR RESPONSIBILITY THEREFORE  (Separate each engagement by three spaces or a horizontal line. Use separate sheets, if necessary.)	TIME SPENT (Months & Years)			Employer's Name
			(1) Subordinate	(2) In Responsible charge	(3) Total time plus (1) (2)	
TOTALS BY APPLICANT						
APPROVED BY BOARD						



COMMONWEALTH of VIRGINIA

Department of Commerce

DAVID R. HATHCOCK  
Director

3600 WEST BROAD STREET, RICHMOND, VIRGINIA 23230 - 4917

TELEPHONE: (804) 257-8500  
TOLL FREE: 1 (800) 552-3016

VIRGINIA STATE BOARD OF ARCHITECTS PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

APPLICANT CHECK-OFF FORM

Dear Applicant:

Please review your application and qualifications prior to making application since your application fee is non-refundable. The following check-off sheet is provided for your convenience (not to be returned to the Board) as your application package cannot be reviewed by the Board without the appropriate information.

Dear Applicant:

Your application kit contains the following information:

1. Applicant check-off form
2. One (1) application - DOC Form LA-1.
3. One (1) letter of instruction - DOC Form LA-2.
4. One (1) State Verification of Registration form - DOC Form LA-3.
5. One (1) verification of degree granted form - DOC Form LA-4.
6. Three (3) experience verification forms - DOC Form LA-5.
7. A written examination schedule for 1986-89.
8. An envelope to return your application.

If, upon inspection, you find that any of the above items are not included, please contact the office of the Virginia State Board of Architects, Professional Engineers, Land Surveyors, and Certified Landscape Architects at (804) 257-8506.

All completely documented applications must be received in this office at not less than 90 days prior to the date of the examination.

Sincerely,

*Joan L. White*

Joan L. White  
Assistant Director  
Virginia State Board of Architects,  
Professional Engineers, Land Surveyors,  
and Certified Landscape Architects.

JLW:pjs

Enclosures

Effective 11-20-85

-----  
Prior to mailing my application package to the Board, I have made certain that the following items were complete and appropriate:

1. Application Fee of \$40.00, made payable to the Treasurer of Virginia.
2. Completed and notarized application form.
3. Verification of Registration if required - DOC Form LA-3.
4. Verification of Degree granted or transcript if required - DOC Form LA-4.
5. All experience listed under item 14 of the application verified if required - DOC Form LA-5.

Effective 11-20-85

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS  
AND CERTIFIED LANDSCAPE ARCHITECTS

DEPARTMENT OF COMMERCE  
Seaboard Building - 5th Floor  
3600 West Broad Street  
Richmond, Virginia 23230-4917

APPLICATION FOR CERTIFICATION AS A LANDSCAPE ARCHITECT

1. All applicants must have a thorough knowledge of the Rules and Regulations of the Board.
2. Forms shall be typewritten in their entirety except for signatures. The applicant shall assume full responsibility for filing all material required.
3. EDUCATION: One copy of DOC Form LA-4 shall be supplied to the Office of the Registrar at the college or university from which a degree, as indicated in Item 8 of the application, was received. This form shall be completed by the institution and returned to the applicant. If a degree was awarded but not in landscape architecture, a transcript must be submitted.
4. EDUCATION, TRAINING AND EXPERIENCE RECORD (Item 14 should be completed by persons applying under 5b. only.): Under Item 14 show all education, training and experience. USE SEPARATE SHEETS IF NECESSARY. Make concise and explicit statements giving a description of your tasks, duties and nature of work performed for each engagement. List engagements in chronological order with earliest engagement first.  
  
Each engagement (except formal education) must be verified by the signature of the immediate supervisor unless deceased, or otherwise unavailable on DOC Form LA-5. Under those circumstances, the signature should be of some responsible person familiar with each engagement, preferably employer or person to whom applicant reported or with whom he was associated. Title and relationship of endorser to each engagement should be indicated. This includes periods of self-employment which may be verified by an associate.
5. RECIPROCIITY: If you are registered in another jurisdiction by CLARB examination, reciprocity will be routinely considered. Should you be registered in another state, show all states in Item 10 in which you took a written examination and submit the Verification of Registration Form - DOC Form LA-3.
6. CLARB CERTIFICATE: Any person applying on the basis of a Council Certificate will be required to complete all items except item 14 of the Virginia DOC Form LA-1 only. You must request that your CLARB record be submitted directly from the Council of Landscape Architectural Registration Boards to this Board.
7. FEES: Each application must be accompanied by a fee of \$40.00 and returned in the enclosed envelope.
8. EXAMINATION: Additional information concerning the examination can be obtained from the Council of Landscape Architectural Registration Boards, 503 East Washington Street, Syracuse, New York 13202.
9. All supplementary papers accompanying the application must be identified with the applicant's name.

APPLICATIONS NOT COMPLETED IN ACCORDANCE WITH THESE INSTRUCTIONS WILL BE  
PROMPTLY RETURNED TO THE APPLICANT

Effective 11-20-85

DOC Form LA-2

SPECIAL ATTENTION

CERTIFIED LANDSCAPE ARCHITECT APPLICANTS

The following additional information concerning the application process is provided for your information.

- A. Your attention is directed to Procedural Requirement #6 of the State Board's rules and regulations. Applications arriving to the Assistant Director are not considered complete until all documentation has been received. Applicants having taken the Professional Examination in another state are alerted to the fact that their applications are not considered complete until verification has been obtained from the State Board that administered the examination.
- B. Applicants planning to enroll in refresher courses should make application in sufficient time to be approved to sit for the examination prior to enrollment.

Individuals obtaining applications from sources other than the Department of Commerce are advised to also obtain a copy of the State Board's rules and regulations. Each applicant should thoroughly understand the requirements contained in the regulations.

The application fee is \$40.00.



VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS  
VERIFICATION OF REGISTRATION

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPLICANT'S NAME \_\_\_\_\_ Social Security Number \_\_\_\_\_

The person named above has filed an application in Virginia for Certified Landscape Architect. Your response to the following will expedite their application.

1. Is applicant registered as a Landscape Architect in your state? \_\_\_\_\_  
License Number: \_\_\_\_\_ Date issued: \_\_\_\_\_ Date expires: \_\_\_\_\_
  2. If not, has the applicant ever applied \_\_\_\_\_
  3. Does your state's examination conform to CLARB Syllabus? \_\_\_\_\_  
Check examination required and completed by the Applicant.  
CLARB Professional Examination \_\_\_\_\_  
CLARB Oral Examination \_\_\_\_\_  
Other (Specify) \_\_\_\_\_
  4. Does your Board grant reciprocity with Virginia? \_\_\_\_\_  
Will Virginia applicants be required to submit to oral or special examination? \_\_\_\_\_  
Must applicant apply through CLARB? \_\_\_\_\_
  5. Is there a disciplinary action pending or anticipated against this individual?  
Yes \_\_\_ No \_\_\_\_\_. If yes, please explain on reverse side.
- Use the back of this sheet for any additional remarks.

PLEASE RETURN THIS TO THE APPLICANT.

BOARD SEAL  
Signature \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS  
VERIFICATION OF DEGREE GRANTED

(Applicant shall complete upper portion of this form.)

Name in full \_\_\_\_\_  
Residence address \_\_\_\_\_  
Business address \_\_\_\_\_  
Birth date \_\_\_\_\_ Social Security Number \_\_\_\_\_  
Colleges and Universities attended \_\_\_\_\_  
Dates attended \_\_\_\_\_  
Applicant's signature \_\_\_\_\_

(After completion of above, applicant shall send this form to the Office of the Registrar of the College or University from which applicant has obtained a degree in landscape architecture.)

TO REGISTRAR

Please complete and return this certificate directly to the applicant.

CERTIFICATE

I hereby certify that the above named person has been graduated from this institution with the degree of:

\_\_\_\_\_ Major \_\_\_\_\_  
on \_\_\_\_\_  
Signature \_\_\_\_\_  
Official Position \_\_\_\_\_  
Institution \_\_\_\_\_  
Date \_\_\_\_\_

(College Seal)

VIRGINIA STATE BOARD OF ARCHITECTS PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

EXPERIENCE VERIFICATION FORM

PART I To Be Completed By The Applicant

1. Name \_\_\_\_\_

A. Your:

2. Address \_\_\_\_\_  
APT/RFD/PO# STREET ADDRESS CITY STATE ZIP

B. From your experience record copy one engagement below and forward this form to the employer in question as stated on the Instruction Sheet.

1. Names: Employer/Firm \_\_\_\_\_ Immediate Supervisor \_\_\_\_\_

2. Period(s) of Employment FROM \_\_\_\_\_ TO \_\_\_\_\_ ; FROM \_\_\_\_\_ TO \_\_\_\_\_

3. Description of Work Performed \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE \_\_\_\_\_

PART II TO BE COMPLETED BY EMPLOYER/SUPERVISOR

The above name individual is filing application with the Virginia State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects for certification as a landscape architect. In order to evaluate the applicant's qualifications, your comments below are needed. Please forward this directly to the applicant.

1. Firm Name \_\_\_\_\_ 2. Type of Business \_\_\_\_\_

3. Are you a certified or licensed landscape architect? \_\_\_\_\_  
Certified or/License # \_\_\_\_\_  
State \_\_\_\_\_ Number \_\_\_\_\_

4. Were applicant's position and duties as described above? Yes \_\_\_\_\_ or No \_\_\_\_\_ If No please comment. \_\_\_\_\_

5. Was the applicant in a position of responsible charge at a professional level?  
Yes or No\* \_\_\_\_\_

6. Did you rely upon professional judgements made by the applicant? Yes \_\_\_\_\_ No\* \_\_\_\_\_

7. General Comments \_\_\_\_\_  
\_\_\_\_\_

\*If answer to items 4, 5 or 6 is no please comment.

SIGNATURE \_\_\_\_\_

Date \_\_\_\_\_

Effective 11-31-85

DOC Form LA-5

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

Seaboard Building - 5th Floor  
3600 West Broad Street  
Richmond, Virginia 23230-4917

WRITTEN EXAMINATION SCHEDULE - 1986-1989

The following examination dates have been set for the 1986-89 examinations:

Examination	Date	Deadline for Application
Landscape Architect	June 16 & 17, 1986	March 16, 1986
Professional Examination	June 15 & 16, 1987	March 15, 1987
	June 20 & 21, 1985	March 20, 1988
	June 19 & 20, 1989	March 20, 1989

Applications are not considered filed prior to the deadline unless all supporting data such as transcripts, and employer verifications are also received. It is the applicant's responsibility to insure all forms are received. Applicants are urged to apply six months in advance of any examination of which qualified.

Each applicant approved for examination will be informed, in writing, of details concerning the examination location, time and rules.

The Board does not approve any individual for examination or licensing unless the applicant meets the standards of training and experience required in the regulations.

Application deadlines do not apply to applicants for reciprocal licensing as a certified landscape architect.

Effective 11-20-85

15. AFFIDAVIT

State \_\_\_\_\_

County or City of \_\_\_\_\_

The undersigned being duly sworn deposes and says that the applicant is the person who executed this application, that the statements herein contained are true, that the applicant has not suppressed any information that might affect this application, and that the applicant has read and understands this affidavit.

Signature of applicant: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Signature of Notary Public: \_\_\_\_\_

SEAL

My commission expires: \_\_\_\_\_

APPLICATION FOR REGISTRATION TO PROVIDE PROFESSIONAL SERVICES

Instruction Sheet

1. Officers and Principals of the business should have a thorough knowledge of the State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects' Rules and Regulations prior to completing the application.
2. Notification of registration must be received by the entity official before professional services can be rendered.
3. A fee of \$20.00 is required with each application to be returned in the enclosed envelope. All fees are nonrefundable.
4. Common administrative errors:
  - (a) Failure to list Virginia certificate numbers of all professionals;
  - (b) Failure to include signature of the licensee listed as responsible professional providing services;
  - (c) Failure of the entity official to sign the affidavit on reverse side of application;
  - (d) Failure to include a complete list of every location providing professional services.
5. All correspondence should be directed to:

Assistant Director  
 State Board of Architects, Professional Engineers,  
 Land Surveyors and Certified Landscape Architects  
 3600 West Broad Street  
 Richmond, Virginia 23230-4917  
 (804) 257-8555

NOTE: For registration as a business entity, you are referred to Statute 54-37.3, effective July 1, 1983, on the enclosed rules and regulations.

16. Name as you want it to appear on your certificate (please print or type.): \_\_\_\_\_

17. BOARD NOTES:

18. Approved as: \_\_\_\_\_ Board members initials and date

Professional Exam Candidate: \_\_\_\_\_

19. Record of Grades:			Examination Failures:			Applicant holds credit for:		
Examination Failures:			Part	Grade	Date	Part	Grade	Date
Part	Grade	Date						
_____	_____	_____	_____	_____	_____	A	_____	_____
_____	_____	_____	_____	_____	_____	B	_____	_____
_____	_____	_____	_____	_____	_____	C	_____	_____
_____	_____	_____	_____	_____	_____	D	_____	_____

20. Approved for Certification as a Certified Landscape Architect: \_\_\_\_\_ Board members initials and date

By written examination \_\_\_\_\_

By oral examination \_\_\_\_\_

By reciprocity with \_\_\_\_\_

Initial Application \$20.00  
 Change of Status (no fee)

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
 LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

MAIL TO: Department of Commerce  
 ATTN: APELSCLA  
 Post Office Box 11066  
 Richmond, Virginia 23230-1066

APPLICATION FOR REGISTRATION TO PROVIDE PROFESSIONAL SERVICES

1. ENTITY NAME: \_\_\_\_\_  
 ADDRESS OF MAIN PLACE OF BUSINESS: \_\_\_\_\_

2. ENTITY CLASSIFICATION:

GENERAL BUSINESS CORPORATION       SOLE PROPRIETOR  
 PARTNERSHIP       OTHER ENTITY (Explain)

3. I hereby make application for registration to practice the profession(s) of:

ARCHITECTURE       LAND SURVEYING  
 PROFESSIONAL ENGINEERING       CERTIFIED LANDSCAPE ARCHITECTURE

4. OFFICERS, PRINCIPALS OR EMPLOYEES LICENSED/CERTIFIED TO PRACTICE IN VIRGINIA WHO SHALL BE RESPONSIBLE AND HAVE CONTROL OF THE PROFESSIONAL SERVICES RENDERED.

I/We hereby certify that I/we are the responsible individual(s), having control of the professional services rendered by the entity named in this application, and that the entity shall comply with Chapter 3 of Title 54, Code of Virginia, and all applicable rules and regulations.

As responsible individual(s), I/we understand that no such organization shall limit the liability of any licensee or certificate holder from damages arising from his acts or limit such corporation, partnership, sole proprietorship or other entity from liability for acts of its employees or agents. No such corporation, partnership, sole proprietorship, or other entity, or any affiliate thereof, shall, on its behalf or on behalf of any such licensee or certificate holder, be prohibited from (i) purchasing or maintaining insurance against any such liability; (ii) entering into any indemnification agreement with respect to any such liability; or (iii) receiving indemnification as a result of any such liability.

FULL NAME	SIGNATURE	VA. CERT. NO.	PROFESSION

At least one currently licensed individual must be named for each profession checked in Item 3 above. Attach an additional sheet if necessary. Please attach a separate list containing addresses of all branch offices with name and signature of the resident, licensed or certified professional for each location.

5. AFFIDAVIT

I \_\_\_\_\_, as authorized official with the entity \_\_\_\_\_ (Name of Entity Official) named in this application do affirm that the answers set forth herein are true to the best of my knowledge and belief, that Chapter 3 of Title 54, Code of Virginia and all applicable rules and regulations have been adhered to, and that the application is made for the purpose of registering to offer professional services of \_\_\_\_\_ in this Commonwealth. This practice shall be done under the direct supervision and control of the individuals identified in the application as responsible for the practice. I understand that I must notify the Board within 30 days of a change of status to the information provided in this application.

\_\_\_\_\_  
 (Name & Signature of Entity Official)

\_\_\_\_\_  
 Title

\_\_\_\_\_  
 Date

STATE OF \_\_\_\_\_ as  
 County or City of \_\_\_\_\_

Sworn and Subscribed to before me at \_\_\_\_\_, this date of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
 Notary Public

My Commission expires \_\_\_\_\_

SEAL

FOR OFFICIAL USE ONLY		
Date	Approved	Disapproved

Effective 4-1-86

APPLICATION FOR A CERTIFICATE OF AUTHORITY  
TO PRACTICE ARCHITECTURE, PROFESSIONAL ENGINEERING, LAND SURVEYING  
AND LANDSCAPE ARCHITECTURE AS A  
PROFESSIONAL CORPORATION

"Instruction Sheet"

1. A fee of \$50 is required with each application to be returned in the enclosed envelope. All fees are nonrefundable.
2. Prior to submitting the application, all principals of the firm should have a thorough knowledge of Chapter 7 of Title 13.1, Code of Virginia, and the Rules and Regulations of the State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects.
3. All corporations must be organized under Virginia Law prior to applying for the Certificate of Authority. However, under no circumstances is that corporation authorized to render professional services until such time as it has obtained the certificate.
4. The application shall include certified true copies of the articles of incorporation, by-laws, and charter, after the applicant corporation has been issued a charter as a domestic corporation by the State Corporation Commission; or, if a foreign professional corporation, after the corporation has been registered with the State Corporation Commission pursuant to § 13.1-544.2 of the Code of Virginia.
5. By-laws must specifically state that cumulative voting is prohibited. By-laws shall include a statement, in each applicable instance, that nonlicensed individuals as authorized by §§ 13.1-549, 13.1-544.2, 13.1-550, and other pertinent sections of applicable law, will not have voice or standing in any matter affecting the practice of the corporation requiring professional expertise and/or considered professional practice as defined in § 54-17.1 of the Code of Virginia.
6. Joint Ownership Prohibited - Any type of joint ownership of the stock of the corporation is prohibited. Ownership of stock by nonlicensed or noncertified employees shall not entitle those employees to vote in any matter affecting the practice of the professions herein regulated. Cumulative voting is prohibited.
7. Definition Of "Employee" - For the purpose of stock ownership, an employee of a corporation is a person regularly employed by the corporation who devotes 60% or more of his gainfully employed time to that of the corporation.
8. Board Of Directors - At least one director appropriately licensed or certified in each discipline offered or practiced by a professional corporation shall devote substantially full time to the business of the corporation to provide effective supervision and control of the final professional product. Nonlicensed or noncertified directors shall not be entitled either to exercise control or to vote in any matters affecting the practice of the professions herein regulated.
10. Corporate applications will be processed within a period of thirty to sixty days. However, a longer period may be required should the material submitted be in conflict with the Code or Rules and Regulations of the Board.
11. Common reasons for denial:
  - (a) Articles or By-Laws conflict with restrictions concerning stock ownership. This should be stated therein as outlined in Section 13.1-549, Code of Virginia. (See § 6.1 of Board regulations.)
  - (b) Articles or By-Laws conflict with restrictions of membership to the Board of Directors. Articles or By-Laws should state the restriction as found in Section 13.1-553, Code of Virginia. (See § 6.1 of Board regulations.)
  - (c) Failure to comply with all Board Regulations governing Professional Practice and Corporate Practice.
12. Common administrative errors:
  - (a) Failure to include Articles of Incorporation, By-Laws or charter;
  - (b) Failure to show Virginia certificate numbers of all professionals;
  - (c) Failure to comply with State Corporation Commission requirements prior to submission of application.
13. All correspondence should be directed to:
 

Assistant Director  
State Board of Architects, Professional Engineers, Land Surveyors  
and Certified Landscape Architects  
3600 West Broad Street  
Richmond, Virginia 23230-4917

Effective 4-1-86

**SPECIAL INTRODUCTIONS FOR FOREIGN CORPORATIONS  
ORGANIZED AS GENERAL BUSINESS CORPORATIONS**

Foreign corporations organized as general corporations will include the resolution as shown below as an amendment to its by-laws, or as a separate action by its Board of Directors, when applying for a certificate of authority to practice in Virginia as a foreign professional corporation under the provisions of Title 13.1 of the Code of Virginia.

**RESOLUTION FOR FOREIGN CORPORATIONS  
ORGANIZED AS GENERAL BUSINESS CORPORATIONS**

Within the Commonwealth of Virginia this corporation's activities shall be limited to the performance of professional engineering services and/or architectural services and/or land surveying services and/or landscape architecture services for which a certificate of authority has been issued by the Virginia State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects. Further, the corporation shall be subject to and comply with the laws of the Commonwealth of Virginia, including those set forth in Title 54 of the Code of Virginia.

Effective 4-1-86

FEE \$50.00

Date \_\_\_\_\_

VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS  
DEPARTMENT OF COMMERCE  
POST OFFICE BOX 11066  
RICHMOND, VIRGINIA 23230-4917

APPLICATION FOR CERTIFICATE OF AUTHORITY TO PRACTICE PROFESSIONS OF ARCHITECTURE,  
PROFESSIONAL ENGINEERING, LAND SURVEYING AND CERTIFIED LANDSCAPE ARCHITECTURE  
AS A CORPORATION

CORPORATE NAME \_\_\_\_\_

DISCIPLINE(S) TO BE PRACTICED \_\_\_\_\_

ADDRESS OF MAIN PLACE OF BUSINESS \_\_\_\_\_  
Street & Number City State Zip Telephone No.

**OFFICERS OF CORPORATION**

Name of Each Officer	Title	Legal Residence	Va. Cert. No.	Profession

**BOARD OF DIRECTORS**

Name of Each Director	Legal Residence	State Cert. No.	Profession	No. Shares Stock Owned	% Total Outst.

THE FOLLOWING QUESTIONS MUST BE ANSWERED IN DETAIL:

1. Number of Shares of Stock Authorized to be Issued \_\_\_\_\_
2. Number of Shares of Stock Issued and Outstanding \_\_\_\_\_

LIST BELOW THE NAMES OF EACH OWNER OF CAPITAL STOCK OF THE CORPORATION.

Name	No. of Shares	Licensed	Member of Board of Director	Employee

(This section is continued on the reverse side)

----- Please answer Yes or No -----

# Proposed Regulations

LIST BELOW THE NAMES OF EACH OWNER OF CAPITAL STOCK OF THE CORPORATION.

Name	No. of Shares	Profession & Licensee State & Licensee Number	Member of Board of Directors	Employee

**CERTIFICATION**

I, \_\_\_\_\_, president of the aforementioned corporation, do solemnly swear and affirm that the answers set forth herein are true to the best of my knowledge and belief, that Chapter 7 of Title 13.1 and all applicable rules and regulations have been adhered to, and that the application is made for the purpose of inducing the issuance of a certificate of authority to practice the profession(s) of \_\_\_\_\_ as a corporation.

\_\_\_\_\_  
President

Attested to before me, the secretary of the corporation, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
Secretary

**AFFIDAVIT**

STATE OF \_\_\_\_\_  
COUNTY or CITY OF \_\_\_\_\_ ss

Sworn and Subscribed to before me at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
Notary Public

PLEASE NOTE: Refer to Chapter 7 of Title 13.1, consisting of Section 13.1 - 542 through 13.1 - 556 and to the rules and regulations dealing with Professional Corporations and Business Entities.

**BOARD NOTES**

BOARD APPROVAL \_\_\_\_\_

FOR OFFICE USE ONLY

Corporation organized under Virginia law? \_\_\_\_\_

All Directors hold valid Virginia registration? \_\_\_\_\_

Effective 4-1-86

## VIRGINIA BOARD OF GEOLOGY

**Title of Regulation:** VR 335-01-2. Rules and Regulations of the Virginia Board of Geology.

**Statutory Authority:** § 54-963 of the Code of Virginia.

**Public Hearing Date:** November 13, 1987 - 10 a.m.  
(See Calendar of Events section for additional information)

### Summary:

*The proposed regulations set the standards for geologists to become certified professional geologists in the Commonwealth of Virginia.*

*Proposed revisions include the deletion of specific fee schedules to better facilitate board compliance to the Callahan Act without unnecessary revisions to regulations. All other changes are minor language, grammatical or numbering changes made to improve the clarity of the regulations, but do not alter the current substantive requirements.*

VR 335-01-2. Rules and Regulations of the Virginia Board of Geology.

### SECTION I - General.

The following definitions, and those additional definitions found in the Virginia Code § 54-962, shall apply unless the context clearly requires a different meaning:

1.1 "Commonwealth" means the Commonwealth of Virginia.

1.2 All certified professional geologists desiring a replacement wall certificate issued by the Board shall make a request in writing to the Assistant Director. The written request shall contain a statement that the certificate was lost or destroyed, or shall have the damaged certificate attached. The appropriate fee shall accompany this request.

### PART I. GENERAL.

§ 1.1. Who is a Virginia Certified Professional Geologist.  
(Reserved for § 54-962.4)

§ 1.2. Determining qualifications for applicants.

*In determining the qualifications of an applicant for certification, a majority vote of members of the board shall be required.*

§ 1.3. Fees.

*All fees for application, examination, renewal, and reinstatement shall be established by the board pursuant*

*to § 54-1.28:1 of the Code of Virginia. All fees are nonrefundable and shall not be prorated.*

§ 1.4. Expiration, renewal and fee of certificate holders.

*A. Certificates issued under these regulations shall expire on August 31 of the odd-numbered year following the date of issuance. Certificate holders shall be notified by mail of the fee and the procedure for certificate renewal at least 45 days before the certificate expires. Each certificate holder desiring to renew his certificate shall submit the renewal notice with the appropriate fee before the certificate expires.*

*B. Any certificate holder failing to renew the certificate one month following the date of expiration shall be required to pay a penalty fee equal to twice the renewal fee.*

*C. Failure to receive written notice from the Department of Commerce does not relieve the regulant from the requirement to renew his certificate. If the certificate holder fails to receive the renewal notice, a copy of the certificate may be submitted with the required fee.*

*D. The date a fee is received by the Department of Commerce, or its agent, will be used to determine whether a penalty fee or the requirement for reinstatement of a certificate is applicable.*

*E. Revoked or suspended certificates are not renewable until reinstated by the board.*

§ 1.5. Reinstatements.

*If the certificate holder fails to renew the certificate within six months following the expiration date, the certificate holder will be required to apply for reinstatement of the certificate. The applicant will be required to present reasons that the certificate was allowed to expire, and the board may grant reinstatement of the certificate or require requalification or reexamination. The application fee for reinstatement of a certificate shall be an amount equal to twice the renewal fee.*

§ 1.6. Use of seal.

*A certified professional geologist may apply a rubber stamp or preprinted seal to final and complete cover sheets and to each original sheet of plans or drawings prepared or reviewed and approved by the regulant. The seal may be applied to the cover sheet of technical reports and specifications prepared or reviewed and approved prepared by the regulant.*

*1. All seal imprints on final documents shall be signed.*

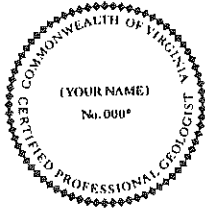
*2. Application of the seal and signature indicates*



# Proposed Regulations

acceptance of responsibility for work shown thereon.

3. The seal shall conform in detail and size to the design illustrated below:



\* The number referred to is the number, usually three or four digits, as shown on the wall certificate and is the license renewal number issued each biennium as indicated on the licensee's pocket card. The number \* will not change every two years, but is permanent.

## SECTION II - Entry

2.1 ISSUANCE OF CERTIFICATES - The Board shall issue a certificate as a certified professional geologist to any qualified applicant who has submitted a formal application and fee(s) and been approved by the Board. (§ 54-064)

2.2 FEES - (§ 54-1.28(4))

2.2.1 All fees shall be non-refundable.

2.2.2 The application fee shall be \$50.00.

2.2.3 Should the applicant be required to take an examination, he shall pay an additional fee of \$50.00 for each examination or re-examination. The applicant should submit the examination fee only upon receiving notice of approval to take the examination.

2.2.4 The fee for replacement of wall certificates shall be \$20.00.

2.3 RENEWAL OF CERTIFICATES

2.3.1 Certificates issued under these regulations shall expire on August 31 of the odd-numbered year next following the date of issuance. Certificate holders shall be notified by mail of the fee and the procedure for certificate renewal at least 45 days before his certificate expires. Each certificate holder desiring to renew his certificate should submit the renewal notice with a \$50.00 fee before the certificate expires. For any licensee failing to renew the license one month following the date it expires a penalty fee equal to twice the renewal will be required. Failure to receive written notice from the Department of Commerce does not relieve the regulant from the requirement to renew his certificate.

2.3.2 If the certified professional geologist fails to renew his certificate within six months following the expiration

date of his last valid certificate, he will be required to apply for reinstatement of his certificate. The applicant shall present reasons why his certificate was allowed to expire, and the Board may grant reinstatement of the certificate, or require a requalification and/or re-examination. The application fee for reinstatement of a certificate shall be equal to twice the renewal fee. (§ 54-064)

2.3.2.1 The date the renewal application and fee are received in the office of the Department shall be the factor determining whether a certificate shall be renewed without penalty fees or shall be subject to reinstatement procedures.

2.4 QUALIFICATIONS FOR CERTIFICATION - Each applicant for certification as a certified professional geologist in Virginia shall meet the education, experience, and examination requirements specified in Chapter 132, § 54-065, Code of Virginia.

## PART II. ENTRY.

§ 2.1. Qualifications for certification.

Each applicant for certification as a certified professional geologist in Virginia shall meet the education, experience and examination requirements as specified in § 54-965 of the Code of Virginia.

§ 2.2. Certification by reciprocity.

Any person certified, registered or licensed in another state, jurisdiction or territory of the United States may be granted a Virginia certificate without written examination, provided that:

1. The applicant meets all the requirements for certification in Virginia; and
2. The applicant holds a currently valid license in good standing in another jurisdiction based upon successful completion of a comparable exam.

## SECTION PART III. STANDARDS OF PRACTICE AND CONDUCT .

§ 3.1. Disclosure.

A certified professional geologist (§ 54-067.B) :

- 3.1.1 1. Shall not submit any false statements or fail to disclose any facts requested concerning his or another's application for certification.
2. Shall not falsely or maliciously attempt to injure the reputation or business of another.
- 3.1.2 3. Shall not engage in any fraud, deceit, or misrepresentation in advertising, in soliciting or in

providing professional services.

~~3-1-3~~ 4. Shall not knowingly sign, stamp, or seal any plans, drawings, blueprints, surveys, reports, specifications, or other documents not prepared or reviewed and approved by the certificate holder, or not prepared by any employee under his direct supervision.

~~3-1-4~~ 5. Shall make full disclosure to all parties of:

~~3-1-4.1~~ a. Any transaction involving payments made to any person for the purpose of securing a contract, assignment, or engagement; or

~~3-1-4.2~~ b. Any monetary, financial or beneficial interest he may have in any contract or entity providing goods or services, other than his professional services, to a project or engagement.

~~3-1-5~~ 6. Shall express an opinion only when it is founded on adequate knowledge of established facts in at issue, on a background of technical competence in the subject matter, and on an honest conviction of the accuracy of the testimony when serving as an expert or technical witness before any court, commission, or other tribunal.

~~3-1-6~~ 7. Shall provide adequate representation of his qualifications and scope of responsibilities for all previous experience claimed when negotiating with prospective clients.

## § 3.2. Compliance with other laws.

A certified professional geologist: (~~§ 54-067.B.2~~)

~~3-2-1~~ 1. Shall comply with all federal, state, and local building, fire, safety, real estate, or mining codes, as well as any other laws, codes, ordinances, or regulations pertaining to the practice of geology.

~~3-2-2~~ 2. Shall not violate any state or federal criminal statute involving fraud, misrepresentation, embezzlement, bribery, theft, forgery, or breach of fiduciary duty relating to his professional practice.

~~3-2-3~~ 3. Shall immediately notify the client or employer and the appropriate regulatory agency if his professional judgment is overruled and not adhered to in circumstances of a serious threat to the public health, safety, or welfare. If appropriate remedial action is not taken within a reasonable amount of time after making the report, he shall notify the appropriate governmental authority of the specific nature of the public threat.

~~3-2-4~~ 4. Shall give written notice to the board, and shall cooperate with the board and the department in furnishing any further information or assistance needed, if he knows or believes that another

geologist/firm may be violating any of the provisions of Chapter 30, Title 54 of the Code of Virginia, or these regulations.

## § 3.3. Conflicts of interest.

A certified professional geologist shall not: (~~§ 54-067~~)

~~3-3-1~~ 1. Shall not Accept any work on any project or other professional engagement when a duty to a client or to the public would conflict with his personal interest or the interest of another client, unless immediate disclosure of all material facts of the conflict is made to each client related to the project or engagement.

~~3-3-2~~ 2. Shall not Accept compensation for services related to the same project or professional engagement from more than one party without making prior full disclosure to all parties involved.

~~3-3-3~~ 3. Shall not Offer, either directly or indirectly, any commission, political contribution, or other consideration in seeking work except to secure a salaried position through employment agencies.

## § 3.4. Competence for assignments.

A certified professional geologist: (~~§ 54-067~~)

~~3-4-1~~ 1. Shall exercise reasonable care when rendering professional services and shall apply the technical knowledge and skills ordinarily applied by practicing geologists.

~~3-4-2~~ 2. Shall not accept any professional assignment or engagement that he is not competent to perform by way of education, technical knowledge, or experience. An assignment requiring education or experience outside his field of competence may be accepted provided:

~~3-4-2.1~~ a. His professional services are restricted to those phases of the project in which he is qualified; and

~~3-4-2.2~~ b. All other phases of the project are performed by qualified associates, consultants, or employees.

## § 3.5. Grounds for suspension, revocation, or denial to renew or grant certification. (~~§ 54-1-28.(7)~~)

~~3-5-1~~ A. The board may suspend, revoke, or refuse to renew the certification of any geologist who, after a hearing as provided in the Administrative Process Act (Virginia Code § 9-6.14:1 through 9-6.14:21), is found to have committed:

~~3-5-1.1~~ 1. Fraud or deceit in obtaining certification (See § 54-1.20(5)); or

# Proposed Regulations

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~~3.5.1.2~~ 2. Any violation of Section *Part III - Standards of Practice and Conduct*, other regulations of the board, or governing statutes of the board; or

~~3.5.1.3~~ 3. An act or acts of negligence, incompetence, or misconduct in the practice of geology as a certified professional geologist.

~~3.5.2~~ B. A person shall not be refused a certificate based solely on the prior conviction of a crime unless that conviction directly relates to the geology profession.

§ 3.6. Reissuance of certificate after revocation.

An individual whose certificate has been revoked in accordance with § 3.5 above may not again be certified except by filing a new application and receiving approval of the Board shall file a new application and obtain approval of the board to regain the certificate. (§ 54-967 C.)

All previous regulations of the Virginia Board of Geology are repealed as adopted on September 10, 1984 and effective October 26, 1984.

# Proposed Regulations

## 10. EXPERIENCE AND TRAINING RECORD

Record your active professional practice (include all training) in sequence under Column B, starting with your most recent position. Wherever possible, please mention important projects in which you have been engaged during any period of experience. Attach an additional sheet, if necessary.

A DATE (Month / Year) From To	B TITLE OF POSITION, NAME OF EMPLOYER AND A BRIEF JOB DESCRIPTION.	C, D, E TIME SPENT (Years and Months)			F Signature with typewritten name, address and telephone number on this form, (or copy) of some responsible person familiar with such engagement, preferably employer or person to whom applicant reported or with whom associated. Include title of individual verifying employment.
		(1) Sub-ordinate	(2) In Responsible Charge	(3) Total Time (1 plus 2)	

(Attach additional sheets if needed.)

FEE: \$50.00  
(Please make all checks payable to the Treasurer of Virginia.)

VIRGINIA BOARD OF GEOLOGY  
COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF COMMERCE  
3600 West Second Street, Richmond, Virginia 23230-1066

APPLICATION FOR CERTIFICATION AS A  
VIRGINIA CERTIFIED PROFESSIONAL GEOLOGIST

Gen:

1) Applicant's Last Name Only (Place one letter in each block):


2) Applicant's First Name Only:


Applicant's Middle Name Only:


3) Applicant's Legal Residence

Street Address:


City:


State:


Zip Code:


4) Home Phone Number:


5) Social Security Number:


6) Business Name and Address:


State:


7) Place of Birth: City:


State:


8) Have you ever been convicted of a felony or misdemeanor? If the answer is "YES", attach an explanatory letter.

9) EDUCATION. (State in chronological order the name and location of each school or other institution, beyond high school, time spent at each; if graduate, the year of graduation from college or university. (Attach form G-4 or transcript for all work if you do not hold a degree in accordance with § 54-296.5.)

NAME OF INSTITUTION	YEARS ATTENDED	DEGREE RECEIVED	EDUCATIVE WORK COMPLETED	MAJOR

Effective 4-1-86

DOC Form G-2



## COMMONWEALTH of VIRGINIA

Department of Commerce

DAVID R. HATHCOCK  
Director

3600 WEST BROAD STREET, RICHMOND, VIRGINIA 23220 - 4917

TELEPHONE (804) 257-4500  
TOLL FREE 1 (800) 552-3016

VIRGINIA BOARD OF GEOLOGY

VIRGINIA BOARD OF GEOLOGY

APPLICANT CHECK-OFF FORM

Dear Applicant:

Please find enclosed the application package requested. Your application package contains the following information:

1. Application check-off form.
2. One (1) letter of instruction--DOC Form G-1.
3. One (1) application--DOC Form G-2.
4. One (1) verification of registration--DOC Form G-3.
5. Two (2) verification of degree granted forms--DOC Form G-4.
6. Three (3) reference forms--DOC Form G-5.
7. An envelope to return your application and fee.

If, upon inspection, you find that any of the above items are not included, please contact the office of the Virginia Board of Geology at 804/257-8555.

Sincerely,

Joan L. White  
Assistant Director  
Virginia Board of Geology

JLW/pjs

Enclosures

Effective 4-1-86

Dear Applicant:

Please review your application and qualifications prior to making application, since your application fee is non-refundable. The following check-off sheet is provided for your convenience (not to be returned to the Board) as your application package cannot be reviewed by the Board without the appropriate information.

Prior to mailing my application package to the Board, I have made certain that the following items were complete and appropriate:

- \_\_\_\_\_ 1. Application fee of \$50.00 made payable to the Treasurer of Virginia.
- \_\_\_\_\_ 2. Completed and notarized application form.
- \_\_\_\_\_ 3. Verification of my registration if registered in another State.
- \_\_\_\_\_ 4. DOC Form G-4 and transcripts reflecting all college course work and verification of my degree.
- \_\_\_\_\_ 5. All experience listed under Item 10 of the application verified.
- \_\_\_\_\_ 6. Three references from qualified geologists, certified geologists, or professional engineers.

Effective 4-1-86

VIRGINIA STATE BOARD OF GEOLOGY

DEPARTMENT OF COMMERCE  
3600 WEST BROAD STREET  
RICHMOND, VIRGINIA 23230-1066

APPLICATION FOR CERTIFICATION AS A  
VIRGINIA CERTIFIED PROFESSIONAL GEOLOGIST

INSTRUCTIONS

- All applicants must have a thorough knowledge of the Rules and Regulations of the Board.
- Forms shall be typewritten or printed legibly in their entirety except for signatures. The applicant shall assume full responsibility for filing all required documentation, references, and verifications.
- RECIPROCIITY:** If you are registered or certified in another jurisdiction, reciprocity will be routinely considered. Should you be registered or certified in another state, show all states in item 12 (DOC Form G-2) in which you took a written examination. Please have Form G-3 completed.
- EDUCATION:** Your degree in Geology must be verified (Form G-4) and a transcript of all college courses for which credit is sought submitted.
- REFERENCES:** One copy of DOC Form G-5 shall be supplied to each of the references listed in Item 14 (DOC Form G-2). All references must be Geologists or Professional Engineers. The three required references must accompany the initial application. One reference must be from a qualified or certified Geologist.
- TRAINING AND EXPERIENCE RECORD:** Under Item (DOC Form G-2) 10 show all training and experience. USE SEPARATE SHEETS IF NECESSARY. Make concise and explicit statements giving a description of your tasks, duties and nature of work performed for each period of employment. List your experience in chronological order with the most recent engagement first. Each period of employment must be verified by a signature in Column 10-F. This includes periods of self-employment, which may be verified by an associate. This may be done by copying the completed Form G-2 and submitting that copy with the required signature. However, an Experience Record is not normally required prior to 1945. All verifications must accompany the initial application form.
- FEES:** Each application must be accompanied by an application fee. Exam fees should not be sent at this time. Checks must be made payable to the Treasurer of Virginia and returned in the enclosed envelope.
- All supplementary papers accompanying the application must be identified with the applicant's name.
- Please call the Board's office at (804) 257-8555 to determine the next examination date. It is suggested that you submit your application at least 90 days prior to the exam.

APPLICATIONS NOT COMPLETED IN ACCORDANCE WITH THESE INSTRUCTIONS WILL BE PROMPTLY RETURNED TO THE APPLICANT

Effective 4-1-86

DOC Form G-1

VIRGINIA BOARD OF GEOLOGY

VERIFICATION OF REGISTRATION

The applicant should complete this portion.

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please return this verification to:

Applicant's Name \_\_\_\_\_ Soc. Sec. No. \_\_\_\_\_

Applicant's Address \_\_\_\_\_

I. The above named person was registered as:

	Certificate No.	Date License Issued	Expiration Date
Geologist	_____	_____	_____

This portion should be completed by the State Board listed.

II. Minimum Requirements were:

A. \_\_\_\_\_ Years of education, \_\_\_\_\_ years of experience.

B. \_\_\_\_\_ Written Examination

Please specify:

1. Name of examination \_\_\_\_\_

2. Date of examination \_\_\_\_\_

3. Number of hours \_\_\_\_\_

4. Score \_\_\_\_\_

5. Cut-off score \_\_\_\_\_  
Cut-off score based on \_\_\_\_\_ Group Data \_\_\_\_\_ National Data or  
Other (specify) \_\_\_\_\_

C. \_\_\_\_\_ Oral Examination. \_\_\_\_\_ Hours.

D. \_\_\_\_\_ Reciprocity with \_\_\_\_\_

E. \_\_\_\_\_ Other: Please give details below: \_\_\_\_\_

F. Is the applicant currently registered and in good standing? \_\_\_\_\_

III. By: \_\_\_\_\_

Title: \_\_\_\_\_ (BOARD SEAL)

Date: \_\_\_\_\_

Effective Date 4-1-86

DOC Form G-3

VIRGINIA BOARD OF GEOLOGY

VERIFICATION OF DEGREE GRANTED

Applicant shall complete the upper portion of this form.

Name in full \_\_\_\_\_
Residence Address \_\_\_\_\_
Business Address \_\_\_\_\_
Birth Date \_\_\_\_\_ Social Security Number \_\_\_\_\_
College or University Attended \_\_\_\_\_
Applicant's Signature \_\_\_\_\_

(After completion of above, applicant shall send this form to the college or university from which he/she has obtained a degree in Geology. Please request that the following certificate be completed and that a transcript and this form be returned directly to the applicant if the applicant does not have a degree as required by § 54-965 of the Code of Virginia.)

CERTIFICATE

I hereby certify that the above named applicant has been graduated from this institution with a degree of:

Major \_\_\_\_\_
on \_\_\_\_\_

Signature \_\_\_\_\_
Official Position \_\_\_\_\_
Institution \_\_\_\_\_
Date \_\_\_\_\_

(College Seal)

Effective 4-1-86

DOC Form G-4

VIRGINIA BOARD OF GEOLOGY

(To Be Completed By The Applicant)

Name: \_\_\_\_\_
Last First Middle
Address: \_\_\_\_\_

An application for certification as a Virginia Certified Professional Geologist has been filed with the Board by the above named applicant. The Virginia Board of Geology requests that you, a Geologist or Professional Engineer, provide complete information with regard to the character of the applicant in order that the Board might better assess his/her qualifications.

Please return the completed form to the applicant in order that he/she may include it with the application to the Board.

- 1. Applicant's Name \_\_\_\_\_ Approx. Age \_\_\_\_\_
2. Your business/personal relationship to the applicant \_\_\_\_\_
3. Number of years you have known him/her \_\_\_\_\_
4. Do you have knowledge of the applicant's participation in professional misconduct?
If "Yes", please explain \_\_\_\_\_
5. How long has he/she been engaged in geological work? \_\_\_\_\_
6. In your professional opinion, has this applicant demonstrated competence and knowledge in the geology profession? Please explain \_\_\_\_\_
7. Your comments and recommendations \_\_\_\_\_

Signature \_\_\_\_\_ Occupation \_\_\_\_\_
Name \_\_\_\_\_ Reg. No. \_\_\_\_\_
(Please Type or Print)
Address \_\_\_\_\_ State \_\_\_\_\_ Expir. Date \_\_\_\_\_

Effective 4-1-86

DOC Form G-5

# Proposed Regulations

Yes or No  
    

11) Are you currently registered/certified/licensed as a Geologist in another jurisdiction?  
If so, please indicate the states you are licensed in, the date of such licensure, and your registration or certificate number: \_\_\_\_\_

12) In which states was your registration/certification granted on the basis of a written examination?  
(Please have this state to submit a certification verification Form G-3 on you.) \_\_\_\_\_

13) Has any state denied you registration/certification, revoked or declined same? \_\_\_\_\_  
License \_\_\_\_\_ Exam I.D. \_\_\_\_\_  
If the answer is yes, please explain: \_\_\_\_\_

14) REFERENCES  
(At least one reference must be a qualified or Certified Geologist.)  
The following Geologists or Professional Engineers can attest to the applicant's character and ability to practice as a Certified Professional Geologist in the Commonwealth. These references have agreed to complete Form G-5 and return it to the applicant.

NAME	ADDRESS	STATE OF REGISTRATION (IF APPLICABLE)
A. _____	_____	_____
B. _____	_____	_____
C. _____	_____	_____

15) AFFIDAVIT  
State \_\_\_\_\_  
County or City of \_\_\_\_\_  
The undersigned being duly sworn deposes and says that he is the person who executed this application, that the statements herein contained are true, that he has not suppressed any information that might affect this application, and that he has read and understands this affidavit.  
Signature of Applicant: \_\_\_\_\_  
Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.  
Signature of Notary Public: \_\_\_\_\_ (NOTARY SEAL)  
My Commission Expires: \_\_\_\_\_

16. Name as you want it to appear on your certificate (please print or type). \_\_\_\_\_

17. REASONS FOR REJECTION OR RECIPIENT BY RECIPROcity		Board members initials and date	
Board Member Initials and Date	Reason(s) for Rejection		

18. REASONS FOR REJECTION FOR EXAMINATION		Board members initials and date	
Board Member Initials and Date	Reason(s) for Rejection		

APPROVED FOR EXAMINATION		Board members initials and date	

WAIVED FROM EXAMINATION:		Board members initials and date	

EXAMINATION RESULTS:			
DATE	I.D. NUMBER	GRADE REQUIRED	GRADE RECEIVED



# Proposed Regulations

## VIRGINIA HOUSING DEVELOPMENT AUTHORITY

**NOTE:** The Virginia Housing Development Authority is exempted from the Administrative Process Act (§ 9-6.14:1 et seq. of the Code of Virginia); however, under the provisions of § 9-6.14:22, it is required to publish all proposed and final regulation.

**Title of Regulation:** VR 400-02-0010. Procedures, Instructions and Guidelines for Mortgage Credit Certificate Program.

**Statutory Authority:** § 36-55.30:3 of the Code of Virginia.

**Public Hearing Date:** N/A  
(See Calendar of Events section for additional information)

### Summary:

*The current procedures, instructions and guidelines implement VHDA's Mortgage Credit Certificate Program. Under such procedures, instructions and guidelines, mortgage credit certificates may be issued only to purchasers of new mobile/manufactured housing. The proposed amendment would modify such program to permit issuance of mortgage credit certificates for site-built housing units also.*

VR 400-02-0010. Procedures, Instructions and Guidelines for Mortgage Credit Certificate Program.

### PART I. PURPOSE AND APPLICABILITY.

#### § 1.1. Definitions.

The following words and terms, when used in these regulations, shall have the following meaning, unless the context clearly indicates otherwise.

*"Acquisition cost"* means the purchase price of the a mobile/manufactured or site-built home, and the cost of land and improvements, including any well or septic system, if owned for less than two years; the cost of completing any unfinished space; the cost of any fixtures not included in the purchase price; any set-up costs including transportation of a mobile/manufactured home, if not included in the purchase price; settlement or financing costs which are in excess of usual or reasonable costs and the capitalized value of any ground rent.

*"Application for Commitment"* means a request to the authority by an applicant for an MCC commitment on a specified loan. This request shall be made on the Application for Commitment form.

*"Authority"* means the Virginia Housing Development Authority, a political subdivision of the Commonwealth of Virginia constituting a public instrumentality.

*"Certified indebtedness"* means the amount of indebtedness as determined by the authority incurred by the applicant to acquire a mobile/manufactured or site-built home, in accordance with federal requirements and as specified in the MCC.

*"Commitment"* means the obligation of the authority to provide an MCC to an eligible applicant pursuant to an approved Application for Commitment.

*"Commitment fee"* means the fee payable or paid by an eligible applicant to the authority in connection with an Application for Commitment.

*"Commitment term"* means the period of time during which the eligible applicant may obtain a loan to which the MCC applies and during which the authority is obligated to issue an MCC pursuant to a commitment.

*"Eligible applicant"* means any person meeting the criteria for an eligible applicant as set forth in Part II of these procedures, instructions and guidelines.

*"Executive director"* means the executive director of the authority or any other officer or employee of the authority who is authorized to act on his behalf or on behalf of the authority pursuant to a resolution of the Board of Commissioners of the authority.

*"Loan"* means any extension of credit, to which an MCC applies, provided to an eligible applicant to finance the purchase of a mobile/manufactured or site-built home which meets the conditions set forth in these procedures, instructions and guidelines.

*"Mobile/manufactured home"* means any mobile/manufactured housing unit that meets the criteria set forth in Part II of these procedures, instructions and guidelines.

*"Mortgage credit certificate" or "MCC"* means a certificate issued by the authority pursuant to § 25 of the Internal Revenue Code as amended by § 612 of the Tax Reform Act of 1984.

*"Mortgage credit certificate rate"* means the rate specified by the authority in the MCC that determines the allowable percentage of annual loan interest payments for which the applicant is eligible to take a federal tax credit.

*"Participating lender"* means any person or organization legally authorized to engage in the business of making loans for the purchase of mobile/manufactured homes or for the purchase or construction of site-built homes and meeting the qualifications set forth in these procedures, instructions and guidelines.

*"Principal residence"* means that the dwelling will be occupied as the primary residence of the purchaser and will not be property held in a trade or business, or investment property, and is not a recreational or second

home and that no part of the dwelling shall be used for any business purposes for which expenses may be deducted for federal income tax purposes.

"Program" means the authority's Mortgage Credit Certificate Program.

"Purchase price" means, with regard to a mobile/manufactured home, the amount paid by the applicant or any other person to or for the benefit of the seller for the such mobile/manufactured home (excluding the cost of any land or personal property which is not a permanently attached fixture); with regard to a site-built home it shall mean the amount paid for such home including land and improvements.

"Qualified mortgage bond" means a tax-exempt security, as defined under § 103A of the Internal Revenue Code, issued by a state, certain agencies or authorities or a local government, the proceeds of which are used to provide financing for owner-occupied residential property.

"Qualified veterans bond" means a tax-exempt security, as defined under § 103A of the Internal Revenue Code, issued by a state or certain agencies or authorities, the proceeds of which are used to provide financing for owner-occupied residences of certain veterans of military, naval or air service.

"Site-built home" means a single family residence intended to be the principal residence of the purchaser which is permanently affixed to real property and is not a mobile/manufactured home.

## § 1.2. Purpose and applicability.

Section 25 of the Internal Revenue Code, as amended, authorizes states and political subdivisions to issue MCC's in lieu of qualified mortgage revenue bonds. These MCC's entitle qualifying individuals to a credit against the individual's federal income taxes. The amount of the credit is determined by multiplying the certificate credit rate by the amount of mortgage interest paid or accrued by the taxpayer during the taxpayer's taxable year. The maximum allowable credit is \$2,000 per year.

The authority has elected to participate in the program and hereby sets forth its procedures, instructions and guidelines thereunder.

The following procedures, instructions and guidelines will be applicable to MCC's which are to be issued by the authority to persons and families of low and moderate income for the purpose of assisting them in the purchase of mobile/manufactured or site-built homes. This program is being implemented pursuant to federal regulations found in 26 CFR, Parts 1, 6a and 602, which were published in the Federal Register on May 8, 1985.

Notwithstanding anything to the contrary herein, the executive director of the authority is authorized with

respect to any MCC to waive or modify any provision herein where deemed appropriate by him "for good cause" to the extent not inconsistent with the Virginia Housing Development Authority Act (hereinafter "the Act"), the authority's rules and regulations and federal statutes and regulations.

The procedures, instructions and guidelines set forth herein are intended to provide a general description of the authority's requirements and processing and are not intended to include all actions involved or required in the processing and administration of MCC's. These procedures, instructions and guidelines are subject to amendment at any time by the authority and may be supplemented by policies, procedures, instructions and guidelines adopted by the authority from time to time with respect to the program.

Notwithstanding anything to the contrary herein, all MCC's must comply with the applicable federal laws, rules and regulations governing the issuance of MCC's.

## PART II. ELIGIBILITY REQUIREMENTS.

### § 2.1. Eligible persons and families.

In order to be qualified as a person or family of low and moderate income eligible for an MCC, the person or family must have an annual ~~adjusted~~ gross family income (as defined in the authority's rules and regulations) which does not exceed \$20,400.00. ~~The person or family must also have an annual gross income which does not exceed \$24,270.00.~~ *those limits established from time to time by the authority's Board of Commissioners in the authority's Procedures, Instructions and Guidelines for Single Family Mortgage Loans to Persons and Families of Low and Moderate Income.* Additionally, in order to be eligible to receive an MCC, an applicant must, on the date the loan is made:

1. Be a purchaser who will use the mobile/manufactured or site-built home for a permanent principal residence within the Commonwealth of Virginia;
2. Possess the legal capacity to incur the obligations of the loan;
3. Agree to notify the authority if the mobile/manufactured or site-built home ceases to be the purchaser's permanent principal residence;
4. Agree not to sell or transfer the MCC; and
5. Shall not have had a present ownership interest in a principal residence at any time during the three-year period ending on the date on which the loan is executed (not applicable in targeted areas and not applicable to previous ownership of a mobile/manufactured home classified as personal

# Proposed Regulations

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property).

## § 2.2. Eligible properties.

### A. General.

1. *Mobile/manufactured homes* Properties which are eligible under the program are ~~mobile/manufactured housing~~ those units which are new and have not been previously occupied and which have a minimum of 400 square feet of living space and a minimum width in excess of 102 inches and which are of a kind customarily used at a fixed location and designed primarily for residential housing for one family. The dwellings must be of a type which is manufactured with a permanently affixed chassis for the purpose of transporting the dwelling to its site. All permanently attached fixtures are included as a part of the dwelling unit.

2. *Site-built homes* which are eligible under the program are those units that meet BOCA standards and otherwise qualify under the authority's Procedures, Instructions and Guidelines for Single Family Mortgage Loans to Persons and Families of Low and Moderate Income.

### B. Purchase price and acquisition cost limits.

The purchase price of the mobile/manufactured or site-built home may not exceed ~~\$50,000.00~~ those limits established from time to time by the Board of Commissioners of the authority in the Procedures, Instructions and Guidelines for Single Family Mortgage Loans to Persons and Families of Low and Moderate Income. The total acquisition cost, which includes the cost of land if owned by the applicant less than two years, may not exceed ~~\$67,400.00~~ those limits established from time to time in compliance with the federal requirements.

### C. Location of property.

At the time the MCC is issued or within 60 days thereafter, the property must be located and occupied within the Commonwealth of Virginia.

## § 2.3. Eligible lenders.

The authority may not limit the use of an MCC obtained under this program by an eligible applicant to loans incurred from any particular lender. Therefore, the eligible applicant may obtain a loan from any lender engaged in the business of extending credit for the purchase of mobile/manufactured homes or the purchase or construction of site-built homes, who agrees to comply with all federal and authority MCC requirements and regulations. A loan may not be obtained from a related person, as defined in the federal regulations.

## § 2.4. Eligible loans.

### A. Time of loan.

To be eligible for an MCC issued by the authority, an applicant's certified indebtedness must have been incurred during the period when the authority is permitted to offer MCC's to eligible applicants.

### B. Type of loan.

MCC's will be issued only to eligible applicants who obtain loans for the purpose of financing the purchase of mobile/manufactured or site-built homes for use as the principal residences of the eligible applicants. No loan may be made to refinance an existing loan unless such loan was a bridge loan or similar temporary initial financing. No portion of the financing of the dwelling may be made from the proceeds of a qualified mortgage bond or a qualified veterans bond.

### C. Interest rates and term.

The interest rate shall not exceed and the term of loans made in connection with MCC's shall not substantially vary from those that are customarily used with respect to mortgages not provided in connection with MCC's. The authority shall from time to time monitor prevailing rates and terms within the industry for the purpose of determining compliance with this section.

### D. Permissible loan fees.

The lender may not, without the prior written approval of the authority, require the applicant to pay, either directly or indirectly in obtaining the loan to which the MCC is to be applied, any points, origination fees, servicing fees, application fees, insurance fees, or similar settlement or financing costs in amounts exceeding those that are customarily charged with respect to mortgages not provided in connection with MCC's.

## PART III. ALLOCATION OF CREDITS.

### § 3.1. Allocation of credits to targeted areas.

The authority will comply with all targeted area requirements as contained in federal regulations. This includes the reservation of 20% of the MCC authority for use in targeted areas for a period of one year from the date on which the MCC's are first made available. A complete listing of targeted areas is available from the authority as well as instructions regarding the procedures for the designation of new targeted areas.

### § 3.2. Discretion of authority to allocate.

Notwithstanding anything to the contrary herein, in administering the program, the executive director may impose limitations or restrictions on the allocation of MCC's in order to insure a broad geographic dispersal of MCC's throughout the Commonwealth.

# Proposed Regulations

## PART IV. APPLICATION AND PROCESSING.

### § 4.1. Application for and issuance of commitments.

The applicant shall submit such forms, documents and information and fees as the executive director may require in order to apply for an MCC. The executive director or his designee shall review the application and, if it is determined that the Application for Commitment complies with these procedures, instructions and guidelines and any applicable federal laws, rules and regulations, then the authority shall issue a commitment to the applicant with respect to such MCC, subject to the ratification thereof by the authority's Board of Commissioners. The maximum principal amount, amortization period and interest rate on the applicant's loan and such other terms, conditions and requirements as the executive director deems necessary or appropriate shall be set forth in the commitment. The commitment term shall be for 60 days, except that the term may be extended "for good cause" in the sole discretion of the authority.

### § 4.2. Issuance of MCC.

The closing of the loan shall be consummated in accordance with the terms of the commitment. Upon receipt of such forms, documents, information and commitment fees as the executive director may require upon closing, the authority shall issue an MCC to the applicant. The MCC shall specify the applicable mortgage credit certificate rate and the certified indebtedness amount.

### § 4.3. Compliance inspections.

The mobile/manufactured home shall be transported to its site and occupied within 60 days of loan closing. The authority shall have the right from time to time to enter upon the property on which the mobile/manufactured or site-built home is located in order to determine compliance with program requirements. Any such inspection shall be made for the sole and exclusive benefit and protection of the authority.

## PART V. REVOCATION OF A MORTGAGE CREDIT CERTIFICATE.

§ 5.1. The authority may impose such sanctions or pursue such remedies, as legally available, including revocation of a certificate holder's MCC for noncompliance with applicable regulations and requirements pursuant to federal guidelines. Such noncompliance shall include, but is not limited to, the mobile/manufactured or site-built home ceasing to be the MCC holder's principal residence. An MCC may be revoked by the authority's notification to the certificate holder and the Internal Revenue Service that the certificate is revoked.

The effective date of the foregoing Regulations amendments shall be January 20, 1987 September 15, 1987.

## DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

Title of Regulation: VR 615-50-5. Fees for Court Services Provided by Local Departments of Social Services.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Public Hearing Date: October 27, 1987 - 10 a.m.

(See Calendar of Events section  
for additional information)

### Summary:

*This proposed regulation establishes a fee system for payment by the petitioner to the local department of social services for certain court ordered investigations. The services for which the local agency will be paid are those provided in court ordered custody investigations, adoption searches, nonagency placement adoption investigation report and visitation report. The amount of the fee to be charged shall be based on income, family size, and hourly cost of agency service.*

VR 615-50-5. Fees for Court Services Provided by Local Departments of Social Services.

## PART I. DEFINITIONS.

### § 1.1. Definitions.

*The following words and terms, when used in these regulations, shall have the following meaning, unless the context clearly indicates otherwise:*

*"Adoption search" means interviews and written or telephone inquiries made by an agency to locate and advise the biological parents or siblings of an adult adoptee's petition for identifying information from a closed adoption record. It includes a written report to the court of the results of the search. It may also include facilitating reunion of the parties as directed by the court.*

*"Agency placement adoption" means an adoption in which the child is in the custody of a local agency and is placed in the adoptive home by the local agency.*

*"Custody investigation" means a court ordered method to gather information regarding a child whose custody, visitation or support is in controversy or requires determination.*

*"Family" means the petitioner(s) and any person in the home for whom he has legal responsibility to support,*

# Proposed Regulations

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including the child to be adopted.

"Investigation and report of investigation" means the process by which the local agency obtains specific information required by the Code about the placement and the suitability of the adoption. The findings of the investigation are compiled into a written report for the circuit court containing a recommendation of the action to be taken by the court.

"Juvenile court" means the Juvenile and Domestic Relations District Court of Virginia.

"Local agency" means the local social service/welfare agency.

"Nonagency placement adoption" means an adoption in which the child is not in the custody of an agency and is placed in the adoptive home directly by the biological parent or legal guardian.

"Petitioner" means the person who presents a petition to the court.

"State board" means the Virginia Board of Social Services.

"Visitation and report" means the three visits made to the child during the six month probationary period required by and subsequent to the entry of an interlocutory order of adoption. The findings of the visitation are compiled into a written report for the circuit court containing a recommendation of the action to be taken by the court.

## PART II. POLICY.

### § 2.1. Services for which a fee is charged.

The services for which the local agency shall charge a fee are court ordered custody investigations, adoption searches, and nonagency placement adoption investigation and report and visitation and report.

### § 2.2. Current costs of services provided by local agencies.

The department shall determine the statewide average number of hours needed to provide each service. The statewide average hourly cost of service shall be calculated, considering both direct and indirect costs. The average time required for each service multiplied by the average hourly costs shall be used to determine the total cost of each service. The statewide average cost of service and average number of hours needed to provide each service shall be periodically redetermined.

### § 2.3. Income and fee schedule.

A fee schedule, based upon family size and income, shall be developed annually using the median income level

for Virginia.

#### A. The fee schedule shall be as follows:

1. Families with 50% or less of median income shall not be charged a fee.

2. Families whose income falls between 50% and 100% of median income shall be charged an incremental percentage of the maximum fee.

3. Families whose income is above 100% median income shall be charged the maximum fee.

B. Local agencies shall include in reports to the courts the amount of the fee assessed to the petitioners, if any. If a local agency finds an unusual circumstance that would affect a petitioner's ability to pay, it shall include this in its report to the court.

#### § 2.4. Collection of fees.

A. In custody investigations, the fee shall be paid as prescribed by the juvenile court to the local agency, unless payment is waived.

B. In nonagency placement adoptions and adoption searches, the fee shall be collected by the circuit court prior to the entry of any final order and shall be disbursed to the local agency which performed the service.

C. The local agency shall report any fees collected as expenditures refunded on its financial report. The local agency's reimbursement from state and federal funds shall be adjusted to reflect the state and federal share of income collected.

# FINAL REGULATIONS

For information concerning Final Regulations, see information page.

## Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates new text. Language which has been stricken indicates text to be deleted. [Bracketed language] indicates a substantial change from the proposed text of the regulations.

## DEPARTMENT OF GAME AND INLAND FISHERIES (BOARD OF)

Note: The Department of Game and Inland Fisheries is exempted from the Administrative Process Act by subdivision 3 of § 9-6.14:4.1 of the Code of Virginia; however, it is required by § 9-6.14:22 to publish all proposed and final regulations.

Title of Regulation: VR 325-02-22. Turkey.

Statutory Authority: § 29-130 of the Code of Virginia.

Effective Date: September 1, 1987

### Summary:

*Summaries are not provided since, in most instances, the summary would be as long or longer than the full text.*

VR 325-02-22. Turkey.

§ 2. Same—Certain counties and areas.

It shall be lawful to hunt turkeys on the first Monday in November and for 11 consecutive hunting days following in the counties of Charles City, Chesterfield, Greensville, Henrico, King George, Lancaster, Mecklenburg, Middlesex, New Kent, Northumberland, *Prince George*, Richmond, ~~Southampton~~, Surry, Sussex, Westmoreland and York, and on Camp Peary.

§ 4. Continuous closed season in certain counties, cities and areas.

There shall be continuous closed turkey season, except where a special spring season for bearded turkeys is provided for in § 3 of this regulation, in the counties of Accomack, Arlington, Buchanan, Dickenson, Gloucester, Isle of Wight, James City, Mathews ~~and~~, Northampton *and Southampton*; and in the cities of Chesapeake, Hampton, Newport News, Suffolk and Virginia Beach.

## DEPARTMENT OF LABOR AND INDUSTRY

### Safety and Health Codes Board

**REGISTRAR'S NOTICE:** These regulations are excluded from Article 2 of the Administrative Process Act in accordance with § 9-6.14:4.1 C.4.(c) of the Code of

Virginia, which excludes from that article regulations which are necessary to meet the requirements of federal law or regulations, provided such regulations do not differ materially from those required by federal law or regulation. The Department of Labor and Industry will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

### Title of Regulation:

VR 425-02-09. Asbestos Standard for General Industry. (Corrections)

VR 425-02-10. Asbestos Standard for Construction Industry. (Corrections)

Statutory Authority: § 40.1-22(5) of the Code of Virginia.

Effective Date: September 30, 1987.

### Summary:

*The amendments correct typographical and substantive errors in the regulatory text and notes that the information collection required of the standards has been approved by the Office of Management and Budget (OMB). The amendments also provide clarification in the respirator selection table that the use of "disposable respirators" is prohibited.*

*No additional cost to Virginia employers or the Department of Labor and Industry is anticipated.*

### Editor's Note on Incorporation by Reference

Pursuant to § 9-6.18 of the Code of Virginia, the Asbestos Standard for General Industry and the Asbestos Standard for Construction Industry are declared documents generally available to the public and appropriate for incorporation by reference. For this reason, the entire standards are not being printed in the Virginia Register of Regulations. Copies of the Asbestos Standard for General Industry are available for inspection at the Department of Labor and Industry, 205 North Fourth Street, Richmond, Virginia, and in the Office of the Registrar of Regulations, Room 215, General Assembly Building, Capitol Square, Richmond, Virginia.

VR 425-02-09. Asbestos Standard for General Industry. (Corrections)

The Virginia Occupational Safety and Health Codes Board has adopted and issued amendments relating to the Asbestos Standard for General Industry as codified in 29 CFR 1910.1001, and published in the Federal Register, Vol. 52, No. 91, Page 17754, Tuesday, May 12, 1987. The amendments, as adopted, are not set out.

# Final Regulations

VR 425-02-10. Asbestos Standard for Construction Industry.  
(Corrections)

The Virginia Occupational Safety and Health Codes Board has adopted and issued amendments relating to the Asbestos - Standard for Construction Industry, as codified in 29 CFR 1926.58 and published in the Federal Register, Vol. 52, No. 92, Page 17755, Tuesday, May 12, 1987. The amendments, as adopted, are not set out.



## COMMONWEALTH of VIRGINIA

JOAN W. SMITH  
REGISTRAR OF REGULATIONS

VIRGINIA CODE COMMISSION  
General Assembly Building  
910 Capitol Street  
Richmond, Virginia

POST OFFICE BOX 346  
RICHMOND, VIRGINIA 23208  
(804) 788-3001

July 31, 1987

Dr. R. Jordan Kreindler, Chairman  
Virginia Safety and Health Codes Board  
The Department of Labor and Industry  
205 North Fourth Street  
Richmond, Virginia 23241

Re: VR 425-02-09. Asbestos Standard for General Industry (Corrections)  
VR 425-02-10. Asbestos Standard for Construction Industry  
(Correction)

Dear Dr. Kreindler:

This will acknowledge receipt of the above-referenced regulations from the Department of Labor and Industry.

As required by § 9-6.14:4.1 C.4.(c). of the Code of Virginia, I have determined that these Regulations are exempt from the operation of Article 2 of the Administrative Process Act since they do not differ materially from those required by federal law.

Sincerely,  
  
Joan W. Smith  
Registrar of Regulations

JWS:s11

\* \* \* \* \*

**REGISTRAR'S NOTICE:** These regulations are excluded from Article 2 of the Administrative Process Act in accordance with § 9-6.14:4.1 C.4.(c) of the Code of Virginia, which excludes from that article regulations which are necessary to meet the requirements of federal law or regulations, provided such regulations do not differ materially from those required by federal law or regulation. The Department of Labor and Industry will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation:

VR 425-02-09. Asbestos Standard for General Industry.

VR 425-02-10. Asbestos Standard for Construction

**Industry.**

VR 425-02-26. Asbestos Standard for Nonasbestiform Tremolite, Anthophyllite and Actinolite. (Extension of Partial Administrative Stay)

Statutory Authority: § 40.1-22(5) of the Code of Virginia.

Effective Date: September 30, 1987.

Summary:

On April 30, 1987, Federal OSHA published (52 Fed. Reg. 15722) an extension of its Partial Administrative Stay of the Asbestos Standards for General Industry and the Construction Industry, 29 CFR 1910.1001, 1910.1101 and 1926.58, insofar as they apply to nonasbestiform tremolite, anthophyllite and actinolite. The initial stay was adopted on October 17, 1986 (51 Fed. Reg. 37002) and expired on April 21, 1987. The amendments will extend the stay until July 21, 1988. Section 1910.1101 (the 1972 Asbestos Standard), as adopted by the Safety and Health Codes Board on December 1, 1986, will continue to apply to the nonasbestiform types.

The amendments extend the partial administrative stay of the Asbestos Standards for General Industry and Construction insofar as they apply to nonasbestiform tremolite, anthophyllite and actinolite. The initial partial stay expired on April 21, 1987. The amendment extends the stay until July 21, 1988 to allow the OSHA to conduct supplemental rulemaking.

The extension is needed because the length of the initial stay has proven inadequate for OSHA to complete the necessary notice of comment and rulemaking procedures and because of the variety of impacted industries and the unavailability of mineralogic and exposure data.

No additional cost to Virginia employers or the Department of Labor and Industry is anticipated.

**Editor's Note on Incorporation by Reference**

Pursuant to § 9-6.18 of the Code of Virginia, the Asbestos Standards for General Industry and the Construction Industry are declared documents generally available to the public and appropriate for incorporation by reference. For this reason, the entire standards are not being printed in the Virginia Register of Regulations. Copies of the Asbestos Standard for General Industry and the Asbestos Standard for Construction Industry and the Partial Administrative Stay of the Asbestos Standards insofar as they apply to nonasbestiform tremolite, anthophyllite and actinolite are available for inspection at the Department of Labor and Industry, 205 North Fourth Street, Richmond, Virginia, and in the Office of the Registrar of Regulations, Room 215, General Assembly Building, Capitol Square, Richmond, Virginia.

VR 425-02-09. Asbestos Standard for General Industry.

The Virginia Occupational Safety and Health Codes Board has adopted and issued amendments relating to the

Asbestos Standard for General Industry as codified in 29 CFR 1910.1001, and published in the Federal Register, Vol. 52, No. 83, Page 15723, Thursday, April 30, 1987. The amendment is set out below.

Section 1910.1001 is hereby amended by revising the note after Appendix H to § 1910.1001 to read as follows:

*Note - Pursuant to an administrative stay effective July 21, 1986, published on October 17, 1986, (51 FR 37002) and extended to July 21, 1988 (at 52 FR 15722, Apr. 30, 1987) enforcement of this section is stayed as it applies to nonasbestiform tremolite, anthophyllite and actinolite. During the period and to the extent of this stay, the 1972 standard governing occupational exposure to asbestos (redesignated as 29 CFR 1910.1101) will remain in effect.*

VR 425-02-10. Asbestos Standard for Construction Industry.

The Virginia Occupational Safety and Health Codes Board has adopted and issued amendments relating to the Asbestos Standard for Construction Industry, as codified in 29 CFR 1926.58 and published in the Federal Register, Vol. 52, No. 83, Page 15723, Thursday, April 30, 1987. The amendment, as adopted, is set out below.

Section 1926.58 is hereby amended by revising the note after Appendix I to § 1926.58 to read as follows:

*Note - Pursuant to an administrative stay effective July 21, 1986, published October 17, 1986 (51 FR 37002), and extended to July 21, 1988 (at 52 FR 15722, Apr. 30, 1987) enforcement of this section is stayed as it applies to nonasbestiform tremolite, anthophyllite and actinolite. During the period and to the extent of this stay, the 1972 standard governing occupational exposure to asbestos (redesignated as 29 CFR 1910.1101) will remain in effect.*

VR 425-02-26; Asbestos Standard for Nonasbestiform Tremolite, Anthophyllite and Actinolite.


The Virginia Occupational Safety and Health Codes Board has adopted and issued amendments relating to the Asbestos Standard for Nonasbestiform, Tremolite, Anthophyllite and Actinolite, as codified in 29 CFR 1910.1101, and published in the Federal Register, Vol. 52, No. 83, Page 15723, Thursday, April 30, 1987. The amendment, as adopted is set out below.

Section 1910.1101 is hereby amended by revising the note preceding § 1910.1101(a) to read as follows:

§ 1910.1101. Asbestos.

*Note - This section applies in lieu of the revised standards governing occupational exposure to asbestos, tremolite, anthophyllite, and actinolite (29 CFR 1910.1001; 29 CFR 1926.58), during the period and to the extent that the revised standards have been partially stayed. (See 51 FR 37002, Oct. 17, 1986 and 52 FR 15722, Apr. 30, 1987, for a description of the stay).*

*This section also applies whenever all or part of the revised standards are rendered unenforceable because of a stay or judicial action. In such a case, to preclude a gap in coverage, parallel provisions of this section will take effect. OSHA will publish an appropriate notice in the Federal Register announcing each such application of this section. This section also applies pursuant to the requirements of 29 CFR 1910.1001(o) and 29 CFR 1926.58(o).*

  
COMMONWEALTH of VIRGINIA

JOAN W. SMITH  
REGISTRAR OF REGULATIONS

VIRGINIA CODE COMMISSION  
General Assembly Building  
810 Capitol Street  
Richmond, Virginia

POST OFFICE BOX 3348  
RICHMOND, VIRGINIA 23208  
(804) 786-3581

July 31, 1987

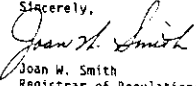
Dr. R. Jordan Kreindler, Chairman  
Virginia Safety and Health Codes Board  
The Department of Labor and Industry  
205 North Fourth Street  
Richmond, Virginia 23241

Re: VR 425-02-09. Asbestos Standard for General Industry  
VR 425-02-10. Asbestos Standard for Construction Industry  
VR 425-02-26. Virginia Asbestos Standard for Non-Asbestiform Tremolite, Anthophyllite and Actinolite Extension of Partial Administrative Stay

Dear Dr. Kreindler:

This will acknowledge receipt of the above-referenced regulations from the Department of Labor and Industry.

As required by § 9-6.14:4.1 C.4.(c). of the Code of Virginia, I have determined that these Regulations are exempt from the operation of Article 2 of the Administrative Process Act since they do not differ materially from those required by federal law.

Sincerely,  
  
Joan W. Smith  
Registrar of Regulations

JWS:sll



# Final Regulations

\* \* \* \* \*

**REGISTRAR'S NOTICE:** This regulation is excluded from Article 2 of the Administrative Process Act in accordance with § 9-6.14:4.1 C.4.(c) of the Code of Virginia, which excludes from that article regulations which are necessary to meet the requirements of federal law or regulations, provided such regulations do not differ materially from those required by federal law or regulation. The Department of Labor and Industry will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

**Title of Regulation:** VR 425-02-29. Hazardous Waste Operations and Emergency Response Standard - Virginia Occupational Safety and Health Standards for General Industry.

**Statutory Authority:** § 40.1-22(5) of the Code of Virginia.

**Effective Date:** September 30, 1987.

**Summary:**

On May 4, 1987, Federal OSHA published (52 Fed. Reg. 16241) corrections to the Hazardous Waste Operations and Emergency Response Standard, 29 CFR 1910.120. The amendment corrects errors, incorrect citations and clarifies ambiguities in 1910.120 and its Appendix A.

No additional cost to Virginia employers or the Department of Labor and Industry is anticipated.

**Editor's Note on Incorporation by Reference**

Pursuant to § 9-6.18 of the Code of Virginia, the Asbestos Standards for General Industry, Hazardous Waste Operations and Emergency Response Standard is declared a document generally available to the public and appropriate for incorporation by reference. For this reason, the entire standards are not being printed in the Virginia Register of Regulations. Copies of the Hazardous Waste Operations and Emergency Response Standard are available for inspection at the Department of Labor and Industry, 205 North Fourth Street, Richmond, Virginia, and in the Office of the Registrar of Regulations, Room 215, General Assembly Building, Capitol Square, Richmond, Virginia.

VR 425-02-29. Hazardous Waste Operations and Emergency Response Standard - Virginia Occupational Safety and Health Standards for General Industry.

The Virginia Occupational Safety and Health Codes Board has adopted and issued amendments relating to Hazardous Waste Operations and Emergency Response Standard as codified in 29 CFR 1910.120 and its Appendix A, and published in the Federal Register, Vol. 52, No. 85, Page 16241, Monday, May 4, 1987. The amendments, as adopted, are not set out.



## COMMONWEALTH of VIRGINIA

JOAN W SMITH  
REGISTRAR OF REGULATIONS

VIRGINIA CODE COMMISSION  
General Assembly Building  
910 Capitol Street  
Richmond, Virginia

POST OFFICE BOX 5442  
RICHMOND, VIRGINIA 23208  
(804) 788-3000

July 31, 1987

Dr. R. Jordan Kreindler, Chairman  
Virginia Safety and Health Codes Board  
The Department of Labor and Industry  
205 North Fourth Street  
Richmond, Virginia 23241

Re: VR 425-02-29. Hazardous Waste Operations and Emergency Response Standards

Dear Dr. Kreindler:

This will acknowledge receipt of the above-referenced regulation from the Department of Labor and Industry.

As required by § 9-6.14:4.1 C.4.(c) of the Code of Virginia, I have determined that these Regulations are exempt from the operation of Article 2 of the Administrative Process Act since they do not differ materially from those required by federal law.

Sincerely,

Joan W. Smith  
Registrar of Regulations

JWS:sll

## DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

**Title of Regulation:** VR 615-08-1. Virginia Fuel Assistance Program.

**Statutory Authority:** § 63.1-25 of the Code of Virginia.

**Effective Date:** October 1, 1987

**Summary:**

The amendments make several changes to the Energy Crisis Assistance Program (ECAP) component of the Virginia Fuel Assistance Program. The maximum amount of assistance for major repairs and replacements of heating equipment is being increased to \$500. Payment of electricity needed to operate the primary heating equipment will be limited to a portion of the bill unless income is zero. The security deposit payments will be limited to one-time-only per fuel type.

Final action was not taken on the proposed amendment making Cooling Assistance a separate component under the Fuel Assistance Program rather than a type of assistance under ECAP. Therefore, that proposed amendment is being held in suspension

*pending final action by the board. Since the Cooling Assistance policy is not effective until June 1988, no immediate action is necessary. The ECAP amendments, however, are effective October 1, 1987, and immediate action is necessary.*

VR 615-08-1. Virginia Fuel Assistance Program.

## PART I. DEFINITIONS.

§ 1.1. The following words and terms, when used herein, shall have the following meaning unless the context indicates otherwise:

*"Department"* means the Department of Social Services.

*"Disabled person"* means a person receiving Social Security disability, Railroad Retirement Disability, Supplemental Security Income as disabled, or an individual who has been certified as permanently and totally disabled for Medicaid purposes.

*"Elderly person"* means anyone who is 60 years of age or older.

*"Household"* means an individual or group of individuals who occupy a housing unit and function as an economic unit by: purchasing residential energy in common (share heat); or, making undesignated payments for energy in the form of rent (heat is included in the rent).

*"Poverty guidelines"* means the Poverty Income Guidelines as established and published annually by the Department of Health and Human Services.

*"Primary heating system"* means the system that is currently used to heat the majority of the house.

*"Resources"* means cash, checking accounts, savings account, saving certificates, stocks, bonds, money market certificates, certificates of deposit, credit unions, Christmas clubs, mutual fund shares, promissory notes, deeds of trust, individual retirement accounts, prepaid funeral expenses in excess of \$900, or any other similar resource which can be liquidated in not more than 60 days.

*"Energy-related, weather-related, or supply shortage emergency"* means a household has: no heat or an imminent utility cut-off; inoperable or unsafe heating equipment; major air infiltration of housing unit; or a need for air conditioning because of medical reasons.

## PART II. FUEL ASSISTANCE.

§ 2.1. The purpose of the Fuel Assistance Program is to provide heating assistance to eligible households to offset the costs of home energy that are excessive in relation to household income.

### A. Eligibility criteria.

1. **Income limits.** Maximum income limits shall be at or below 150% of the Poverty Guidelines. In order to be eligible for Fuel Assistance, a household's income must be at or below the maximum income limits.

2. **Resource limits.** The resource limit for a household containing an elderly or disabled person shall be \$3,000. The resource limit for all other households shall be \$1,500. In order to be eligible for Fuel Assistance, a household's resources must be at or below the amount specified.

### B. Resource transfer.

Any applicant of fuel assistance shall be ineligible for that fuel season if he improperly transfers or otherwise improperly disposed of his legal or equitable interest in nonexempt liquid resources without adequate compensation within one year of application for Fuel Assistance.

Compensation that is adequate means goods, services or money that approximates the value of the resources.

This policy does not apply if any of the following occur:

1. The transfer was not done in an effort to become eligible for Fuel Assistance;
2. The resource was less than the allowable resource limit;
3. The disposition or transfer was done without the person's full understanding.

### § 2.2. Benefits.

Benefit levels shall be established based on income in relation to household size, fuel type, and geographic area, with the highest benefit given to households with the least income and the highest energy need.

Geographic areas are the six climate zones for Virginia recognized by the National Oceanic and Atmospheric Administration and the United States Department of Commerce. The six climate zones are: Northern, Tidewater, Central Mountain, Southwestern Mountain, Eastern Piedmont, and Western Piedmont.

Each year, the Division of Energy within the Department of Mines, Minerals and Energy will supply data on the average costs of various fuels.

Each year the benefit amounts for each geographic area shall be determined by the following method:

A. A projection will be made of the number of households who will apply for Fuel Assistance. The projection will be based on the number of households who applied the previous year increased by the additional

# Final Regulations

number of people who applied the year before.

B. An average grant per household will be determined based on the estimated amount of funds that will be available for benefits.

$\frac{\$ \text{ available}}{\text{no. of households}} = \text{average grant}$

C. The benefits for each geographic area will be determined by using the average grant as a base figure and obtaining the highest and lowest benefits by using a ratio for each area based on degree days and the cost of various fuel types.

## PART III. ENERGY CRISIS ASSISTANCE PROGRAM.

§ 3.1. The purpose of the Energy Crisis Assistance Program component is to assist households with energy-related, weather-related or supply shortage emergencies. This component is intended to meet energy emergencies that cannot be met by the Fuel Assistance Program or other local resources.

### A. Eligibility criteria.

In order to be eligible for Energy Crisis Assistance, a household shall meet the following criteria:

1. All of the Fuel Assistance Program criteria as set forth in Part II, § 2.1;
2. Have an energy-related, weather-related or supply shortage emergency as defined in Part I;
3. Other resources cannot meet the emergency (including Fuel Assistance);
4. Did not receive Energy Crisis Assistance during the current federal fiscal year: October 1 - September 30 August 31 .

### B. Benefits.

An eligible household can receive no more than \$200 for Energy Crisis Assistance during any federal fiscal year, unless the assistance is for the major repair or replacement of heating equipment or the purchase of an air conditioner , in which case the maximum amount of assistance shall be ~~\$400~~ \$500 .

The following forms of assistance ~~must~~ shall be provided:

1. Repairs or replacement of inoperable or unsafe heating equipment;
2. Paying secondary heating sources. Secondary heating source means the energy source used Payment of electricity when it is needed to operate the primary

heating equipment. Payment will be limited to a portion of the bill unless the household's income is [ very low zero ] in which case the entire bill will be paid up to the \$200 maximum.

3. Paying A one-time-only payment per fuel type of a heat-related utility security deposit.

The following forms of assistance can be provided at local option:

1. Providing space heaters.
2. Providing blankets or warm clothing.
3. Providing emergency shelter.
4. Paying for cooling assistance when it is medically needed.
5. 4. Emergency repairs of dwelling to prevent heat loss.
6. 5. Other (locality must specify).

## [ PART IV. COOLING ASSISTANCE PROGRAM.

§ 4.1. The Cooling Assistance Program is an optional component of the Fuel Assistance Program that is designed to provide help to persons medically in need of cooling assistance due to the heat.

Local agencies who choose this option will be given a separate allocation that will be based on a percentage of their ECAP allocation and will provide the assistance no earlier than June 1 through no later than August 31.

### A. Eligibility criteria.

In order to be eligible for cooling assistance, a household must meet all of the Fuel Assistance eligibility criteria and must be medically in need of cooling.

### B. Benefits.

The assistance is limited to: no more than \$200 for repairing or renting a fan or air conditioner, purchasing a fan, or paying an electric bill or security deposit; or no more than \$400 for purchasing an air conditioner. ]

## PART [ ~~V~~ IV. ] ADMINISTRATIVE COSTS.

[ ~~§ 5.1~~ § 4.1. ] Local administrative expenditures for the implementation of the Fuel Assistance Program shall not be reimbursed in excess of whichever is the higher of 9.0% of the agency's allocation or 125% of the average administrative cost per case for the previous year.

# STATE CORPORATION COMMISSION

## STATE CORPORATION COMMISSION

AT RICHMOND, JULY 27, 1987

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

CASE NO. INS870162

Ex Parte: In the matter of adopting Rules Governing Multiple Employer Health Care Plans.

### ORDER ADOPTING REGULATION

WHEREAS, pursuant to an order entered herein May 12, 1987, Russell W. Cunningham, Senior Hearing Examiner, conducted a hearing in the Commission's Courtroom on June 17, 1987, for the purpose of receiving comments of interested persons concerning the adoption of a regulation proposed by the Bureau of Insurance and entitled "Rules Governing Multiple Employer Health Care Plans"; and

WHEREAS, the Commission has considered the record herein and the law applicable in this matter,

THE COMMISSION is of the opinion, finds and ORDERS that the proposed regulation entitled "Rules Governing Multiple Employer Health Care Plans," as amended, which is attached hereto and made a part hereof, should be, and it is hereby, ADOPTED, to be effective January 1, 1988.

AN ATTESTED COPY hereof together with a copy of the regulation shall be sent by the Clerk of the Commission to the Bureau of Insurance in care of Deputy Commissioner Stephen J. Kaufmann who shall forthwith cause a copy of this order together with a copy of the regulation to be mailed to every person providing health care coverage in this Commonwealth as indicated by the records of the Bureau of Insurance and shall file with the Clerk of the Commission an affidavit of compliance.

Title of Regulation: Rules Governing Multiple Employer Health Care Plans.

#### § 1. Authority.

*This regulation is issued pursuant to the authority vested in the Commission under § 38.2-223 and Article 3 of Chapter 34 of Title 38.2 of the Code of Virginia.*

#### § 2. Purpose.

*The purpose of this regulation is to set forth rules to carry out the provisions of Article 3 (§ 38.2-3420 et seq.) of Chapter 34 of Title 38.2 of the Code of Virginia so as to establish reasonable standards for the licensing and operation of multiple employer health care plans.*

#### § 3. Effective date.

A. This regulation shall be effective on January 1, 1988.

B. No contract, certificate, schedule of benefits, or evidence of coverage shall be issued or put in force on or after January 1, 1988 unless it complies with this regulation.

C. No contract, certificate, schedule of benefits, or evidence of coverage shall be reissued, renewed, or extended in this Commonwealth on or after January 1, 1988 unless it complies with this regulation. A contract, certificate, schedule of benefits, or evidence of coverage written before January 1, 1988 shall be deemed to be reissued, renewed, or extended on the date the multiple employer health care plan is allowed to change the terms of the contract or adjust the premiums charged.

#### § 4. Applicability and scope.

A. This regulation shall apply to all multiple employer health care plans providing coverage in this Commonwealth if any of the following conditions is met:

1. The multiple employer health care plan is domiciled in Virginia;

2. At least one employer whose principal office or headquarters is located in Virginia provides health care benefits to his employees through the multiple employer health care plan, regardless of the plan's place of domicile; or

3. At least one employee who is employed in Virginia and who has been initially enrolled in the plan in Virginia is being provided health care benefits through the multiple employer health care plan, regardless of the plan's place of domicile or the location of the employer's principal office or headquarters.

B. Such multiple employer health care plans shall be subject to certain appropriate provisions of Title 38.2 as set forth in this regulation in accordance with § 38.2-3423 of the Code of Virginia. For the purpose of this regulation, wherever the term "insurer," "insurance company," or "insurance" is used in those sections of Title 38.2 such term shall be construed to mean multiple employer health care plan.

#### § 5. Definitions.

As used in this regulation:

A. "Multiple employer health care plan" means any plan or arrangement which is established or maintained for the purpose of offering or providing coverage for health care services, whether such coverage is by direct payment, reimbursement, or otherwise, to employees of two or more employers, or to their beneficiaries. Such term shall not include any of the following:

# State Corporation Commission

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1. Two or more trades or businesses, whether or not incorporated, if such trades or businesses are within the same control group where common control is based on an interest of at least 25%. However, any change in common control to an interest of less than 25% shall require immediate notification to the Commission and the filing of an application for a license within 30 days of such change. All licensing requirements set forth herein shall then apply, but there shall be no requirement to discontinue the offering of benefits during this period;

2. Plans established and maintained for the purpose of complying with any workers' compensation law or unemployment compensation disability insurance law;

3. Plans which are primarily for the purpose of providing first aid care and treatment at a dispensary of an employer for injury or sickness of employees while engaged in their employment;

4. Local government group self-insurance pools subject to regulation under Chapter 11.1 (§ 15.1-503.4:1 et seq.) of Title 15.1 of the Code of Virginia.

5. Plans which are exempt from state insurance regulation in accordance with Pub. L. No. 93-406, the Employee Retirement Income Security Act as amended, including any plan or other arrangement which is established or maintained (i) under or pursuant to one or more agreements which are found to be collective bargaining agreements, or (ii) any plan or other arrangement which is established or maintained by a rural electric cooperative as defined in this section, provided that any plan which claims exemption from this regulation under the Employee Retirement Income Security Act (Pub. L. No. 93-406) as amended must provide satisfactory proof of qualification under that Act as provided for in § 38.2-3421 of the Code of Virginia;

B. "Rural electric cooperative" means:

1. Any organization which is exempt from tax under § 501(a) of the Internal Revenue Code of 1986 and which is engaged primarily in providing electric service on a mutual or cooperative basis; and

2. Any organization described in paragraph (4) or (6) of § 501(c) of the Internal Revenue Code of 1986 which is exempt from tax under § 501(a) of such Code and at least 80% of the members of which are organizations described above in paragraph 1 of this subsection.

C. "Member" means an employer which participates in a multiple employer health care plan.

D. "Contribution" means the amount paid or payable by the employer or employee for services provided through the multiple employer health care plan.

E. "Risk sharing arrangement" means a policy of accident and sickness insurance providing excess, stop-loss, or any similar or related coverage by any other name called, which meets the criteria of the Commission as is appropriate for the type of insurance contract used.

F. "Third-party administrator" or "administrator" means any person who receives or collects charges, contributions, or premiums, or who adjusts or settles claims for a multiple employer health care plan providing coverage in this Commonwealth for health care services, whether such coverage is by direct payment, reimbursement, or otherwise. The term "third-party administrator" or "administrator" does not include the following:

1. An insurer, health maintenance organization, nonstock health services plan, or nonstock dental or optometric services plan licensed in this Commonwealth to write health coverage and directly administering services for the multiple employer health care plan.

2. An employer acting on behalf of its employees or the employees of one or more subsidiary or affiliated corporations of the employer.

3. A union acting on behalf of its members.

4. Any agent licensed in this Commonwealth, whose activities with regard to the multiple employer health care plan are limited exclusively to the sale of insurance.

5. A creditor acting on behalf of its debtors with respect to insurance covering a debt between the creditor and its debtors.

6. A trust, its trustees, and employees acting thereunder, established in conformity with 29 U.S.C. 186.

7. A trust exempt from taxation under § 501(a) of the Federal Internal Revenue Code of 1986, its trustees, and employees acting thereunder, or a custodian, its agents and employees acting pursuant to a custodial account which meets the requirements of § 401(f) of the Federal Internal Revenue Code of 1986.

8. A credit card issuing company that solely advances for and collects premiums or charges from its credit card holders who have authorized it to do so.

9. A person who adjusts or settles individual claims in the normal course of practice or employment as an attorney at law, and who does not collect charges or premiums in connection with life or health insurance coverage or annuities.

10. A person who administers only self-insured workers' compensation plans.

G. "Commission" means the State Corporation Commission.

H. "Health care services" means services which are furnished to an individual for the purpose of preventing, alleviating, or healing human illness, injury, or physical disability. Such term may include services for optometric or dental care.

I. "Domicile" means the situs of the trust through which the multiple employer health care plan is established, the plan's place of incorporation or, if not set up through a trust or incorporated, the location of the plan's headquarters.

J. "Advertising" means any of the following:

1. Printed and published material, audio visual material, and descriptive literature of a multiple employer health care plan used in direct mail, newspapers, magazines, radio scripts, TV scripts, billboards and similar displays;
2. Descriptive literature and sales aids of all kinds issued by a multiple employer health care plan, agent, or broker for presentation to members of the public, including but not limited to circulars, leaflets, booklets, depictions, illustrations, and form letters; or
3. Prepared sales talks, presentations and material for use by agents, brokers and solicitors.

## § 6. Licensing requirements.

### A. License required.

No multiple employer health care plan shall operate in this Commonwealth without first obtaining a license or an exemption from the Commission.

### B. Application for initial license.

Any multiple employer health care plan desiring to provide coverage in this Commonwealth may apply to the Commission for a license on forms prescribed by the Commission and such application shall be verified by an officer, director, or authorized representative of the applicant. Each application for a multiple employer health care plan license, and all accompanying documents, shall be submitted in triplicate. Each application for a multiple employer health care plan license shall set forth or be accompanied by:

1. A complete description of the plan including (i) eligibility requirements for members, (ii) procedures for membership withdrawal and expulsion, (iii) any employee contributions, (iv) benefits provided, and (v) limitations and exclusions.
2. A copy of the constitution, articles of association, or bylaws of the trade association, industry association or

professional association of employers or professionals which has established the multiple employer health care plan.

3. A copy of any trust agreement under which a trust fund is to exist and operate.

4. The names, addresses, and a biographical summary of the plan's trustees, officers, directors, or any other member of the governing body of the plan.

5. The names of persons who will solicit, negotiate, procure, or effect applications for coverage under the plan.

6. A listing of the names and addresses of the employers participating in the plan including those employers whose principal office or headquarters is located outside of Virginia.

7. A copy of the service contract or written agreement made with a third-party administrator. A copy of any service contract or written agreement to provide administrative services made with an insurer, health maintenance organization, nonstock health services plan, or nonstock dental or optometric services plan shall also be submitted.

8. The names, addresses, and professional qualifications of the individuals who are responsible for the conduct of the affairs of the plan's third-party administrator.

a. Such third-party administrator shall be approved by the Commission prior to licensure of the multiple employer health care plan. The Commission shall not approve any third-party administrator unless it is satisfied that the third-party administrator and all principals thereof are competent, trustworthy, financially responsible, and of good personal and business reputation, and have not had an insurance license denied for cause by any jurisdiction. In making this determination the Commission may request a financial statement of the third-party administrator including its balance sheet and receipts and disbursements for the three most recent years, or, if the third-party administrator is not currently acting in that capacity, a statement of the amounts and sources of the funds available for organization expenses and the proposed arrangements for reimbursement and compensation.

b. The Commission shall be given immediate notification of any change in the name or address of the plan's third-party administrator.

9. Financial statements showing the applicant's assets, liabilities, and sources of financial support and, if the applicant's financial affairs are audited by independent certified public accountants, a copy of the applicant's most recent regular certified financial statement,

# State Corporation Commission

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unless the Commission directs that additional or more recent financial information is required. The Commission may require that additional reports, exhibits, or statements be filed to furnish full information concerning the condition, solvency, experience, transactions, or affairs of the plan. The Commission may also require the plan to provide pro-forma financial statements showing the plan's projection of anticipated operating results for the following year.

10. A copy of the policy, contract, certificate, plan description, schedule of benefits, or other evidence of coverage provided to covered employees which shall contain a statement of the coverage provided, an explanation of the plan including the rights and benefits afforded the employee and his beneficiaries, any limitations and exclusions, and a provision respecting the rights to the continuance of the same or similar coverage upon termination of an individual's coverage or termination of the plan. If the plan makes no provision for such rights to continue, the statement of coverage shall contain a specific declaration to that effect.

11. A copy of any risk sharing arrangement which shall meet the requirements set forth in subsection D of § 7 of this regulation.

12. A copy of a fidelity bond equal to an amount determined by the Commission and issued in the name of the multiple employer health care plan covering its trustees, employees, administrator, or other individuals handling funds or assets. In no case shall such bond be less than \$50,000.

13. A deposit of securities or surety bond with the Treasurer of Virginia in accordance with § 38.2-1045 of the Code of Virginia.

14. The total amount of each member's annual contribution and the basis for establishing the annual contribution of the plan's members. Such contributions shall be based on reasonable assumptions and certified as to the sufficiency of such contributions by an actuary or other person satisfactory to the Commission.

15. Any other information the Commission requires pertaining to the business of the multiple employer health care plan or the third-party administrator.

## C. Issuance of license.

The Commission shall issue a license to a multiple employer health care plan after the receipt of a complete application and payment of the application fee required by subsection E of this section if the Commission is satisfied that the persons responsible for the conduct of the affairs of the applicant are competent, trustworthy, and possess good reputations and that the multiple employer health

care plan is financially responsible and may reasonably be expected to meet its obligations to its members and their employees.

## D. Exemptions.

1. The following multiple employer health care plans may request an exemption from this regulation:

a. Plans under which all of the covered benefits are guaranteed under a policy or contract of insurance issued by an insurance company licensed to do business in Virginia under Title 38.2 of the Code of Virginia or licensed in another state in accordance with the provisions set forth in paragraph 2 of this subsection.

b. Plans under which all of the covered benefits are provided either by (i) a nonstock health services plan licensed in Virginia under Chapter 42 of Title 38.2 of the Code of Virginia, (ii) a health maintenance organization licensed in Virginia under Chapter 43 of Title 38.2 of the Code of Virginia, (iii) a nonstock dental or optometric services plan licensed in Virginia under Chapter 45 of Title 38.2 of the Code of Virginia, or (iv) any combination thereof, except that such nonstock health services plan, health maintenance organization, or nonstock dental or optometric services plan may be licensed in another state in accordance with the provisions set forth in paragraph 2 of this subsection.

2. Any multiple employer health care plan requesting an exemption from this regulation must provide the Commission with proof of coverage from an insurer, health maintenance organization, nonstock health services plan, or nonstock dental or optometric services plan as required by paragraphs 1a and 1b of this subsection. Such insurer, health maintenance organization, nonstock health services plan, or nonstock dental or optometric services plan must be (i) licensed to do business in Virginia under Title 38.2 of the Code of Virginia, or (ii) in the case of a plan domiciled outside of Virginia, either licensed in Virginia or licensed in another state and meets the minimum solvency requirements established in Title 38.2 of the Code of Virginia. In no case shall an exemption granted under this regulation relieve any multiple employer health care plan from the disclosure requirements found in subsection A and subsection B of § 11 of this regulation.

3. If the multiple employer health care plan changes coverage or does not maintain full coverage as required by paragraphs 1a and 1b of this subsection, the plan shall immediately notify the Commission. Any plan which ceases to maintain full coverage shall, within 30 days of the date of coverage termination, (i) notify the Commission of a replacement policy, or (ii) apply for a license and be subject to all licensing and regulatory requirements as set forth herein. Such plan

shall not be required to cease operations or discontinue benefits during this 30-day period. However, such plan shall cease operations and discontinue benefits at the end of this 30-day period unless the plan has been licensed in accordance with the provisions of this regulation or an extension has been granted by the Commission for good cause shown.

4. Approval for an exemption under this section of the regulation may be requested either by the multiple employer health care plan or the plan's administrator. The form shown in Appendix A of this regulation shall be used to provide the proof of coverage required by paragraph 2 of this subsection.

5. The requirement set forth in paragraph 4 of this subsection may be satisfied by an insurer, health maintenance organization, nonstock health services plan, or nonstock optometric or dental services plan on behalf of the multiple employer health care plan or plans for which it provides full coverage. The form shown in Appendix B of this regulation shall be used to provide proof of such coverage.

6. Within 30 days after requesting an exemption from this regulation and complying with the necessary provisions set forth in subsection D of this section of the regulation, the Commission shall notify the plan requesting the exemption of its approval or disapproval of the exemption, and, in the event of disapproval, its reason therefor. The Commission may, at its discretion, extend for up to an additional 30 days the period within which it shall approve or disapprove the exemption request. Any request for an exemption received but neither approved nor disapproved by the Commission shall be deemed approved at the expiration of the 30 days if the period is not extended, or at the expiration of the extended period, if any.

#### E. Application fee.

Each application for a multiple employer health care plan license must be accompanied by a nonrefundable application fee of \$500 as required by § 38.2-1024 of the Code of Virginia.

#### F. Renewal of license.

Each multiple employer health care plan license in Virginia shall obtain from the Commission annually a renewal of its license in accordance with § 38.2-1025 of the Code of Virginia.

#### G. Filing of annual report.

1. Every multiple employer health care plan shall annually, on or before March 1, file with the Commission on a form prescribed by the Commission:

a. A financial statement of the plan including its balance sheet and receipts and expenses for the preceding year;

b. Any material changes in the information submitted pursuant to subsection B of this section;

c. Any other information the Commission requires including additional reports, exhibits, or statements concerning the condition, solvency, experience, transactions, of affairs of the plan.

2. The Commission may require a financial statement to be filed on a quarterly basis if it finds that the financial condition of a multiple employer health care plan has changed significantly and that the filing of such quarterly statement would be in the best interests of the plan's participants, members, and creditors.

#### H. Licensure does not imply approval of forms.

Approval of a multiple employer health care plan's license application shall not constitute approval of the forms submitted under subsection B, paragraph 10 of this section. Approval of such forms shall be governed by § 10 of this regulation.

#### § 7. Financial condition requirements.

##### A. Minimum deposit; surety bond in lieu of deposit.

Each multiple employer health care plan shall be subject to the provisions set forth in Article 7 (§ 38.2-1045 et seq.) of Chapter 10 of Title 38.2 regarding the deposit of securities, surety bonds entered in lieu of deposits, and all other applicable provisions contained in the article.

##### B. Minimum surplus.

Each multiple employer health care plan shall maintain at all times a minimum unimpaired surplus equal to an amount not less than the average anticipated incurred operating and claims expenses for a period of not less than 30 days. The Commission may require that such surplus amount be based upon the anticipated operating and claims expenses for a reasonable period in excess of 30 days. The method of calculation shall be determined by the Commission.

##### C. Reserves.

Each multiple employer health care plan shall comply with the provisions set forth in § 38.2-1311 of the Code of Virginia pertaining to valuation reserves. Each multiple employer health care plan shall also comply with the provisions established in § 38.2-1314 of the Code of Virginia pertaining to loss or claim reserves.

##### D. Risk sharing arrangements.

The Commission may, at its discretion, require a



# State Corporation Commission

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multiple employer health care plan to provide evidence of an adequate risk sharing arrangement. Such risk sharing arrangement may include provisions to cover incurred, unpaid claim liability in the event of discontinuance of the plan. Such arrangement shall be subject to all group accident and sickness insurance laws in Title 38.2 of the Code of Virginia and § 10 of this regulation if the policy is delivered or issued for delivery to a multiple employer health care plan domiciled in Virginia. In addition, any insurer providing this coverage shall be required to meet all minimum solvency requirements established in this Commonwealth and shall be required to be licensed in at least one state, territory, district, or insular possession of the United States.

## E. Investments.

Any funds or assets invested by a multiple employer health care plan shall be invested only in securities or other investments permitted by the laws of this Commonwealth as set forth in paragraphs 1 through 3 and 5 through 7 of subsection A of § 38.2-1414, §§ 38.2-1415 through 38.2-1419, 38.2-1421, 38.2-1423 through 38.2-1426, and 38.2-1432 of Title 38.2 of the Code of Virginia in addition to investments allowed by § 2.1-327 (legal investments for public sinking funds) and § 2.1-328 (legal investments for other public funds).

Other investments may be made subject to the approval of the Commission. This provision shall apply to every multiple employer health care regardless of its place of domicile unless the investments of any plan domiciled outside of this Commonwealth are regulated by the laws of its state or country of domicile.

## F. Valuation standards.

The provisions set forth in §§ 38.2-1307 through 38.2-1310 of the Code of Virginia shall apply to the valuation of stocks, bonds, and other securities owned by a multiple employer health care plan providing coverage in this Commonwealth.

## G. Rehabilitation, liquidation, or conservation.

1. Except as provided in paragraph 2 of this subsection, any rehabilitation, liquidation, or conservation of a multiple employer health care plan shall be deemed to be the rehabilitation, liquidation, or conservation of an insurance company and shall be conducted under the supervision of the Commission pursuant to the law governing the rehabilitation, liquidation, or conservation of insurance companies. The Commission may start proceedings in accordance with Chapter 15 of Title 38.2 of the Code of Virginia directing the rehabilitation, liquidation, or conservation of a multiple employer health care plan upon any one or more grounds set out in Chapter 15 of Title 38.2 of the Code of Virginia or when in the Commission's opinion the continued operation of such plan would be hazardous either to the plan participants or the people

of this Commonwealth.

2. A multiple employer health care plan shall not be covered under the Virginia Life, Accident and Sickness Insurance Guaranty Association Act set forth in Chapter 17 of Title 38.2 of the Code of Virginia.

## H. Assessments.

The expense of administering the insurance laws of this Commonwealth shall be assessed annually against all multiple employer health care plans providing coverage in this Commonwealth and subject to this regulation. Such assessments shall be made in accordance with the provisions set forth in § 38.2-400 and §§38.2-403 through 38.2-406 of the Code of Virginia. For the purpose of this regulation the term "direct gross premium income" as referred to in these sections of Title 38.2 shall be construed to mean the gross amount of all contributions collected, received, or derived from business in this Commonwealth during each year ending December 31 without deduction for dividends paid or deduction on any other account except for premiums returned on cancelled policies or contracts or for premiums returned on account of reduction in rates or reduction in the amount insured.

## I. Compliance.

Each multiple employer health care plan shall have six months from the effective date of this regulation to comply with the financial requirements set forth in this section, except that, for good cause shown, the Commission may grant an extension not to exceed 12 additional months in order to bring the multiple employer health care plan into compliance with the financial requirements of this section.

## § 8. General requirements.

### A. Administration.

A board of trustees, a board of directors, or other governing body elected by the members of a multiple employer health care plan shall have the responsibility of and complete control over the plan, and shall appoint or contract with an authorized third-party administrator to administer the day-to-day operations of the plan. The majority of the board of trustees, board of directors, or other governing body shall consist of owners, partners, officers, directors, or employees of one or more members in the plan. Such trustee, director, or member of the governing body may not be an owner, officer, or employee of a third-party administrator of the plan.

### B. Fiduciary responsibilities.

Any third-party administrator, officer, director, trustee, or member of a multiple employer health care plan, or any employee of such member, who receives, collects, disburses, or invests funds in connection with the activities of the plan shall be responsible for the funds in a

fiduciary relationship with the multiple employer health care plan.

### C. Additional requirements for third-party administrators.

Every third-party administrator of a multiple employer health care plan shall be subject to the following provisions:

1. Funds collected by a third-party administrator shall be immediately remitted to the person entitled to the funds or deposited into a fiduciary bank account, which shall be established and maintained by the third-party administrator.
2. The third-party administrator shall maintain records clearly showing the deposits and withdrawals from the fiduciary bank account for each party with whom it has a written agreement for administrative services. The administrator shall furnish to the party, upon request, copies of the required records.
3. All claims paid by the third-party administrator from funds collected on behalf of a multiple employer health care plan shall only be paid on drafts authorized by that plan.

### D. Examination of books, records and accounts.

The Commission shall make or direct an examination of the affairs of any multiple employer health care plan or third-party administrator providing or administering coverage in this Commonwealth in accordance with the provisions set forth in Article 4 (§ 38.2-1317 et seq.) of Chapter 13 of Title 38.2 of the Code of Virginia. Each multiple employer health care plan that is licensed in Virginia and every third-party administrator shall maintain proper accounting controls and shall keep adequate, correct, and complete books and records of accounts. Such books and records shall be made available to the Commission during normal business hours.

## § 9. Prohibited practices.

### A. Unfair trade practices prohibited.

No multiple employer health care plan or third-party administrator shall engage in any unfair trade practices as set forth in Chapter 5 of Title 38.2 of the Code of Virginia or Commission regulations promulgated thereunder.

### B. Certain pecuniary interests prohibited.

No trustee, director, third-party administrator, or other person having responsibility for the management of a multiple employer health care plan or the investment or other handling of the plan's funds shall:

1. Receive directly or indirectly or be pecuniarily interested in any fee, commission, compensation, or emolument, other than salary or other similar

compensation regularly fixed and allowed for services regularly rendered to the plan, arising out of any transaction to which the plan is or is to be a party, unless this has been fully disclosed to the plan's members;

2. Receive compensation as a consultant to the plan while also acting as a trustee, director, or administrator, or as an employee of such trustee, director, or administrator, unless this has been fully disclosed to the plan's members; or

3. Have any direct or indirect material pecuniary interest in any loan or investment of the plan's funds.

### C. Terminations.

No multiple employer health care plan shall terminate coverage without first giving 30 days written notice of termination to its members and participating employees.

## § 10. Filing requirements.

### A. Form filing.

1. Except as provided in paragraph 2 of this subsection, no contract, certificate, schedule of benefits, evidence of coverage, application, enrollment form, or any amendment thereto, shall be delivered, issued for delivery, or put into effect by or on behalf of any multiple employer health care plan domiciled in this Commonwealth until a copy of such form or amendment thereto has been filed with and approved by the Commission pursuant to the filing requirements specified in § 38.2-316 of the Code of Virginia. If the Commission does not disapprove any form within 30 days of the filing of such form, it shall be deemed approved unless the filer is notified in writing that the waiting period is extended by the Commission for an additional 30 days.

2. Any multiple employer health care plan that uses a form previously approved for use by the Commission for any other plan or organization pursuant to the filing requirements set forth in § 38.2-316, may be exempted from the requirements set forth in paragraph 1 of this subsection by notifying the Commission of (i) the approval date of such form, (ii) the form number, (iii) the name of the entity currently using the form, and (iv) the name of the entity issuing the form if different than (iii) above.

### B. Mandated benefits.

No contract, certificate, schedule of benefits, evidence of coverage, or any amendment thereto, shall be delivered, issued for delivery, or put into effect by or on behalf of any multiple employer health care plan domiciled in this Commonwealth unless it has complied with the mandated benefits provisions set forth in §§ 38.2-3408 through 38.2-3419 of the Code of Virginia.

# State Corporation Commission

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## C. Filing of schedule of charges.

No schedule of charges or contributions, or any amendment thereto, may be put into effect in conjunction with any multiple employer health care plan domiciled in this Commonwealth until a copy of such schedule, or amendment thereto, has been filed with the Commission pursuant to the filing requirements specified in § 38.2-316 of the Code of Virginia.

## § 11. Disclosure requirements.

A. Any multiple employer health care plan that is not fully insured or fully covered by an insurer, health maintenance organization, nonstock health services plan, or nonstock dental or optometric services plan licensed in Virginia shall be required to disclose this information in any of its advertising.

B. Any multiple employer health care plan that is not fully insured or fully covered by a licensed Virginia insurer or a licensed Virginia nonstock health services plan shall be required to disclose in any of its advertising that, in the event of an insolvency in connection with the plan, a person covered under the multiple employer health care plan may be unable to collect any amount owed by the plan regardless of the coverage provided under such plan.

C. The name, address, and phone number of the multiple employer health care plan's administrator shall be disclosed to any person covered under the plan. The name, address, and phone number of the plan's insurer or other carrier providing coverage shall also be disclosed to any person covered under the plan if such plan has not received an exemption from the regulation pursuant to subsection D of § 6.

D. Any risk sharing arrangement which is in effect shall be disclosed as provided for in § 38.2-3424.

E. The provisions set forth in Chapter 6 of Title 38.2 pertaining to insurance information and privacy protection shall apply to multiple employer health care plans and to any person that sells, transacts, or administers coverage under such a plan or that collects, receives, or maintains information in connection with such coverage.

## § 12. Licensing of persons soliciting, negotiating, procuring, or effecting applications for coverage.

A. No person shall solicit, negotiate, procure, or effect applications for coverage or member enrollments, and no multiple employer health care plan, third-party administrator, insurer, health maintenance organization, nonstock health services plan, or nonstock dental or optometric services plan shall knowingly permit a person to solicit, negotiate, procure, or effect applications for coverage or member enrollments, in this Commonwealth for a multiple employer health care plan whether or not the plan is licensed in this Commonwealth without first

obtaining a license as a life and health agent, and an appointment, if such appointment is required, in a manner and in a form prescribed by the Commission pursuant to Chapter 18 of Title 38.2 of the Code of Virginia.

B. Any person who solicits, negotiates, procures, or effects applications or member enrollments in this Commonwealth for coverage under a multiple employer health care plan shall be subject to all appropriate provisions of Title 38.2 as set forth in Chapters 2, 3, 5, 6, and 18 of the Code of Virginia regarding the conduct of his business.

C. Salaried officers or employees of any employer which provides coverage through a multiple employer health care plan shall not be required to be licensed under this section provided that the principal duties and responsibilities of such officers and employees do not include soliciting, negotiating, procuring, or effecting applications for coverage or member enrollments for the plan.

## § 13. Violations.

Any violation of this regulation shall be punished as provided for in § 38.2-218 of the Code of Virginia and any applicable law of this Commonwealth. The provisions of §§ 38.2-219 through 38.2-222 shall also apply to any multiple employer health care plan or third-party administrator that fails to comply with the provisions set forth in this regulation.

## § 14. Suspension or revocation of license.

A. The Commission may suspend or revoke the license of any multiple employer health care plan whenever it finds that the plan:

1. Has refused to submit its books, papers, accounts, or affairs to the reasonable inspection of the Commission or its representative;
2. Has refused, or its officers or agents have refused, to furnish satisfactory evidence of its financial and business standing or solvency;
3. Is insolvent, or is in a condition that any further transaction of business in this Commonwealth is hazardous to its participants, members, and creditors;
4. Has failed to pay a final judgment against it within 60 days after (i) the judgment became final, (ii) the time for making an appeal has expired, or (iii) the dismissal of an appeal before final determination, whichever date is the latest;
5. Has violated any law of this Commonwealth, or has in this Commonwealth violated its charter or exceeded its corporate powers;
6. Has failed to pay any fees, taxes or charges

imposed in this Commonwealth within 60 days after they are due and payable, or within 60 days after final disposition of any legal contest with respect to liability for the fees, taxes or charges;

7. Has had its certificate of authority revoked in the state in which it was organized;

8. Has been found insolvent by a court of any other state, or by the Commission or other proper officer or agency of any other state, and has been prohibited from doing business in that state;

9. Has advertised or merchandised its services in an untrue, misrepresentative, misleading, deceptive, or unfair manner;

10. Has failed to comply with the provisions set forth in § 10 of this regulation; or

11. Has otherwise failed to substantially comply with the provisions of this regulation.

B. When the license of a multiple employer health care plan is suspended, the plan shall not enroll any additional participants during the period of the suspension except newborn children or other newly acquired dependents of existing participants, and shall not engage in any advertising or solicitation.

C. The Commission shall not revoke or suspend the license of a multiple employer health care plan upon any of the grounds set out in subsection A of this section until it has given the plan 10 days' notice of the proposed revocation or suspension and the grounds for it, and has given the plan an opportunity to introduce evidence and be heard. However, the Commission may immediately suspend the license on the grounds specified in paragraphs 7 or 8 of subsection A of this section without prior notice to the plan. The suspension shall remain in force until the hearing is held. Any hearing authorized by this section may be informal. The required notice may be waived by the Commission and the multiple employer health care plan.

D. When the license of a multiple employer health care plan is revoked, the plan shall proceed to wind up its affairs, immediately following the effective date of the order of revocation. The plan shall conduct no further business except as may be essential to the orderly conclusion of its affairs. It shall engage in no further advertising or solicitation. The Commission may, by written order, permit further operation of the plan that it finds to be in the best interests of participants for the purpose of giving them the greatest practical opportunity to obtain continuing health care coverage.

## § 15. Service of process.

Suits, actions, and proceedings may be begun against any multiple employer health care plan providing coverage in

this Commonwealth by serving process on any trustee, director, officer, or agent of the plan, or, if none can be found, on the clerk of the Commission. No multiple employer health care plan license shall be issued to any nonresident of this Commonwealth unless such nonresident executes a power of attorney appointing the clerk of the Commission and his successors in the office as the agent for service of process in any action or proceeding arising in this state out of or in connection with the exercise of such license. If any multiple employer health care plan provides coverage in this Commonwealth without a license, it shall be deemed to have thereby appointed the clerk of the Commission its attorney for service of process. Service of process shall be made as provided for in Article 1 of Chapter 8 of Title 38.2.

## § 16. Severability.

If any provision of this regulation or the application thereof to any person or circumstance is for any reason held to be invalid, the remainder of the regulation and the application of such provision to other persons or circumstances shall not be affected thereby.

Appendix A

Proof of Coverage

Filed with the State Corporation Commission by

\_\_\_\_\_  
(Name of Multiple Employer Health Care Plan)

\_\_\_\_\_  
(Name of Administrator)

I hereby certify to the best of my knowledge that the following insurance policy (nonstock health services contract, nonstock dental or optometric services contract, or health maintenance organization contract) has been issued to provide the above named applicant, its members and its participants, full coverage of the covered benefits for the policy period stated below.

<u>Name of Carrier</u>	<u>Policy #</u>	<u>Effective Date</u>	<u>Expiration Date</u>
_____	_____	_____	_____

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

Please attach policy declarations or specifications page.

Appendix B

Proof of Coverage

Filed with the State Corporation Commission by

\_\_\_\_\_  
(Name of Company)

On behalf of

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Name of Multiple Employer Health Care Plan or Plans)

I hereby certify to the best of my knowledge that \_\_\_\_\_  
(Name of Company)

has issued an insurance policy (nonstock health services contract, nonstock dental or optometric services contract, or health maintenance organization contract) to each plan named above, its members and its participants, and that this policy or contract provides full coverage of the covered benefits for the policy period stated below.

<u>Name of Plan</u>	<u>Policy #</u>	<u>Effective Date</u>	<u>Expiration Date</u>
_____	_____	_____	_____

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

Please attach policy declarations or specifications page(s) for each plan.

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Research and Development.

AT RICHMOND, AUGUST 10, 1987

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUE870037

Ex Parte: In the matter of  
adopting rules implementing the  
Small Water or Sewer Utility Act.

ORDER DIRECTING STAFF TO FILE A REPORT  
AND INVITING RESPONSE THERETO

On May 6, 1987, the Commission established a rulemaking proceeding wherein it invited interested persons to file comments or request a hearing on the rules it was considering to implement the Small Water or Sewer Public Utility Act, Va. Code §§ 56-265.13:1 thru 56-265.13:7. In its May 6th Order, the Commission invited interested persons to file comments or requests for hearing on or before July 8, 1987. The time for filing comments was subsequently extended to and through August 5, 1987.

HAVING CONSIDERED the matter further, the Commission is of the opinion that its staff should file a report analyzing the comments filed and suggesting any further modifications to the rules. The Commission is further of the opinion that the parties filing comments should be given an opportunity to respond to the staff's report.

Accordingly, IT IS ORDERED:

- (1) That the staff shall file a report on or before August 21, 1987, with the Commission, analyzing the comments filed concerning the proposed rules and suggesting any further modifications thereto. The staff shall mail a copy of said report to each party filing comments regarding the proposed rules;
- (2) That, on or before September 2, 1987, the parties filing comments may file additional comments regarding the Staff's report; and
- (3) That this matter is otherwise continued generally.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: all water, sewer, or water and sewer public utilities subject to the Act; Donald G. Owens, Esquire, Mays & Valentine, P.O. Box 1122, Richmond, Virginia 23208; Richard M. Anthony, President, Sanville Utilities Corporation, P.O. Box 532, Bassett, Virginia 24055; Warren J. Lodge, General Manager, Lake of the Woods Association, Inc., Box 1, Lake of the Woods, Locust Grove, Virginia 22508; the Division of Consumer Counsel, Office of the Attorney General, 101 North 8th Street, Richmond, Virginia 23219; and the Commission's Divisions of Accounting and Finance, Energy Regulation, and Economic

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# VIRGINIA TAX BULLETIN

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## VIRGINIA DEPARTMENT OF TAXATION

DATE: July 1, 1987

Tax Bulletin 87-2

SUBJECT: Interest Rates

Although State and certain local interest rates are now subject to change every quarter, the rates for the third quarter of 1987 will be the same as for the first and second quarters – 8% for tax overpayments and 9% for tax underpayments.

### Rate for Addition to Tax for Underpayment of Estimated Tax.

Taxpayers whose taxable year ends on June 30, 1987: For the purpose of computing the addition to the tax for underpayment of Virginia estimated income taxes on Form 760C (for individuals), Form 760F (for farmers and fisherman), or Form 500C (for corporations), the 9% rate will apply through the October 15, 1987 due date of the return.

### Local Tax.

Localities assessing interest on delinquent taxes pursuant to Va. Code § 58.1-3916 may impose interest at a rate not to exceed the underpayment rates which are in effect for the applicable quarters of the second and subsequent years of delinquency. For the first three quarters of 1987, the underpayment rate is 9%. Localities which have provided for refund of erroneously assessed taxes may provide by ordinance that such refund be repaid with interest at a rate which does not exceed the rate imposed by the locality for delinquent taxes.

### Recent Interest Rates.

<u>Period</u>	<u>Rate for Under-payment (Assessments)</u>	<u>Rate for Over-payment (Refunds)</u>
7/1/83 - 12/31/84	11%	11%
1/1/85 - 6/30/85	13%	13%
7/1/85 - 12/31/85	11%	11%
1/1/86 - 6/30/86	10%	10%
7/1/86 - 12/31/86	9%	9%
1/1/87 - 9/30/87	9%	8%

Questions about interest rates may be directed to the Taxpayer Assistance Section, Office Services Division, Virginia Department of Taxation, P.O. Box 6-L, Richmond, Virginia 23282, or (804) 257-8031 (Individual) or 257-8036 (Corporation).

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# GOVERNOR

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## EXECUTIVE ORDER NUMBER 48 (87)

### DECLARATION OF STATE OF EMERGENCY ARISING FROM FLOODING IN DICKENSON AND BUCHANAN COUNTIES, VIRGINIA

During the early morning hours of July 11, 1987, torrential rains occurred which caused flash floods throughout Dickenson and Buchanan Counties, Virginia. The heavy rainfall resulted in the destruction of and damage to public property, residences, bridges, farms, and recreational areas.

The health and general welfare of the citizens of the affected localities require that state action be taken to help alleviate the conditions brought about by this situation, which constitutes an emergency as contemplated under the provisions of Section 44-146.16 of the Code of Virginia.

By virtue of the authority vested in me by Section 44-146.17 of the Code of Virginia, as Governor and as Director of Emergency Services, and subject to my continuing and ultimate authority and responsibility to act in such matters, I do hereby proclaim a state of emergency to exist in the affected areas of the Commonwealth and direct that appropriate assistance be rendered by agencies of the state and local government to alleviate these conditions.

This Executive Order shall become effective on the date of its signing and shall remain in full force and effect until June 30, 1988, unless amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 23rd day of July, 1987.

/s/ Gerald L. Baliles  
Governor

### GOVERNOR'S COMMENTS ON PROPOSED REGULATIONS

(Required by § 9-6.12:9.1 of the Code of Virginia)

#### DEPARTMENT OF FORESTRY

Title of Regulation: VR 312-01-1. Public Participation Guidelines.

#### Governor's Comment:

No objection to the proposed regulation as presented and urge the department to carefully consider any public comments received on this regulation prior to final adoption.

/s/ Gerald L. Baliles  
August 7, 1987

#### BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

Title of Regulation: VR 394-01-200. Virginia Private Activity Bond Regulations.

#### Governor's Comment:

No objection to the proposed regulation as presented, but urge the board to consider any public comments received on this regulation prior to final adoption.

/s/ Gerald L. Baliles  
August 4, 1987

#### DEPARTMENT OF LABOR AND INDUSTRY

Title of Regulation: VR 425-01-27. Regulations Governing the Administration of Apprenticeship Programs in the Commonwealth of Virginia, XI. Program Sponsor Evaluation Procedure.

#### Governor's Comment:

No objection to the proposed regulation as presented.

/s/ Gerald L. Baliles  
August 5, 1987

#### DEPARTMENT OF WASTE MANAGEMENT

Title of Regulation: VR 672-10-1. Hazardous Waste Management Regulations, Amendment 8.

#### Governor's Comment:

I have no objections to the proposed regulations which bring Virginia's hazardous waste management regulations into conformity with those of the U. S. Environmental Protection Agency. I do request that the Board consider carefully the comments of the members of the regulated community affected by these regulations, especially those that cover 90-day accumulation of on-site wastes. The Board should work with the affected companies to implement the most effective method of inspecting and controlling these wastes.

/s/ Gerald L. Baliles  
August 7, 1987



# Governor

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## STATE WATER CONTROL BOARD

Title of Regulation: VR 680-21-00. Water Quality Standards.

Governor's Comment:

I have no objections to the proposed amendments to the water quality standards, but some questions about the effectiveness of the chlorine standard remain. While it has been used constructively for years in mitigating pollution, chlorine's residual impact can be negative. However, the new ultraviolet technology may not be as effective in some water conditions. These evidentiary problems involved in the application of the chlorine standard must be resolved. I request that the Board's staff work with my office through the remainder of the public comment period and resubmit those portions dealing with the chlorine standards for my review prior to final promulgation. The Board should also carefully note any objections of affected groups or individuals.

/s/ Gerald L. Baliles  
August 6, 1987

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# GENERAL NOTICES/ERRATA

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<b>Symbol Key †</b>
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† Indicates entries since last publication of the Virginia Register
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## AUCTIONEERS BOARD

### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Auctioneers Board intends to consider amending regulations entitled: **Rules and Regulations for the Registration of Auctioneers**. The purpose of the proposed amendments is to provide clarification to existing regulations regarding the Registration of Auctioneers.

Statutory Authority: §§ 54-824.9:1 and 54-824.9:3 of the Code of Virginia.

Written comments may be submitted until October 31, 1987.

**Contact:** Geralde W. Morgan, Assistant Director, Department of Commerce, 3600 W. Broad St., 5th Fl., Richmond, Va. 23230-4917, telephone (804) 257-8508 (toll-free 1-800-552-3016)

## STATE BOARD OF EDUCATION

### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the State Board of Education intends to consider amending regulations entitled: **Regulations Governing Special Education Programs for Handicapped Children and Youth in Virginia**. The purpose of the proposed amendments is to ensure a free appropriate public education in the least restrictive environment to all handicapped children and youth, ages 2 to 21, inclusive, residing in the Commonwealth. Application of § 9-6.14:4.1 of the Code of Virginia requires amending hearing officer system; P.L. 99-372 and P.L. 99-457 also necessitate revision in existing regulations governing the handicapped.

Statutory Authority: § 22.1-16 of the Code of Virginia; 20 USC §§ 1412 and 1413.

Written comments may be submitted until September 30, 1987.

**Contact:** Dr. Andrea B. Chisick, Supervisor of Complaints

Management, Department of Education, P. O. Box 6Q, Richmond, Va. 23216, telephone (804) 225-2044

### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the State Board of Education intends to consider amending regulations entitled: **Management of Student's Scholastic Records**. The purpose of the proposed amendments is to assure the protection of confidentiality of any personally identifiable data, information, and records collected or maintained by local school divisions and participating agencies and to provide for the orderly management of a student's scholastic record in the public schools of Virginia.

Statutory Authority: § 22.1-16 of the Code of Virginia and 34 CFR 99.1-99.67; 20 USC 1232 g et seq.

**Contact:** Dr. Andrea B. Chisick, Supervisor of Complaints Management, Department of Education, P. O. Box 6Q, Richmond, Va. 23216, telephone (804) 225-2044

### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the State Board of Education intends to consider promulgating regulations entitled: **Regulations Governing Uniform Statewide Secondary School Transcripts**. A statewide uniform secondary school transcript, based on a numerical grading system, will be developed to report student achievement to colleges/universities and prospective employers. The form to be used and information to be contained on that form will be included in this regulation.

Statutory Authority: § 22.1-16 of the Code of Virginia.

Written comments may be submitted until September 11, 1987, to Dr. Callie Shingleton, Department of Education, P. O. Box 6-Q, Richmond, Virginia 23216.

**Contact:** Margaret Roberts, Director of Community Relations, Department of Education, P. O. Box 6-Q, Richmond, Va. 23216, telephone (804) 225-2540

## VIRGINIA FIRE SERVICES BOARD

### Notice of Intended Regulatory Action

## General Notices/Errata

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Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Fire Services Board and the Department of Fire Programs intends to consider amending regulations entitled: **Training Courses and Programs for Fire Marshals (Fire Investigators) and Their Assistants.**

The purpose of the proposed amendments is to amend the training courses and programs required for local fire marshals and their assistants.

Statutory Authority: §§ 9-155 and 27-34.2:1 of the Code of Virginia.

Written comments may be submitted until August 31, 1987, to Robert A. Williams, Department of Fire Programs, James Monroe Building, 101 North 14th Street, 17th Floor, Richmond, Virginia 23219.

**Contact:** Carl N. Cimino, Executive Director, James Monroe Bldg., 101 N. 14th St., 17th Fl., Richmond, Va. 23219, telephone (804) 225-2681

### DEPARTMENT OF HEALTH (COMMISSIONER OF)

#### Bureau of Shellfish Sanitation

##### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Health intends to consider amending regulations entitled: **Sanitary Control of the Picking, Packing and Marketing of Crab Meat for Human Consumption.** The purpose of the proposed amendments is to protect the public health by establishing the conditions under which crab meat for human consumption may be handled.

Statutory Authority: § 28.1-176 of the Code of Virginia.

Written comments may be submitted until September 28, 1987.

**Contact:** Cloyde W. Wiley, Director, Bureau of Shellfish Sanitation, 109 Governor St., 9th Fl., Richmond, Va. 23219, telephone (804) 786-3561

### DEPARTMENT OF HEALTH (STATE BOARD OF)

#### Bureau of Radiological Health

##### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Health intends to consider amending regulations entitled: **Ionizing Radiation Rules and Regulations.** The purpose of the proposed amendments is to adopt changes required by House Bill 91. Revisions of the Suggested Model regulations and Federal Code are incorporated into the new regulations. Regulations governing radioactive waste and transportation of radioactive materials will be replaced and adopted by another agency.

Statutory Authority: § 32.1-229 of the Code of Virginia.

Written comments may be submitted until October 1, 1987, to Charles Price, Supervisor, Bureau of Radiological Health, Department of Health, 109 Governor Street, Room 915, Richmond, Virginia 23219.

**Contact:** Leslie Foldesi, Radiation Safety Specialist, Bureau of Radiological Health, 109 Governor St., Room 915, telephone (804) 786-5932 (toll-free 1-800-468-0138)

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (BOARD OF)

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Medical Assistance Services intends to consider promulgating regulations entitled: **Standards for Coverage of Organ Transplants.** The purpose of the proposed regulations is to establish standards for the coverage of organ transplantation procedures. Copy of the regulation is available from Victoria P. Simmons.

Statutory Authority: § 32.1-325 of the Code of Virginia.

Written comments may be submitted until September 4, 1987.

**Contact:** Stephen B. Riggs, D.D.S., Director, Division of Health Services Review, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, Va. 23219, telephone (804) 786-3820

### DEPARTMENT OF MINES, MINERALS AND ENERGY

#### Notice of Intended Regulatory Action

Notice is hereby given that the Department of Mines, Minerals and Energy intends to consider promulgating regulations entitled: **Public Participation Guidelines.** The department needs to consolidate guidelines being used by its various divisions into one uniform process for the

entire agency in order to better ensure that the public has opportunities to participate in regulatory development.

Statutory Authority: § 9-6.14:7.1 of the Code of Virginia.

Written comments may be submitted until September 1, 1987.

**Contact:** Bill Edwards, Policy Analyst, Department of Mines, Minerals and Energy, 2201 W. Broad St., Richmond, Va. 23220, telephone (804) 257-0330

## Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Mines, Minerals and Energy intends to consider amending regulations entitled: **VR 480-03-19. Coal Surface Mining Regulations.** The department is considering amendments to regulations to set reinstatement procedures for individuals or companies who have forfeited coal surface mining bonds, or who have had coal surface mining permits revoked; to correct deficiencies in the rules for enforcement and administrative appeals; to increase protection of historic sites; and to decrease the minimum number of trees to be planted on steep slopes.

Statutory Authority: § 45.1-230 of the Code of Virginia.

Written comments may be submitted until September 1, 1987.

**Contact:** Conrad Spangler, Chief Engineer, Division of Mined Land Reclamation, P. O. Drawer U, Big Stone Gap, Va. 24219, telephone (703) 523-2925

## VIRGINIA BOARD OF PSYCHOLOGY

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Board of Psychology intends to consider promulgating regulations entitled: **VR 565-01-2. Supervision of Unlicensed Persons Practicing as Psychologists in Exempt Settings.** This regulation addresses the need for the supervision of unlicensed persons practicing as psychologists in exempt agencies and settings to ensure that these agencies are in compliance with § 54-944(d). Regulation VR 565-01-2 was promulgated as an emergency regulation effective July 1, 1986, to conform to legislation enacted by the 1986 General Assembly. The board has received suggestions for improvement of the regulation. This notice of intent is for the purpose of inviting comments from all relevant parties prior to promulgation under the standard provisions of the Administrative Process Act.

Statutory Authority: § 54-929 of the Code of Virginia.

Written comments may be submitted until September 7, 1987.

**Contact:** Stephanie A. Sivert, Executive Director, Board of Psychology, 1601 Rolling Hills Dr., Richmond, Va. 23229-5005, telephone (804) 662-9913

## DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Social Services intends to consider amending regulations entitled: **Aid to Dependent Children Emergency Assistance.** The purpose of the proposed amendments is to provide assistance in cases of eviction or threatened eviction, emergencies resulting from loss of employment, and victims of spouse abuse in shelters. An additional expansion is being considered to assist the homeless and those at risk of becoming homeless.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until September 16, 1987, to I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699.

**Contact:** Carolyn C. Ellis, Supervisor, Economic Assistance Unit, Division of Benefit Programs, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046

## STATE WATER CONTROL BOARD

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the State Water Control Board intends to consider promulgating regulations entitled: **Underground Storage Tank Regulations.** The purpose of the regulations will be to establish minimum financial responsibility requirements for all owners and operators of underground storage tanks. Further, the regulations will set up the framework for administering the fund. Finally, the regulations will set forth those requirements necessary, including environmental protection rules and regulations, for the board to implement an underground storage tank program in Virginia in accordance with the new laws.

Statutory Authority: §§ 62.1-44.34:9, 62.1-44.34:11 and 62.1-44.34:12 of the Code of Virginia.

# General Notices/Errata

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Written comments may be submitted until September 15, 1987.

**Contact:** Larry G. Lawson, Assistant Director of Operations, Office of Water Resources Management, State Water Control Board, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 257-6383

## GENERAL NOTICES

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Legal Notice

Take notice that a referendum will be conducted by mail ballot among Virginia soybean producers regardless of age who sold soybeans during the past three years preceding September 9, 1987.

The purpose of this referendum is to allow Virginia farmers producing soybeans to vote on whether or not they are willing to access themselves in the amount and manner below stated. The assessment shall be used by the Virginia Soybean Board for research, education, publicity, and promotion of the sale and use of soybeans.

The assessment to be voted on is one cent per bushel when sold. The processor, dealer, shipper, exporter or any other business entity who purchases soybeans from the producer shall deduct the assessment from payments made to the producer for soybeans. The one cent levy thereon and shall be remitted to the Virginia State Tax Commissioner.

Producers must establish their eligibility to vote in this referendum by properly completing a certification form and returning the form to the Virginia Department of Agriculture and Consumer Services no later than July 31, 1987.

Eligible voters will be mailed a ballot and return envelope. Each eligible voter must return the ballot and ballot must be received by the Director, Division of Markets, Virginia Department of Agriculture and Consumer Services on or before 5 p.m. September 9, 1987.

Producers may obtain eligibility certification forms from the following sources: County Extension Agent Offices; Virginia Soybean Association, P. O. Box 319, Salisbury, Maryland 21801; Virginia Department of Agriculture and Consumer Services Office, Division of Markets, P. O. Box 1163, Richmond, Virginia 23209.

## BOARD OF GAME AND INLAND FISHERIES

### † Notice to the Public

#### Turkey Hunting Season Prince George County

The Board of Game and Inland Fisheries, at a meeting held in Richmond, Virginia, on June 26, 1987, took the following action:

Pursuant to the provisions of § 29-130 of the Code of Virginia, which authorizes the Board of Game and Inland Fisheries to close or shorten an open hunting season upon "substantial demand from any section or county," the board shortened the fall turkey hunting season in Prince George County from a season beginning the first Monday in November and ending on the first Saturday in January, as provided in VR 325-02-22, § 1, to a season beginning on the first Monday in November and running for 11 consecutive hunting days, as provided in VR 325-02-22, § 2.

This action of the Board of Game and Inland Fisheries is effective September 1, 1987.

/s/ Henry A. Thomas, Chairman

### † Notice to the Public

#### Turkey Hunting Season Southampton County

The Board of Game and Inland Fisheries, at a meeting held in Richmond, Virginia, on June 26, 1987, took the following action:

Pursuant to the provisions of § 29-130 of the Code of Virginia, which authorizes the Board of Game and Inland Fisheries to close or shorten an open hunting season upon "substantial demand from any section or county," the board repealed the turkey hunting season beginning the first Monday in November and running for 11 consecutive days, as provided in VR 325-02-22, § 2, in Southampton County, and provided that there shall be a continuous closed turkey season in Southampton County as provided in VR 325-02-22, § 4.

This action of the Board of Game and Inland Fisheries is effective September 1, 1987.

/s/ Henry A. Thomas, Chairman

## DEPARTMENT OF LABOR AND INDUSTRY

### General Notice

Pursuant to the provisions of § 9-6.14:7.1(c) of the Code of Virginia, the regulatory process has been suspended by the Governor for 30 days on proposed final regulation VR 425-01-28, Regulations Governing the Administration of Apprenticeship Programs in the Commonwealth of Virginia, IV, B, (14) Numeric Ratio of Apprentices to Journeymen. The Governor has asked that this agency solicit additional comment on this proposed final regulation.

Written comments are solicited until October 1, 1987 addressed to Robert S. Baumgardner, Director of Apprenticeship, Department of Labor and Industry, P. O. Box 12064, Richmond, Virginia 23241.

## GOVERNOR'S COMMISSION ON TRANSPORTATION FOR THE TWENTY-FIRST CENTURY

### † Notice of Public Hearing

Notice is hereby given that the Governor's Commission on Transportation for the Twenty-first Century -- Phase II, by the authority granted by Governor Gerald L. Baliles under Executive Order 6 (86), Executive Order 38 (87) and § 2.1-51.36 of the Code of Virginia, will solicit participation and receive testimony of interested parties, organizations, state and regional elected officials, and local government officials for the purpose of:

- Discussing Financing Mechanisms and Other Potential Sources of Revenue for Local Transportation Needs.

### The commission will hold the public hearing on:

Date: September 23, 1987

Place: General Assembly Building

Senate Room B

Richmond, Virginia. ☐

Time: 10 a.m. until all testimony has been heard

The Chairman of the Local Financing Options Subcommittee has requested that individuals who wish to testify bring 25 copies of their statement to the public hearing and sign-up prior to the hearing date by calling:

Jewel Paige, Staff Assistant  
(804) 786-2405 or 786-2437

If interested parties are unable to attend the public hearing the commission will accept written testimony received by our office no later than September 10, 1987.

Mail to:

Dr. Gary T. Johnson, Research Director  
The Governor's Commission on Transportation  
Post Office Box 1475  
Richmond, Virginia 23219

Delegate C. Richard Cranwell, Chairman of the Subcommittee on State and Local Relations has called a meeting of this subcommittee which is also scheduled for September 23, 1987, at 10 a.m. in House Room D of the General Assembly Building.

For additional information contact Jewel Paige at the commission office.

## NOTICES TO STATE AGENCIES

RE: Forms for filing material on dates for publication in the Virginia Register of Regulations.

All agencies are required to use the appropriate forms when furnishing material and dates for publication in the Virginia Register of Regulations. The forms are supplied by the office of the Registrar of Regulations. If you do not have any forms or you need additional forms, please contact: Ann M. Brown, Deputy Registrar of Regulations, Virginia Code Commission, P.O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

### FORMS:

PROPOSED (Transmittal Sheet) - RR01

FINAL (Transmittal Sheet) - RR02

NOTICE OF MEETING - RR03

NOTICE OF INTENDED REGULATORY ACTION - RR04

NOTICE OF COMMENT PERIOD - RR05

AGENCY RESPONSE TO LEGISLATIVE

OR GUBERNATORIAL OBJECTIONS - RR06

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# CALENDAR OF EVENTS

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<b>Symbols Key</b>	
†	Indicates entries since last publication of the Virginia Register
☒	Location accessible to handicapped
☎	Telecommunications Device for Deaf (TDD)/Voice Designation



## NOTICE

Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the Virginia Register deadline may preclude a notice of such cancellation.

For additional information on open meetings and public hearings held by the Standing Committees of the Legislature during the interim, please call Legislative Information at (804) 786-6530.

VIRGINIA CODE COMMISSION

## EXECUTIVE

### STATE BOARD OF ACCOUNTANCY

**October 20, 1987 - 10 a.m. – Public Hearing**  
Department of Commerce, 3600 West Broad Street,  
Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Accountancy intends to amend regulations entitled: **VR 105-01-2. Virginia State Board of Accountancy Rules and Regulations.** These rules and regulations govern the profession of certified public accountants. The board is amending § 1.2 of the regulation to facilitate conformance with § 54-1.28:1 of the Code of Virginia.

Statutory Authority: § 54-1.28(5) of the Code of Virginia.

Written comments may be submitted until October 17, 1987.

**Contact:** Roberta L. Banning, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8505 (toll-free 1-800-552-3016)

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (BOARD OF)

**September 28, 1987 - 2 p.m. – Public Hearing**

Washington Building, Board Room, 2nd Floor, 1100 Bank Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Agriculture and Consumer Services intends to adopt regulations entitled: **VR 115-02-15. Rules and Regulations for the Registration of Poultry Dealers.** The proposed regulations would require that poultry dealers doing business in Virginia keep records of their transactions as a means of tracing poultry disease to its source. They also would require that poultry dealers maintain a regimen of sanitation in their dealings.

Statutory Authority: §§ 3.1-726, 3.1-735 and 3.1-736 of the Code of Virginia.

Written comments may be submitted until June 30, 1987.

**Contact:** A. J. Roth, D.V.M., Chief, Bureau of Veterinary Services, Division of Animal Health, Virginia Department of Agriculture and Consumer Services, Suite 600, 1100 Bank St., Richmond, Va. 23219, telephone (804) 786-2483

\* \* \* \* \*

**September 28, 1987 - 3 p.m. – Public Hearing**  
Washington Building, Board Room, 2nd Floor, 1100 Bank Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Agriculture and Consumer Services intends to amend regulations entitled: **VR 115-02-12. Health Requirements Governing the Admission of Livestock, Poultry, Companion Animals and Other Animals or Birds Into Virginia.** The proposed amendment to the above-referenced regulation would set health requirements for the admission of South American camelids of the genus lama into Virginia.

Statutory Authority: § 3.1-726 of the Code of Virginia.

Written comments may be submitted until June 29, 1987.

**Contact:** A. J. Roth, D.V.M., Chief, Bureau of Veterinary Services, Division of Animal Health, Virginia Department of Agriculture and Consumer Services, Suite 600, 1100 Bank St., Richmond, Va. 23219, telephone (804) 786-2483

STATE AIR POLLUTION CONTROL BOARD

† September 11, 1987 - 9 a.m. - Open Meeting  
General Assembly Building, Capitol Square, Senate Room  
B, Richmond, Virginia. ☒

The board will discuss a permit application from  
Mountain View Rendering Company to build a plant in  
Columbia Furnace, Virginia, and the board will also  
discuss long-range air quality policy.

Contact: Dick Stone, P. O. Box 10089, State Air Pollution  
Control Board, Richmond, Va. 23240, telephone (804)  
786-5478

\* \* \* \* \*

October 19, 1987 - 10 a.m. - Public Hearing  
State Air Pollution Control Board, Southwest Virginia  
Regional Office, 121 Russell Road, Abingdon, Virginia

October 19, 1987 - 10 a.m. - Public Hearing  
State Air Pollution Control Board, Valley of Virginia  
Region, 5338 Peters Creek Road, Suite A, Roanoke,  
Virginia

October 19, 1987 - 10 a.m. - Public Hearing  
State Air Pollution Control Board, Central Virginia  
Regional Office, 7701-03 Timberlake Road, Lynchburg,  
Virginia

October 19, 1987 - 10 a.m. - Public Hearing  
State Air Pollution Control Board, State Capitol Region,  
8205 Hermitage Road, Richmond, Virginia

October 19, 1987 - 10 a.m. - Public Hearing  
State Air Pollution Control Board, Hampton Roads Regional  
Office, Old Greenbriar Village, 2010 Old Greenbriar Road,  
Suite A, Chesapeake, Virginia

October 19, 1987 - 10 a.m. - Public Hearing  
State Air Pollution Control Board, National Capital  
Regional Office, Springfield Towers, 6320 Augusta Drive,  
Suite 502, Springfield, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1  
of the Code of Virginia and the requirements of §  
110(a)(1) of the Federal Clean Air Act that the State  
Air Pollution Control Board intends to amend  
regulations entitled: **VR 120-01. Regulations for the  
Control and Abatement of Air Pollution.** The  
regulations establish limits for sources of air pollution  
to the extent necessary to attain and maintain levels  
of air quality as will protect human health and  
welfare.

Statutory Authority: § 10-17.18(b) of the Code of Virginia.

Written comments may be submitted until October 19,  
1987, to Director of Program Development, State Air  
Pollution Control Board, P. O. Box 10089, Richmond,

Virginia 23240.

Contact: Nancy S. Saylor, Division of Program  
Development, State Air Pollution Control Board, P. O. Box  
10089, Richmond, Va. 23240, telephone (804) 786-1249

ALCOHOLIC BEVERAGE CONTROL BOARD

† September 8, 1987 - 9:30 a.m. - Open Meeting  
† September 22, 1987 - 9:30 a.m. - Open Meeting  
† October 6, 1987 - 9:30 a.m. - Open Meeting  
† October 20, 1987 - 9:30 a.m. - Open Meeting  
† November 4, 1987 - 9:30 a.m. - Open Meeting  
† November 17, 1987 - 9:30 a.m. - Open Meeting  
2901 Hermitage Road, Richmond, Virginia. ☒

A meeting to receive and discuss reports on activities  
from staff members. Other matters not yet  
determined.

Contact: Robert N. Swinson, 2901 Hermitage Rd.,  
Richmond, Va., telephone (804) 257-0617

\* \* \* \* \*

November 19, 1987 - 10 a.m. - Public Hearing  
2901 Hermitage Road, 1st Floor Hearing Room, Richmond,  
Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1  
of the Code of Virginia that the Virginia Alcoholic  
Beverage Control Board intends to adopt and amend  
regulations concerning the possession, sale, distribution  
and consumption of alcoholic beverages. The proposed  
amendments will affect the following six categories:

Procedural Rules for the Conduct of Hearings Before  
the Commission and its Hearing Officers and the  
Adoption or Amendment of Regulations (VR 125-01-1);

Advertising (VR 125-01-2);

Tied-House (VR 125-01-3);

Requirements for Product Approval (VR 125-01-4);

Retail Operators (VR 125-01-5);

Manufacturers and Wholesalers Operators (VR  
125-01-6).

\* \* \* \* \*

Title of Regulation: VR 125-01-1. Procedural Rules for the  
Conduct of Hearings Before the Board and its Hearing  
Officers and the Adoption or Amendment of Regulations.

PART III.  
Wine and Beer Franchise Acts.



# Calendar of Events

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## § 3.5. Discovery, prehearing procedures.

**Summary:** The proposed amendment is to provide an adequate discovery process. The board may issue subpoenas for the production of documents, attendance of witnesses, requests for admissions, interrogatories, depositions and other forms of discovery.

**Basis:** This amendment is proposed under the authority contained in §§ 4-7(j), (k) and (l), 4-10, 4-11(a), Chapter 2.1 (4-118.3 et seq.), Chapter 2.2 (4-118.21 et seq.) of Title 4 and Chapter 1.1:1 (9-6.14:1 et seq.) of Title 9 of the Code of Virginia.

**Purpose:** To provide for discovery in Wine and Beer Franchise cases as provided in changes to §§ 4-118.11 and 4-118.31 of the Code of Virginia, at the 1987 General Assembly.

**Issue:** Does this regulation comply with the procedural change mandated by statutory amendment passed by the 1987 General Assembly?

**Substance:** Rules of the Procedure for discovery. The proposed amendment parallels the Virginia Supreme Court Rules of Discovery.

**Impact:** These provisions should have a minimal impact on the board in that most discovery proceedings will involve only the litigants and their counsel.

\* \* \* \* \*

## **Title of Regulation:** VR 125-01-2. Advertising.

§ 1. Advertising generally; cooperative advertising; federal laws; beverages and cider; exceptions; restrictions.

**Basis:** This amendment is proposed under the authority contained in §§ 4-7(l), 4-11(a), 4-69, 4-98.10(w), 4-98.14 and 4-103(b) and (c) of the Code of Virginia.

**Purpose:** To permit the alcoholic beverage industry to use athletes or athletic teams in their advertising.

**Issue:** Will the removal of this proscription encourage impressionable persons under the legal drinking age to purchase or consume alcoholic beverages?

**Substances:** Delete a portion of § 1.F.3 to permit using present and former athletes on athletic teams to advertise alcoholic beverages.

**Impact:** It will allow the alcoholic beverage industry to engage in additional advertising. It is presently unpredictable how this will affect youths, who will see some of their favorite athletes advertising these alcoholic beverages.

§ 2. Advertising; interior; retail licensees; show windows.

**Basis:** The amendments are proposed under the authority contained in §§ 4-7(l), 4-11(a); 4-60(i), 4-69, 4-69.2, 4-98.10(w) and 4-98.14 of the Code of Virginia.

**Purpose:** 1. To allow posters and other printed paper materials, which refer to alcoholic beverage brands or manufacturers, to be used as interior advertising by retailers as long as these materials are not obtained from manufacturers, wholesalers or bottlers of alcoholic beverages.

2. The second amendment would provide another means for the public to enter and participate in contests and sweepstakes.

**Issue:** 1. Should retailers be permitted to advertise brands of alcoholic beverages in the interior of their establishments, provided such advertising is paid for by the retailer and is limited to printed paper materials?

2. Should the board permit this additional point-of-sale material in retail outlets, which is currently permitted in the print media?

## § 6. Advertising; novelties and specialties.

**Basis:** The amendment is proposed under the authority contained in §§ 4-7(l), 4-11(a), 4-69, 4-98.10(w) and 4-98.14 of the Code of Virginia.

**Purpose:** To provide the general public with another means, other than the print media, to obtain novelty and specialty items from suppliers.

**Issue:** Should brand identified novelty and specialty items be made more readily available to the public?

**Substance:** Permit wholesalers to put order blanks on cut case cards at the point-of-sale for novelty and specialty items.

**Impact:** There may be a slight cost of enforcement making sure retailers consented to the placing of order blanks on cut case cards and that the order blanks were offered to all retail licensees equally. The implementation will cause an additional cost to those wholesalers who desire to attach such order blanks, but it will not affect the agency.

## § 9. Advertising; coupons.

**Basis:** The amendment is proposed under the authority contained in §§ 4-7(l), 4-11(a), 4-69, 4-98.10(w), 4-98.14 and 4-103(b) and (c) of the Code of Virginia.

**Purpose:** To define "normal retail price."

**Issue:** Will the definition and example of "normal retail price" provided by the board conflict with federal law?

**Substance:** To define "normal retail price."

**Impact:** This will have an insignificant impact on the agency. It will provide industry with guidance in determining whether coupons comply with the restrictions that refunds may not exceed 50% of the "normal retail price."

§ 10. Advertising; sponsorship of public events; restrictions and conditions.

**Basis:** The amendment is proposed under the authority contained in §§ 4-7(l), 4-11(a) and 4-69 of the Code of Virginia.

**Purpose:** 1. Deregulation of restriction governing the duration for which a public event could be sponsored.

2. The amendment will permit wineries and distilleries to sponsor those events presently sponsored by manufacturers of beer. In addition, the distilleries, wineries and breweries will be allowed to sponsor cultural events. However, they will not be permitted to sponsor college events.

**Issues:** 1. Should manufacturers and wholesalers of alcoholic beverages be permitted to sponsor public events without time restrictions?

2. Should all manufacturers of alcoholic beverages be allowed to sponsor the same types of public events?

**Substance:** Remove the limit on duration for which an event may be sponsored. Allow wineries and distilleries to sponsor all the events presently sponsored by breweries as well as cultural events.

**Impact:** Allowing the distilleries, wineries and breweries to engage in sponsoring these activities will require the board to approve and observe these additional events.

\* \* \* \* \*

**Title of Regulation:** VR 125-01-3. Tied-House.

§ 9. Inducement to retailers; tapping equipment; bottle or can openers; banquet licenses; cut case cards; clip-ons and table tents.

**Basis:** This amendment is proposed under the authority contained in §§ 4-7(l), 4-11(a), 4-69.2, 4-79(f) and (h) and 4-98.14 of the Code of Virginia.

**Purpose:** 1. To permit cut case cards to be three-dimensional.

2. The second amendment permits beer manufacturers and wholesalers to furnish retail licensees beer table tents and clip-ons, and is proposed to comply with changes in § 4-79 of the Code of Virginia, as amended at the 1987 session of the General Assembly.

**Issues:** 1. Should manufacturers, bottlers or wholesalers of beer or wine be permitted to furnish retailers with interior

advertising of a more substantial nature?

2. Should beer manufacturers and wholesalers, like their wine counterparts, be permitted to provide beer table tents and clip-ons for retailers.

**Substance:** 1. Amend subsection F to permit the use of three-dimensional cut case cards.

2. Amend subsection G to permit beer wholesalers, bottlers, and manufacturers to provide table tents and clip-ons for beer retailers.

**Impact:** This deregulation will have an insignificant impact on the agency.

\* \* \* \* \*

**Title of Regulation:** VR 125-01-4. Requirements for Product Approval.

§ 2. Wines; qualifying procedures; disqualifying factors; samples; exceptions.

**Basis:** The amendment is proposed under the authority contained in §§ 4-7(h) and (l), and 4-11(a) of the Code of Virginia.

**Purpose:** The board will approve wines containing fruit juice, artificial coloring and sangeria-type wines. To remove a restriction which is more stringent than federal law and, thus removing this undue burden placed on the manufacturer.

**Issues:** 1. Would the rescission of this subsection remove an undue burden placed on manufacturers, since the utilization of fruit juices and artificial coloring have already been approved by the appropriate federal agency?

2. Does the current trend require permitting these types of wines?

**Substance:** Delete subsection B.2, thus, permitting the use of fruit juices or artificial coloring in wines.

**Impact:** This deregulation will have a positive impact on the board for it will no longer need to enforce this restriction.

\* \* \* \* \*

**Title of Regulation:** VR 125-01-5. Retail Operations.

§ 1. Restrictions upon sale and consumption of alcoholic beverages and beverages.

**Basis:** The amendment is proposed under the authority contained in §§ 4-7(l), 4-11(a), 4-37(a)(l)(j), 4-62, 4-103(b) and 4-112 of the Code of Virginia.

**Purpose:** To conform with the statutory provisions,

## Calendar of Events

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effective July 1, 1987, raising the legal drinking age to 21 for all alcoholic beverages.

**Issues:** Will this alleviate the present confusion regarding the legal age for purchasing and consuming beer, since one will no longer need to be concerned about when the purchaser attained the age of 19 years?

**Substance:** Delete the exception to the prohibition against selling alcoholic beverages to persons under the age of 21 years. Therefore, making the 21 year age limit applicable to the purchase and consumption of all alcoholic beverages.

**Impact:** The board will no longer need to be concerned about when the purchaser attained the age of 19 years. This should make identification examinations a little easier for agents and retailers.

### § 2. Determination of legal age of purchaser.

**Basis:** The amendment is proposed under the authority contained in §§ 4-7(l), 4-11(a), 4-62, 4-98.14 and 4-103(b) of the Code of Virginia.

**Purpose:** To clarify types of identification issued by the Virginia Department of Motor Vehicles accepted as proof of legal age to purchase alcoholic beverages.

**Issues:** Will this clarify for licensees of the board what constitutes bona fide evidence of legal drinking age?

**Substance:** Amend regulation by deleting any independent reference to "Virginia's operator's license" and substituting "Department of Motor Vehicles" for the "Virginia Division of Motor Vehicles."

**Impact:** Will aid the board in determining what constitutes adequate proof of age, especially with respect to individuals who do not have an operator's license, but are of the legal age to purchase alcoholic beverages.

### § 10. Definitions and qualifications for retail off-premises wine and beer licenses and off-premises beer licenses; exceptions; further conditions; temporary licenses.

**Basis:** The amendment is proposed under the authority contained in §§ 4-7(l), 4-11(a), 4-25(jl) and 4-31(a) of the Code of Virginia.

**Purpose:** To reduce the monetary qualifications for monthly sales and inventory from \$2,000 to \$750.

**Issue:** Should the board lower the qualifications for a specialty shop classification with respect to the inventory and sales of the required cheese and gourmet foods?

**Substance:** Amend subsection A.5 by reducing monthly sales and inventory from \$2,000 to \$750.

**Impact:** This will have an insignificant impact on the

board. However, it will greatly assist specialty shops to meet their food sales requirement in order to maintain their ABC licenses.

§ 11. Definitions and qualifications for retail on-premises and on-and-off premises licenses generally; mixed beverage licensee requirements; exceptions; temporary licenses.

**Basis:** This amendment is proposed under the authority contained in §§ 4-2(8), 4-7(l), 4-11(a), 4-25, 4-98.2 and 4-98.14 of the Code of Virginia.

**Purpose:** This amendment would clarify the definition of designated room to incorporate the current interpretation of "room."

**Issue:** Should the board expand the privileges of the license in rooms or other areas?

**Substance:** Defining designated room as a room "or area" to be approved by the board would expand the locations in which a licensee could exercise the privileges of his license.

**Impact:** Retail licensees would be able to exercise the privileges of their licenses in additional areas subject to the board's approval.

### § 18. Volunteer fire departments or volunteer rescue squads - banquet facility licenses.

**Basis:** This regulation is proposed under the authority contained in §§ 4-7(l), 4-11(a), 4-25(pl) and 4-103(b) of the Code of Virginia.

**Purpose:** This regulation clarifies and sets forth conditions by the board for the locations to be used for functions under the fire department or rescue squad's control while the privileges of the license are being exercised as provided by a change in § 4-25(pl) of the Code of Virginia.

**Issue:** This regulation complies with statutory changes and provides guidance and clarification.

**Substance:** The board may grant banquet facility licenses to volunteer fire departments and volunteer rescue squads on premises, other than their stations, which are under the control of the volunteer fire departments or volunteer rescue squads.

**Impact:** The impact on the agency at this time is unknown.

\* \* \* \* \*

**Title of Regulation:** VR 125-01-6. Manufacturers and Wholesalers Operators.

§ 2. Wines; purchase orders generally; wholesale wine distributors.

**Basis:** The amendment is proposed under the authority contained in §§ 4-7(a), (b) and (l), 4-11(a), 4-22.1 and 4-84(b) of the Code of Virginia.

**Purpose:** The amendment to subsection B.6 will relieve wholesale wine distributors of the economic burden of taking actual physical inventories on a monthly basis.

**Issue:** Would allowing wholesale wine distributors to eliminate monthly physical inventories be detrimental to collecting state wine tax?

**Substance:** This amendment which is supported by the Virginia Wine Wholesalers Association would relieve wholesale wine distributors from having to perform monthly physical inventories which are economically burdensome. Instead they would only have to perform quarterly physical inventories.

**Impact:** There would be an insignificant impact on the agency. The wine wholesalers will save time and money by only having to perform four, rather than 12, physical inventories each year.

Statutory Authority: § 4-11 of the Code of Virginia.

Written comments may be submitted no later than 10 a.m. on November 19, 1987.

**Contact:** Robert N. Swinson, Secretary, P. O. Box 27491, 2901 Hermitage Rd., Richmond, Va. 23261, telephone (804) 257-0616

## COMMITTEE ON THE REGULATION OF ALLIED HEALTH PROFESSIONS

† **September 9, 1987 - 10 a.m.** – Open Meeting  
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Board Room 1, Richmond, Virginia. ☐

The committee will meet to hear invited reports on academic and regulatory issues concerning allied health occupations and professions, and to consider the content of its final reports to the Council on Health Regulatory Boards.

**Contact:** Richard D. Morrison, Executive Director, Council on Health Regulatory Boards, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9904

## STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

† **September 10, 1987 - 9 a.m.** – Open Meeting  
Department of Commerce, 3600 West Broad Street, 5th Floor, Richmond, Virginia. ☐

A meeting to (i) approve minutes of the May 8, 1987 meeting; (ii) discuss investigative cases; (iii) review applications; and (iv) discuss correspondence.

† **September 11, 1987 - 9 a.m.** – Open Meeting  
Department of Commerce, 3600 West Broad Street, 5th Floor, Richmond, Virginia. ☐

A meeting to (i) approve minutes of May 29, 1987 meeting; (ii) review disciplinary cases; and (iii) review correspondence.

**Contact:** Joan L. White, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8555

\* \* \* \* \*

† **November 6, 1987 - 10 a.m.** – Public Hearing  
Travelers Building, 3600 West Broad Street, Room 395, Richmond, Virginia. ☐

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects intends to adopt, amend and repeal regulations entitled: **VR 130-01-2. Rules and Regulations of the State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects.** The purpose of the regulations is to regulate the practice of architects, professional engineering, land surveying and certified landscape architecture and the professional corporations and business entities offering these professions.

## STATEMENT

### Statement of basis, purpose, impact and summary:

Pursuant to Virginia Code §§ 54-1.28 and 54-740 and in accordance with § 9-6.14:1 et seq. of the Code of Virginia, the Virginia State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects proposes to amend, add to, delete and reorganize its existing regulations governing the licensure and certifications of the above noted professions as well as the registration of professional corporations and business entities offering such professional services.

The regulations require those individuals and businesses offering the professional services of architecture, professional engineering, land surveying and certified landscape architecture to have the benefit of such licensed or certified status prior to rendering services. The regulations provide for licensure and certification through a combined education, experience and examination process for those licensed and certified.

The regulations apply directly to approximately 30,000 licensees and certificate holders and indirectly to the clients utilizing these professional services.

# Calendar of Events

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A summary of the major proposed changes and their estimated impact is as follows:

1. Deletion of § 1.3A which established a staggered renewal system as the relevant period of time has passed.
2. Proposed §§ 1.3A, D and G, 2.1B, 3.2A, 4.1A, 5.1A, 6.1D and 6.2B delete specific fee amounts for applications, examination and renewal from regulation. Due to changes in the costs, number of applicants, etc. fees must frequently be revised in order to assure continuing compliance with the Callahan Act. In removing fees from the regulations the board will be able to comply with the Act without engaging in the lengthy and complex process of regulatory revision. Fee tables will be enclosed with the applications so no other impact should affect the applicant or licensee.
3. Proposed §§ 1.8A and B are new provisions which require the professional not to misrepresent himself or another. This provision specifically addresses the deliberate disclosure of inaccurate information by applicants or referencers.
4. Proposed § 1.11C is a new provision which requires a professional not to inaccurately misrepresent his qualifications or the actual scope of work performed. This regulation was developed in response to recent disciplinary cases in which licensees have misrepresented their expertise in certain areas and claimed credit for the work of others.
5. Proposed § 1.12 is a revision which attempts to clarify the duty of a licensee in approving and sealing work of an unlicensed person. Specifically, the licensee must analyze the design and exercise his professional judgment and expertise in the solution of these issues.  
  
Additionally, the last phrase "either while employed by the licensee or while employed by the same firm as the licensee" was deleted in recognition of unique situations such as free labor within families. The deletion of this language should prevent unnecessary restriction of activities in the profession.
6. Proposed § 2.6K is a revision which deletes the architectural examination appeal to a Master Juror's Committee as the national administration board no longer provides for grade appeals. Crediting of the grade by the board would qualify the licensee to practice in Virginia only.
7. Proposed § 3.6B is a new provision which would allow a graduate of a four-year nonapproved engineering or related science curriculum to take the Engineer-In-Training examination after two years of experience rather than the six years previously required. This proposal will decrease the amount of time between the examination and the applicant's

college course work during which most of the tested information is learned. An increase of 400 examiners per year is expected.

In addition to these substantive changes, many of the proposed amendments contain minor language revisions to improve clarity without altering the current substantive requirements.

Statutory Authority: § 54-25 of the Code of Virginia.

Written comments may be submitted until November 6, 1987.

**Contact:** Joan L. White, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8555 (toll-free 1-800-552-3016)

## VIRGINIA CAVE BOARD

**September 26, 1987 - 1 p.m. – Open Meeting**  
Virginia Western Community College, Fishburn Hall,  
President's Board Room, Roanoke, Virginia. ☐

A regular meeting of the board.

**Contact:** Dr. Lynn M. Ferguson, Department of Natural Sciences, Longwood College, Farmville, Va. 23901, telephone (804) 392-9353/3560

## GOVERNOR'S ADVISORY BOARD ON CHILD ABUSE AND NEGLECT

**September 4, 1987 - 10 a.m. – Open Meeting**  
Department of Corrections, Division of Adult Institutions,  
302 Turner Road, Continental Room, Richmond, Virginia. ☐

A regular quarterly meeting.

**Contact:** D. Ray Sirry, Division Director, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9081

## INTERDEPARTMENTAL LICENSURE AND CERTIFICATION OF CHILDREN'S RESIDENTIAL FACILITIES

### Coordinating Committee

† **September 11, 1987 - 8 a.m. – Open Meeting**  
Department of Corrections, 4615 West Broad Street, Room 105, Richmond, Virginia. ☐

A meeting to consider (i) automated systems project report; (ii) monitoring of facilities accredited by

nationally recognized standards setting agencies; and (iii) review of annual administrative plan.

**Contact:** John J. Allen, Jr., Coordinator, Office of the Coordinator, Interdepartmental Licensure and Certification, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9025

## BOARD OF COMMERCE

**September 11, 1987 - 10:30 a.m. – Open Meeting**  
Department of Commerce, 3600 West Broad Street, 5th Floor, Richmond, Virginia. ☒

A subcommittee of the board will meet to discuss the study of the establishment of a private investigator's board as requested by Senate Joint Resolution No. 144.

**Contact:** Iva Frizzell, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8515/8563

## VIRGINIA COMMONWEALTH UNIVERSITY

### Health Policy Colloquium

**September 18, 1987 - 8 a.m. – Open Meeting**  
Richmond Marriott, Richmond, Virginia. ☒

The colloquium will provide participants an opportunity to explore and discuss the effects of the restructuring of the health care marketplace on the production, roles, supply and distribution of health professionals. The first presentation, "The Changing Healthcare Marketplace," will be delivered by Professor John T. Dunlop, Lamont University Professor Emeritus, Harvard University, followed by "Reaction and Responsibility in the Evolving Healthcare Environment" from an academic and practitioner perspective. Other presentations will address: Who sets the objectives for healthcare? How is the concept of the professional autonomy changing? How will quality be defined and by whom? Gary Filerman, President, Association of University Programs in Health Administration; Marion Ein Lewin, Director, Center for Policy Research, American Enterprise Institute; and Ruth Hanft, Former Deputy Assistant Secretary for Health in the Carter and Reagan Administration/Washington consultant. Opportunity for interdisciplinary, round table discussions will be provided at lunch. The program will be of special interest to faculty in health related areas, health professionals, policymakers and the business community.

**Contact:** Judith B. Collins, Director, Health Policy Office,

MCV Station, Box 549, Richmond, Va., telephone (804) 786-9770/4324

## STATE BOARD OF CORRECTIONS

**September 16, 1987 - 10 a.m. – Open Meeting**  
† **October 14, 1987 - 10 a.m. – Open Meeting**  
Department of Corrections, 4615 West Broad Street, Richmond, Virginia. ☒

A regular monthly meeting to consider such matters as may be presented.

**Contact:** Vivian Toler, Secretary to the Board, 4615 W. Broad St., P.O. Box 26963, Richmond, Va. 23261, telephone (804) 257-6274

## CRIMINAL JUSTICE SERVICES BOARD

**October 7, 1987 - 9 a.m. – Public Hearing**  
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Criminal Justice Services Board intends to adopt regulations entitled: **VR 240-01-2. Rules Relating to Compulsory In-Service Training Standards for Law-Enforcement Officers, Jailors or Custodial Officers, and Officers of the Department of Corrections, Division of Adult Institutions.** The proposed regulations mandate in-service training standards for law-enforcement officers, jailors or custodial officers and officers of the Department of Corrections, and set forth procedures for approved training facilities to follow when conducting such training.

Statutory Authority: § 9-170 of the Code of Virginia.

Written comments may be submitted until September 21, 1987, to L. T. Eckenrode, Department of Criminal Justice Services, 805 East Broad Street, Richmond, Va. 23219.

**Contact:** Jay Malcan, Executive Assistant, Department of Criminal Justice Services, 805 E. Broad St., Richmond, Va. 23219, telephone (804) 786-4000

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**October 7, 1987 - 9 a.m. – Public Hearing**  
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Criminal Justice Services Board intends to adopt new regulations entitled: **VR 240-01-14. Rules Relating to Compulsory**

# Calendar of Events

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**Minimum Training Standards for Corrections Officers of the Department of Corrections, Division of Adult Institutions.** Regulations for entry-level training standards for correctional officers of the Department of Corrections, Division of Adult Institutions.

Statutory Authority: § 9-170 of the Code of Virginia.

Written comments may be submitted until September 21, 1987, to L. T. Eckenrode, Department of Criminal Justice Services, 805 East Broad Street, Richmond, Va. 23219.

**Contact:** Jay Malcan, Executive Assistant, Department of Criminal Justice Services, 805 E. Broad St., Richmond, Va. 23219, telephone (804) 786-4000

## Committee on Criminal Justice Information Systems

† **September 10, 1987 - 10 a.m.** – Open Meeting  
Ninth Street Office Building, Ninth and Grace Streets, Governor's Cabinet Conference Room, 6th Floor, Richmond, Virginia. ☒

A meeting to discuss projects and business of the committee.

**Contact:** Jay Malcan, Executive Assistant, Department of Criminal Justice Services, 805 E. Broad St., Richmond, Va. 23219, telephone (804) 786-4000

## VIRGINIA BOARD OF DENTISTRY

**September 16, 1987 - 1 p.m.** – Open Meeting  
**September 17, 1987 - 9 a.m.** – Open Meeting  
**September 18, 1987 - 1 p.m.** – Open Meeting  
**September 19, 1987 - 9 a.m.** – Open Meeting  
Marriott Crystal Gateway Hotel, Arlington, Virginia

The Virginia Board of Dentistry will meet to consider board disciplinary actions, finance and other regular business.

**Contact:** N. Taylor Feldman, Executive Director, Virginia Board of Dentistry, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9906

## STATE BOARD OF EDUCATION

**September 17, 1987 - 9 a.m.** – Open Meeting  
**September 18, 1987 - 9 a.m.** – Open Meeting  
James Monroe Building, 101 North 14th Street, Conference Rooms D and E, Richmond, Virginia. ☒

† **October 21, 1987 - 9 a.m.** – Open Meeting  
† **October 22, 1987 - 9 a.m.** – Open Meeting

General Assembly Building, Capitol Square, House Room D, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested) ☎

A regularly scheduled meeting to conduct business according to items listed on the agenda. The agenda is available upon request. The public is reminded that the Board of Vocational Education may convene, if required.

**Contact:** Margaret N. Roberts, James Monroe Bldg., 101 N. 14th St., 25th Fl., Richmond, Va., telephone (804) 225-2540

## GOVERNOR'S COMMISSION ON EFFICIENCY IN GOVERNMENT

† **September 14, 1987 - 10 a.m.** – Open Meeting  
† **October 21, 1987 - 10 a.m.** – Open Meeting  
General Assembly Building, Capitol Square, House Room D, Richmond, Virginia. ☒

A regular monthly meeting to discuss and consider final reports of the commission's work. The agenda will be available prior to meeting.

**Contact:** Leonard L. Hopkins, Governor's Office, State Capitol, Richmond, Va. 23219, telephone (804) 786-2211

## VIRGINIA FARMERS' MARKET BOARD

† **September 1, 1987 - 10 a.m.** – Open Meeting  
State Capitol, House Room 4, Richmond, Virginia. ☒

A meeting to review recommendations made by the Fantus Company on the most feasible locations for farmers' market facilities. The board will also review architectural and engineering services illustrating conceptual drawings and cost requirements of the various market facilities.

**Contact:** R. Duke Burrus, P. O. Box 1163, Richmond, Va. 23209, telephone (804) 786-3549

## VIRGINIA MUSEUM OF FINE ARTS

### Entertainment Committee of the Board of Trustees

† **September 14, 1987 - 3 p.m.** – Open Meeting  
Virginia Museum of Fine Arts, Boulevard and Grove Avenue, Lounge of the Members' Suite, Richmond, Virginia. ☒

A review of entertainment needs for special museum guests for the 1987-88 season; hostess assignments will

be made.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, Boulevard and Grove Ave., Richmond, Va. 23221, telephone (804) 327-0553

DEPARTMENT OF FORESTRY

Reforestation of Timberlands Board

September 3, 1987 - 10 a.m. - Open Meeting  
Garland Gray Forestry Center, Route 2, Box 111, Courtland, Virginia. (Route 607, 3 miles south of Littleton) ☐

A semiannual meeting of the board to review accomplishments and budget.

Contact: James D. Starr, Department of Forestry, P. O. Box 3758, Charlottesville, Va. 23903-0758, telephone (804) 977-6555

VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS

† September 14, 1987 - 9:30 a.m. - Open Meeting  
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Conference Room 2, Richmond, Virginia. ☐

Informal fact-finding conferences.

Contact: Mark L. Forberg, Executive Secretary, Virginia Board of Funeral Directors and Embalmers, 1601 Rolling Hills Dr., Richmond, Va. 23229-5005, telephone (804) 662-9907

DEPARTMENT OF GENERAL SERVICES

Art and Architectural Review Board

September 11, 1987 - 10 a.m. - Open Meeting  
Virginia Museum of Fine Arts, Boulevard and Grove Avenue, Main Conference Room, Richmond, Virginia. ☐

The board will advise the Director of the Department of General Services and the Governor on architecture of state facilities to be constructed and works of art to be accepted or acquired by the Commonwealth.

Contact: M. Stanley Krause, AIA, AICP, Rancorn, Wildman & Krause, Architects and City Planning Consultants, P. O. Box 1817, Newport News, Va. 23601, telephone (804) 867-8030

State Insurance Advisory Board

September 11, 1987 - 9:30 a.m. - Open Meeting  
Department of General Services, Ninth Street Office Building, Conference Room of the Director, Room 209, Richmond, Virginia. ☐

A quarterly meeting of the board.

Contact: Charles F. Scott, Department of General Services, Division of Risk Management, 805 E. Broad St., Richmond, Va. 23219, telephone (804) 225-4619

VIRGINIA BOARD OF GEOLOGY

† September 17, 1987 - 9 a.m. - Open Meeting  
Department of Commerce, 3600 West Broad Street, 5th Floor, Richmond, Virginia. ☐

A meeting to approve minutes of May 5, 1987 meeting and review applications.

Contact: Joan L. White, Assistant Director, Department of Commerce, 3600 West Broad Street, Richmond, Va. 23230, telephone (804) 257-8555

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† November 13, 1987 - 10 a.m. - Public Hearing  
Travelers Building, 3600 West Broad Street, Room 395, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Board of Geology intends to adopt, amend, and repeal regulations entitled: VR 335-01-2. Rules and Regulations of the Virginia Board of Geology. The purpose is to regulate the certification of professional geologists and their practice.

STATEMENT

Statement of basis, purpose, impact and summary:

Pursuant to Virginia Code §§ 54-1.28 and 54-740, and in accordance with § 9-6.14:1 et seq. of the Code of Virginia, the Virginia Board of Geology proposes to amend, add to, delete and reorganize its existing regulations governing the certification of geologists.

The regulations permit certification of professional geologists based on a combined education, experience and examination process.

The regulations apply directly to approximately 650 actively certified professional geologists and indirectly to the clients of certified professional geologists.

The proposed revisions reflect only clarifications of



# Calendar of Events

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language and adaptation to the formatting and style as dictated by the Virginia Register. The proposed regulations are arranged in the same manner as those effective on October 26, 1984 with some changes in numbering and the addition of a procedural requirements section dealing with board procedures and policies. These changes do not alter the current substantive requirements.

The only substantive change is contained in § 1.3 Fees. Due to changes in costs, number of applicants, etc. fees must frequently be revised in order to assure continuing compliance with the Callahan Act. In removing fees from the regulations the board will be able to comply with the Act without engaging in the lengthy and complex process of regulatory revision. Fee tables will be enclosed in application packages for the applicants' use.

Statutory Authority: § 54-963 of the Code of Virginia.

Written comments may be submitted until November 3, 1987.

Contact: Joan L. White, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8555 (toll-free 1-800-552-3016)

## GEORGE MASON UNIVERSITY

### Board of Visitors

† September 15, 1987 - 3 p.m. - Open Meeting  
George Mason University, Student Union II, Rivanna Lane, Fairfax, Virginia. ☒

A regularly scheduled meeting of the Board of Visitors to review recommendations of faculty appointments, to receive reports of the standing committees, and to act on those recommendations presented by the administrators of George Mason University.

Standing committees will meet prior to the board meeting beginning at 9 a.m. on September 15.

An agenda will be available four days prior to the board meeting for those individuals or organizations who request it.

Contact: Ann Wingblade, Office of the President, George Mason University, 4400 University Dr., Fairfax, Va. 22030, telephone (703) 323-2041

### VIRGINIA HAZARDOUS MATERIALS EMERGENCY RESPONSE ADVISORY COUNCIL

† September 10, 1987 - 10 a.m. - Open Meeting  
State Capitol, Capitol Square, House Room 4, Richmond,

Virginia. ☒

This will be the first meeting of the Advisory Council. Opening remarks will be offered by the Honorable Vivian E. Watts, Secretary of Transportation and Public Safety, followed by an orientation to the Virginia Hazardous Materials Emergency Response Program. Other business will consist of a program update and a report on the activities of the Virginia Emergency Response Council relating to Title III of SARA.

Contact: Addison E. Slayton, State Coordinator, Department of Emergency Services, 310 Turner Road, Richmond, Va. 23225, telephone (804) 323-2897

### STATE BOARD OF HEALTH

† October 1, 1987 - 10 a.m. - Open Meeting  
† October 2, 1987 - 9 a.m. - Open Meeting  
James Madison Building, 109 Governor Street, Main Floor Conference Room, Richmond, Virginia. ☒

On October 1, the board will meet in a working session to discuss department operations.

On October 2, the board will conduct its regular business meeting.

Contact: Sally Camp, 109 Governor St., Suite 400, Richmond, Va. 23219, telephone (804) 786-3561

### VIRGINIA HEALTH SERVICES COST REVIEW COUNCIL

September 23, 1987 - 9:30 a.m. - Open Meeting  
† October 28, 1987 - 9:30 a.m. - Open Meeting  
Johnston-Willis Hospital, 1401 Johnston-Willis Drive, Richmond, Virginia. ☒

A monthly business meeting of the council for the purpose of addressing financial, policy or technical matters which may have arisen since the last meeting.

Contact: Ann Y. McGee, Director, 805 E. Broad St., 9th Fl., Richmond, Va. 23219, telephone (804) 786-6371

### STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

† September 1, 1987 - 2 p.m. - Open Meeting  
† September 2, 1987 - 9 a.m. - Open Meeting  
George Mason University, Fairfax, Virginia

A monthly council meeting. The agenda is available on request.

Contact: Grace I. Lessner, 101 N. 14th St., 9th Fl.,  
Richmond, Va. 23219, telephone (804) 225-2638

## VIRGINIA HOUSING DEVELOPMENT AUTHORITY

† September 11, 1987 - Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Housing Development Authority intends to amend regulations entitled: **Procedures, Instructions and Guidelines for Mortgage Credit Certificate Program**. The proposed amendment will authorize the Virginia Housing Development Authority to issue mortgage credit certificates to qualified purchasers of site-built housing.

### STATEMENT

**Purpose:** To authorize the Virginia Housing Development Authority to issue mortgage credit certificates to qualified purchasers of site-built housing units which will entitle such purchasers to a credit against their federal income taxes.

**Basis:** Section 1.3 of the Rules and Regulations of the authority to be adopted pursuant to § 36-55.30:3 of the Code of Virginia and § 25 of the Internal Revenue Code as amended by § 612 of the Tax Reform Act of 1984.

**Subject, Substance and Issues:** Pursuant to the temporary regulations for mortgage credit certificates issued by the Internal Revenue Service on May 8, 1985 (26 C.F.R. Parts 1, 6 and 602), VHDA elected not to issue \$9,731,504 in mortgage revenue bond issuing authority for the calendar year 1985 and to use those funds for a mortgage credit certificate program. The current procedures, instructions and guidelines implement VHDA's Mortgage Credit Certificate Program. Under such procedures, instructions and guidelines, mortgage credit certificates may be issued only to purchasers of new mobile/manufactured housing. The proposed amendment would modify such program to permit issuance of mortgage credit certificates for site-built housing units also.

**Impact:** The amendment is not expected to adversely affect the number of persons and families who may utilize the program because the dollar amount of available mortgage credit certificates is anticipated to be sufficient to meet the demand for such credits from purchases of new mobile/manufactured housing and site-built housing. However, the authority expects that the proposed amendments will enable the authority to provide a greater opportunity to utilize all mortgage credit certificates by expanding the definition of eligible housing unit. The mortgage credit certificates result in an effective reduction of as much as 40% of the purchaser's monthly mortgage payments. This results in many persons and families being able to purchase a new mobile/manufactured or site-built

home that otherwise would not have sufficient income to qualify for a loan. The authority does not expect that any significant costs will be incurred for the implementation of and compliance with the proposed regulations.

Statutory Authority: § 36-55.30:3 of the Code of Virginia.

Written comments may be submitted until September 11, 1987.

Contact: J. Judson McKellar, Jr., General Counsel, Virginia Housing Development Authority, 13 S. 13th St., Richmond, Va. 23219, telephone (804) 782-1986

† September 15, 1987 - 9 a.m. - Open Meeting  
13 South 13th Street, Richmond, Virginia. ☐

A regular monthly meeting to (i) review and, if appropriate, approve the minutes from the prior monthly meeting; (ii) consider for approval and ratification mortgage loan commitments under its various programs; (iii) review the authority's operations for the prior month; (iv) consider and, if appropriate, approve the amendments to Procedures, Instructions and Guidelines for the Mortgage Credit Certificate Program; and (v) consider such other matters and take such other actions as they may deem appropriate. The planned agenda of the meeting will be available at the offices of the authority one week prior to the date of the meeting.

Contact: Judson McKellar, Jr., General Counsel, 13 S. 13th St., Richmond, Va. 23219, telephone (804) 782-1986

## DEPARTMENT OF LABOR AND INDUSTRY

† October 6, 1987 - 7 p.m. - Open Meeting  
Virginia Department of Transportation, 870 Bonham Road, Auditorium, Bristol, Virginia

† October 7, 1987 - 1 p.m. - Open Meeting  
Roanoke County Administration Building, 3738 Brambleton Avenue, S.W., Community Room, Roanoke, Virginia

† October 8, 1987 - 10 a.m. - Open Meeting  
Virginia Department of Transportation, Commerce Road, Auditorium, Staunton, Virginia

† October 9, 1987 - 1 p.m. - Open Meeting  
Fairfax City Council Chambers, 10455 Armstrong Street, Room 305, Fairfax, Virginia

† October 13, 1987 - 7 p.m. - Open Meeting  
Department of Motor Vehicles, Military Circle Branch Office, 5745 Poplar Hall Drive, Norfolk, Virginia

† October 14, 1987 - 7 p.m. - Open Meeting  
Lynchburg Public Library, 2315 Memorial Avenue, Community Meeting Room, Lynchburg, Virginia

# Calendar of Events

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† **October 15, 1987 - 7 p.m.** – Open Meeting  
General Assembly Building, Capitol Square, House Room C,  
Richmond, Virginia. ☒

In accordance with § 9-6.14:25 of the Code of Virginia and Executive Order 26 (86), the Department of Labor and Industry is currently undergoing an extensive regulatory review and is reviewing all of its existing regulations. The purpose of this review is to reduce the burden imposed by regulations, improve their clarity, and evaluate their effectiveness in meeting their stated purpose. Comments are encouraged to help identify regulations that are unclear, duplicative, or in conflict with regulations of other state agencies or the federal government. As a part of this review process, public meetings will be held throughout the Commonwealth for the purpose of soliciting comments and suggestions related to the below listed regulations:

1. Boiler and Pressure Vessel Rules and Regulations;
2. Rules and Regulations Governing Manufacture, Storage, Handling, Use and Sale of Explosives;
3. Regulations Governing the Administration of Apprenticeship Programs in the Commonwealth of Virginia (except numeric ratio and evaluation procedure);
4. Virginia Rules and Regulations Declaring Hazardous Occupations as Promulgated by the Commissioner, Virginia Department of Labor and Industry;
5. Rules and Regulations for Public Safety for Passenger Tramways and Related Devices (Ski Resorts).

**Contact:** Janice M. Hathcock, Information Officer, Department of Labor and Industry, P. O. Box 12064, Richmond, Va. 23241, telephone (804) 786-9873

## LAND EVALUATION ADVISORY COUNCIL

**September 4, 1987 - 10 a.m.** – Open Meeting  
Department of Taxation, 2220 West Broad Street,  
Richmond, Virginia. ☒

A meeting to set suggested ranges of values for agricultural, horticultural, forest and open-space land use under the use-value assessment program.

**Contact:** Otho C. W. Fraher, Director, Property Tax Division, Department of Taxation, P. O. Box 6-L, Richmond, Va. 23282, telephone (804) 257-8020

## STATE BOARD FOR THE CERTIFICATION OF LIBRARIANS

**September 25, 1987 - 1 p.m.** – Open Meeting  
Department of Commerce, 3600 West Broad Street,  
Conference Room 1, Richmond, Virginia. ☒

An open board meeting to conduct (i) discussion and adoption of the proposed regulations; (ii) signing of certificates; and (iii) election of officers.

**Contact:** Geralde W. Morgan, Assistant Director, Department of Commerce, 3600 W. Broad St., 5th Fl., Richmond, Va. 23230-4917, telephone (804) 257-8508

\* \* \* \* \*

**September 25, 1987 - 10:30 a.m.** – Public Hearing  
Department of Commerce, 3600 West Broad Street,  
Conference Room 395, Richmond, Virginia. ☒

Notice is given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board for the Certification of Librarians intends to adopt new regulations and repeal existing regulations entitled: **VR 435-01-1. Regulations for the Certification and Licensure of Librarians.** The regulations will ensure that practitioners using the title "Librarian" have met the educational and experience requirements.

Statutory Authority: § 54-268.1 of the Code of Virginia.

Written comments may be submitted until September 20, 1987.

**Contact:** Geralde W. Morgan, Assistant Director, Department of Commerce, 3600 W. Broad St., 5th Fl., Richmond, Va. 23230-4917, telephone (804) 257-8508

## LIBRARY BOARD

**September 9, 1987 - 11 a.m.** – Open Meeting  
Virginia State Library and Archives, 11th Street at Capitol Square, Supreme Courtroom, 3rd Floor, Richmond, Virginia. ☒

A regular meeting to discuss administrative matters.

**Contact:** Jean K. Reynolds, Virginia State Library and Archives, 11th St. at Capitol Sq., Richmond, Va. 23219, telephone (804) 786-2332

## LONG-TERM CARE COUNCIL

† **October 29, 1987 - 9:30 a.m.** – Open Meeting  
Ninth Street Office Building, Cabinet Conference Room, 6th Floor, Room 622, Richmond, Virginia. ☒

The council will discuss issues related to the development and coordination of long-term care

services in Virginia.

Contact: Catherine P. Saunders, Department for the Aging, 101 N. 14th St., 18th Fl., Richmond, Va. 23219, telephone (804) 225-2271

## VIRGINIA MARINE PRODUCTS BOARD

† September 9, 1987 - 5 p.m. - Open Meeting  
The Ramada Inn, 950 J. Clyde Morris Boulevard, Newport News, Virginia

The board will meet to receive reports from the executive director of the Virginia Marine Products Board on finance, marketing, past and future program planning, publicity/public relations, old/new business.

Contact: Shirley Estes Berg, 97 Main St., Room 103, Newport News, Va. 23601, telephone (804) 599-7261

## MARINE RESOURCES COMMISSION

September 1, 1987 - 9:30 a.m. - Open Meeting  
† October 6, 1987 - 9:30 a.m. - Open Meeting  
Newport News City Council Chambers, 2400 Washington Avenue, Newport News, Virginia. ☐

The Virginia Marine Resources Commission meets on the first Tuesday of each month, at 9:30 a.m., in Newport News City Council Chambers, located at 2400 Washington Avenue, Newport News, Virginia. It hears and decides cases on fishing licensing; oyster ground leasing; environmental permits in wetlands, bottomlands, coastal sand dunes and beaches. It hears and decides appeals made on local wetlands board decisions.

Fishery management and conservation measures are discussed by the commission. The commission is empowered to exercise general regulatory power within 15 days, and is empowered to take specialized marine life harvesting and conservation measures within five days.

Contact: Patricia A. Leonard, Acting Secretary to the Commission, 2401 W. Avenue, P. O. Box 756, Newport News, Va. 23607-0756, telephone (804) 247-2206

## BOARD OF MEDICAL ASSISTANCE SERVICES

August 31, 1987 - 2 p.m. - Open Meeting  
September 1, 1987 - 9 a.m. - Open Meeting  
600 East Broad Street, 13th Floor, Richmond, Virginia. ☐

An open meeting to discuss (i) State Plan amendments

(a) Return on Equity (final); Contiguous Property (final); (b) Nursing Home/Hospital Regulation; (c) Physician Certification (technical); ICF/MR (technical); and (ii) other business pertinent to the board.

Contact: Jacqueline M. Fritz, Department of Medical Assistance Services, 600 E. Broad St., Richmond, Va. 23219, telephone (804) 786-7933

## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (BOARD OF)

September 4, 1987 - Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to adopt regulations entitled: **Standards for Coverage of Organ Transplant Services: State Plan for Medical Assistance.** These regulations establish the criteria by which requests for organ transplants will be evaluated for prior authorization. A copy of the regulation is available from Victoria Simmons at 786-7933.

Statutory Authority: § 32.1-325 of the Code of Virginia.

Written comments may be submitted until September 4, 1987.

Contact: Stephen B. Riggs, D.D.S., Director, Division of Health Services Review, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, Va. 23219, telephone (804) 786-3820

## COMMISSION ON MEDICAL CARE FACILITIES CERTIFICATE OF PUBLIC NEED

September 14, 1987 - 10 a.m. - Open Meeting  
October 5, 1987 - 10 a.m. - Open Meeting  
November 9, 1987 - 10 a.m. - Open Meeting  
James Monroe Building, 101 North 14th Street, Conference Room D & E, Richmond, Virginia. ☐

By Executive Order 31 (86) Governor Baliles created an advisory commission with two responsibilities: (i) to examine the effectiveness of the Certificate of Public Need program in controlling medical care costs while making good quality, accessible health care available to all Virginians; and (ii) if this examination demonstrates that the Commonwealth's existing health planning process no longer effectively meets these objectives, the commission shall assess alternatives and recommend revisions to the existing Certificate of Public Need process.

Contact: E. George Stone, State Health Department, James

# Calendar of Events

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Madison Bldg., 109 Governor St., Room 1010, Richmond, Va. 23219, telephone (804) 786-6970

## VIRGINIA STATE BOARD OF MEDICINE

### Credentials Committee

**September 25, 1987 - 8 a.m.** – Open Meeting  
**September 26, 1987 - 8 a.m.** – Open Meeting  
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Surry Building, Board Room 2, 2nd Floor, Richmond, Virginia. ☒

The committee will meet to (i) conduct general business; (ii) interview and review medical credentials of applicants applying for licensure in Virginia in open and executive session; (iii) discuss any other items which may come before this committee.

### Informal Conference Committee

**September 1, 1987 - 10 a.m.** – Open Meeting  
Hyatt Richmond Hotel, 6624 West Broad Street and Interstate 64, Richmond, Virginia. ☒

A meeting to inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine in Virginia. The committee will meet in open and closed sessions pursuant to § 2.1-344 of the Code of Virginia.

**Contact:** Eugenia K. Dorson, Board Administrator, 1601 Rolling Hills Dr., Surry Bldg., 2nd Fl., Richmond, Va. 23229-5005, telephone (804) 662-9925

## VIRGINIA STATE BOARDS OF MEDICINE AND NURSING

**October 19, 1987** – Written comments may be submitted until this date.

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Virginia State Boards of Medicine and Nursing intend to promulgate new regulations and repeal existing regulations entitled: **VR 465-07-1; VR 495-02-1. Regulations Governing the Certification of Nurse Practitioners.** The proposed regulations were developed as a part of the comprehensive review of regulations initiated by Governor Charles S. Robb.

Statutory Authority: § 54-274 of the Code of Virginia.

Written comments may be submitted until October 19, 1987.

**Contact:** Corinne F. Dorsey, Executive Director, Board of Nursing, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9909

## STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

† **September 23, 1987 - 10 a.m.** – Open Meeting  
Eastern Shore Community Services Board, Nassawadox, Virginia. ☒

A regular monthly meeting. The agenda will be published on September 19 and may be obtained by calling Jane Helfrich.

**Contact:** Jane V. Helfrich, State Board Staff, Department of Mental Health, Mental Retardation and Substance Abuse Services, P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-3921

## DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

### State Human Rights Committee

† **September 17, 1987 - 4 p.m.** – Open Meeting  
† **September 18, 1987 - 9 a.m.** – Open Meeting  
James Madison Building, 13th Floor Conference Room, Richmond, Virginia. ☒

Regular meetings of the committee to discuss business relative to human rights issues. Agenda items listed prior to meetings.

**Contact:** Elsie D. Little, A.C.S.W., P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-3988

## DEPARTMENT OF MINES, MINERALS AND ENERGY

**September 1, 1987 - 10 a.m.** – Public Hearing  
2201 West Broad Street, Conference Room, Richmond, Virginia. ☒

This meeting is to consider the agency's intention of promulgating new public participation guidelines to ensure the public is given the opportunity to participate in regulatory development. The new guidelines will replace two existing sets of guidelines being used by the agency's regulatory divisions, and will be designed to provide a uniform procedure for the agency. The public is invited to attend the meeting and comment.

**Contact:** Bill Edwards, Policy Analyst, 2201 W. Broad St., Richmond, Va. 23220, telephone (804) 257-0330

**September 1, 1987 - 10 a.m. - Public Hearing**  
Division of Mined Land Reclamation, 622 Powell Avenue,  
Upstairs Conference Room, Big Stone Gap, Virginia

The department has scheduled this public meeting to consider amendments to regulations to (i) set reinstatement procedures for individuals or companies who have forfeited coal surface mining bonds, or who have had coal surface mining permits revoked; (ii) correct deficiencies in the rules for enforcement and administrative appeals; (iii) increase protection of historic sites; and (iv) decrease the minimum number of trees required to be planted on steep-slope reclamation sites. The public is invited to attend the meeting and comment on the intended action.

**Contact:** Conrad Spangler, Chief Engineer, Division of Mined Land Reclamation, P. O. Drawer U, Big Stone Gap, Virginia 24219, telephone (703) 523-2925

## NORFOLK STATE UNIVERSITY

### Board of Visitors

**September 8, 1987 - 10 a.m. - Open Meeting**  
Harrison B. Wilson Administration Building, Board Room,  
Norfolk, Virginia

A meeting to discuss various issues pertaining to the university. The agenda should be available at least five working days prior to the meeting.

**Contact:** Gerald D. Tyler, Norfolk State University, 2401 Corprew Ave., Wilson Hall-S340, Norfolk, Va. 23504, telephone (804) 623-8373

## VIRGINIA STATE BOARD OF NURSING

† **August 31, 1987 - 10 a.m. - Open Meeting**  
City Hall, Council's Chambers, 441 Market Street, Suffolk,  
Virginia. ☒ (Interpreter for deaf provided if requested) ☞

A formal hearing on Anita A. Perry, R.N., will be held to inquire into allegations that certain laws and regulations governing the practice of nursing in Virginia may have been violated.

† **September 10, 1987 - 9:30 a.m. - Open Meeting**  
Department of Health Regulatory Boards, 1601 Rolling  
Hills Drive, Conference Room 1, Richmond, Virginia. ☒  
(Interpreter for deaf provided if requested) ☞

A formal hearing on Jeanne Maxwell, R.N., will be held to inquire into allegations that certain laws and regulations governing the practice of nursing in Virginia may have been violated.

† **September 28, 1987 - 9 a.m. - Open Meeting**  
† **September 29, 1987 - 9 a.m. - Open Meeting**  
† **September 30, 1987 - 9 a.m. - Open Meeting**  
Department of Health Regulatory Boards, 1601 Rolling  
Hills Drive, Conference Room 1, Richmond, Virginia. ☒  
(Interpreter for deaf provided if requested) ☞

Meetings of the Virginia State Board of Nursing to consider matters relating to nursing education programs, discipline of licensees, licensing by examination and endorsement and other matters under jurisdiction of the board.

### Informal Conference Committee

† **October 13, 1987 - 8:30 a.m. - Open Meeting**  
Department of Health Regulatory Boards, 1601 Rolling  
Hills Drive, Conference Room 2, Richmond, Virginia. ☒  
(Interpreter for deaf provided if requested) ☞

A meeting to inquire into allegations that certain licensees may have violated laws and regulations governing the practice of nursing in Virginia.

**Contact:** Corinne F. Dorsey, R.N., Executive Director,  
Board of Nursing, 1601 Rolling Hills Dr., Richmond, Va.  
23229, telephone (804) 662-9909

## STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS

**September 23, 1987 - 1 p.m. - Open Meeting**  
3600 West Broad Street, Conference Room 1, Richmond,  
Virginia. ☒

An open board meeting to conduct discussion and adoption of the proposed regulations.

**Contact:** Gerald W. Morgan, Administrator, Department of  
Commerce, 3600 W. Broad St., 5th Fl., Richmond, Va.  
23230-4917, telephone (804) 257-8508

\* \* \* \* \*

**September 23, 1987 - 10 a.m. - Public Hearing**  
Department of Commerce, 3600 West Broad Street, Room  
395, 3rd Floor Auditorium, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Examiners for Nursing Home Administrators intends to amend regulations entitled: VR 500-01-2. Rules and Regulations of the State Board of Examiners for Nursing Home Administrators. This regulation provides general information, entry requirements and standards of practice for licensure as Nursing Home Administrators in the Commonwealth of Virginia.

# Calendar of Events

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Statutory Authority: § 54-1.28 (5) of the Code of Virginia.

Written comments may be submitted until September 20, 1987.

**Contact:** Geralde W. Morgan, Administrator, Department of Commerce, 3600 W. Broad St., 5th Fl., Richmond, Va. 23230-4917, telephone (804) 257-8508

**September 24, 1987 - 9 a.m. – Open Meeting**  
3600 West Broad Street, Conference Room 2, Richmond, Virginia. ☒

An open board meeting to conduct (i) examinations; (ii) discussion of revenue and expenditures; (iii) review of applications; (iv) review of the Virginia State Written examination; and (v) signing of certificates.

**Contact:** Geralde W. Morgan, Administrator, Department of Commerce, 3600 W. Broad St., 5th Fl., Richmond, Va. 23230-4917, telephone (804) 257-8508

## VIRGINIA BOARD OF OPTOMETRY

**October 3, 1987 –** Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Board of Optometry intends to amend regulations entitled: **VR 510-01-1. Regulations of the Virginia Board of Optometry.** The regulations proposed to be amended charged a fee for the board's review of continuing education courses.

Statutory Authority: § 54-376 of the Code of Virginia.

Written comments may be submitted until October 3, 1987.

**Contact:** Moira C. Lux, Executive Director, Virginia Board of Optometry, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9910

† **October 13, 1987 - 9 a.m. – Open Meeting**  
Surry Building, 1601 Rolling Hills Drive, Conference Room 1, Richmond, Virginia

† **October 14, 1987 - 9 a.m. – Open Meeting**  
Koger Building, 1801 Franklin Farms Drive, Koger Conference Room 124, Richmond, Virginia

A meeting to (i) discuss general board business; (ii) discuss regulations and licensure fees; and (iii) consider disciplinary cases.

**Contact:** Moira C. Lux, Executive Director, Virginia Board of Optometry, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9910

## ADVISORY BOARD ON PHYSICAL THERAPY

**September 18, 1987 - 9 a.m. – Open Meeting**  
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Surry Building, Board Room 1, 2nd Floor, Richmond, Virginia. ☒

The Advisory Board on Physical Therapy will meet to (i) draft regulations for foreign trained physical therapists and assistants, (ii) make a final review of the application process, (iii) discuss traineeships for applicants applying for licensure by endorsement, (iv) study the scope of physical therapy aides and (v) discuss any other items which may come before the Physical Therapy Board.

**Contact:** Eugenia K. Dorson, Board Administrator, 1601 Rolling Hills Dr., Surry Bldg., 2nd Fl., Richmond, Va. 23229-5005, telephone (804) 662-9925

## ADVISORY COMMITTEE ON PHYSICIAN ASSISTANTS

† **October 2, 1987 - 10:30 a.m. – Open Meeting**  
Department of Health Regulatory Boards, Surry Building, 1601 Rolling Hills Drive, Board Room 1, 2nd Floor, Richmond, Virginia. ☒

A meeting to develop rules and regulations regarding supervision of physician assistants, review the regulations for proposed adoption, develop guidelines for protocols of physician assistants and any other items which may come before the committee at that time.

**Contact:** Eugenia K. Dorson, Board Administrator, 1601 Rolling Hills Dr., Surry Bldg., 2nd Fl. Richmond, Va. 23229-5005, telephone (804) 662-9925

## BOARD OF COMMISSIONERS TO EXAMINE PILOTS

**September 24, 1987 - 10 a.m. – Open Meeting**  
Hasler and Company, 212 Tazewell Street, Norfolk, Virginia

The board will meet to conduct routine business at its regular quarterly meeting.

**Contact:** David E. Dick, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8515; or William L. Taylor, 3319 Shore Dr., Virginia Beach, Va. 23451, telephone (804) 496-0995

## VIRGINIA PUBLIC TELECOMMUNICATIONS BOARD

† **October 8, 1987 - 10 a.m. – Open Meeting**  
Department of Information Technology, 110 South 7th

Street, 4th Floor, Richmond, Virginia. ☒

A quarterly meeting of the Virginia Public Telecommunications Board regarding public television and radio issues.

**Contact:** Suzanne Piland, Department of Information Technology, 110 S. 7th St., 1st Fl., Richmond, Va. 23219, telephone (804) 344-5560

## VIRGINIA REAL ESTATE BOARD

† **September 16, 1987 - 9 a.m.** – Open Meeting  
Department of Commerce, 3600 West Broad Street, Richmond, Virginia. ☒

A regular business meeting of the board. The agenda will consist of investigative cases (files) to be considered, files to be considered, matters relating to fair housing, property registration, and licensing issues (e.g., reinstatement, eligibility requests).

**Contact:** Florence R. Brassier, Assistant Director for Real Estate, Department of Commerce, 3600 W. Broad St., 5th Fl., Richmond, Va. 23230, telephone (804) 257-8552

## VIRGINIA RESOURCES AUTHORITY

† **September 8, 1987 - 10 a.m.** – Open Meeting  
The Mutual Building, 909 East Main Street, 12th Floor Conference Room, Richmond, Virginia

The board will meet to (i) approve minutes of the July 14, 1987 meeting; (ii) review the authority's operations for the prior months; and (iii) consider other matters and take other actions as they may deem appropriate. The planned agenda of the meeting will be available at the offices of the authority one week prior to the date of the meeting.

**Contact:** Shockley D. Gardner, Jr., P. O. Box 1300, Richmond, Va. 23210, telephone (804) 644-3100

## STATE SEWAGE HANDLING AND DISPOSAL APPEALS REVIEW BOARD

**October 14, 1987 - 10 a.m.** – Open Meeting  
General Assembly Building, Capitol Square, Senate Room A, Richmond, Virginia. ☒

A meeting to hear and render a decision on all appeals of denials of on-site sewage disposal system permits.

**Contact:** Deborah E. Randolph, James Madison Bldg., 109

Governor St., Room 500, Richmond, Va. 23219, telephone (804) 786-3559

## DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

**October 2, 1987** – Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services intends to amend regulations entitled: **VR 615-01-20. Lump Sum Payments in the Aid to Dependent Children (ADC) Program.** These regulations specify types of payments that must be treated as lump sum income and, in regard to casualty property loss payments, provide a temporary disregard of such lump sum payments when received, and used for repair or replacement of resources.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until October 2, 1987, to Mr. I. Guy Lusk, Director, Division of Benefit Programs, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

**Contact:** Carolyn C. Ellis, Supervisor, Economic Assistance Unit, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046

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† **October 27, 1987 - 10 a.m.** – Public Hearing  
General Assembly Building, Capitol Square, House Appropriations, 9th Floor, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Department of Social Services intends to adopt regulations entitled: **VR 615-50-5. Fees for Services Provided by Local Departments of Social Services Related to Court Actions.** The purpose is to establish regulations and fee schedules for payment by the petitioner to the local department of social services for certain court ordered investigations.

## STATEMENT

**Basis:** This regulation is issued under authority granted by the Code of Virginia §§ 14.1-114, 16.1-274 and 63.1-25 and 63.1-236.1.

**Subject:** Establishes fee schedules for payment by the petitioner to local departments of social services for certain court ordered services.

**Purpose:** The intent of this regulation is to provide an additional source of revenue for local departments of social services.



# Calendar of Events

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**Substance:** Develops a fee schedule for certain court ordered services provided by local departments of social services.

**Issues:** Establishes an additional source of revenue for local departments of social services by requiring fees to be paid by the segment of the population being served who are determined to be financially able to do so.

**Statutory Authority:** §§ 14.1-114; 16.1-274; 63.1-25 and 63.1-236.1 of the Code of Virginia.

Written comments may be submitted until October 30, 1987.

**Contact:** Dorcas Douthit, Child Welfare Supervisor, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9818

## VIRGINIA SOIL AND WATER CONSERVATION BOARD

**September 16, 1987 - 7:30 p.m. – Open Meeting**  
State Lab Building, Route 29, Warrenton, Virginia

A regular bimonthly business meeting.

**Contact:** Donald L. Wells, 203 Governor St., Suite 206, Richmond, Va. 23219, telephone (804) 786-4356

## DEPARTMENT OF TAXATION

**September 18, 1987 - 10 a.m. – Public Hearing**  
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Taxation intends to amend regulations entitled: **VR 630-10-17. Brackets for Collection of the Tax (Retail Sales and Use Tax)**. This regulation sets forth the bracket chart to be used by all dealers to compute the sales tax on transactions of \$5.00 or less.

**Statutory Authority:** § 58-1-203 of the Code of Virginia.

Written comments may be submitted until September 18, 1987.

**Contact:** Danny M. Payne, Director, Tax Policy Division, Department of Taxation, P. O. Box 6-L, Richmond, Va. 23282, telephone (804) 257-8010

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**September 18, 1987 - 10 a.m. – Public Hearing**

General Assembly Building, Capitol Square, House Room C,

Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Taxation intends to amend regulations entitled: **VR 630-10-31. Dealer's Returns and Collection of the Tax (Retail Sales and Use Tax)**. This regulation sets forth requirements for the filing of sales and use tax returns by registered dealers and explains the discount provided to dealers to compensate them for collection of the tax.

**Statutory Authority:** § 58-1-203 of the Code of Virginia.

Written comments may be submitted until September 18, 1987.

**Contact:** Danny M. Payne, Director, Tax Policy Division, P. O. Box 6-L, Richmond, Va. 23282, telephone (804) 257-8010

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**September 18, 1987 - 10 a.m. – Public Hearing**  
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Taxation intends to amend regulations entitled: **VR 630-10-106. Transitional Provisions (Retail Sales and Use Tax)**. This regulation describes the transitional provisions enacted in conjunction with the January 1, 1987 increase in the sales and use tax rate. These provisions apply to certain contracts and leases entered into before the enactment of the rate increase.

**Statutory Authority:** § 58-1-203 of the Code of Virginia.

Written comments may be submitted until September 18, 1987.

**Contact:** Danny M. Payne, Director, Tax Policy Division, Department of Taxation, P. O. Box 6-L, Richmond, Va. 23282, telephone (804) 257-8010

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**September 18, 1987 - 10 a.m. – Public Hearing**  
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Taxation intends to amend regulations entitled: **VR 630-10-110. Vending Machine Sales (Retail Sales and Use Tax)**. This regulation sets forth the application of the sales and use tax to vending machine operators.

**Statutory Authority:** § 58-1-203 of the Code of Virginia.

Written comments may be submitted until September 18, 1987.

Contact: Danny M. Payne, Director, Tax Policy Division, P. O. Box 6-L, Richmond, Va. 23282, telephone (804) 257-8010

## GOVERNOR'S COMMISSION ON TRANSPORTATION FOR THE TWENTY-FIRST CENTURY

### Subcommittee on Local Transportation Financing Options

† September 23, 1987 - 10 a.m. - Open Meeting  
General Assembly Building, Capitol Square, Senate Room B, Richmond, Virginia. ☒

A meeting to discuss financing mechanisms and other potential sources of revenue for local transportation needs. (See General Notices)

### Subcommittee on State and Local Relations

† September 23, 1987 - 10 a.m. - Open Meeting  
General Assembly Building, Capitol Square, House Room D, Richmond, Virginia. ☒

A meeting to discuss the workplan of the subcommittee on state and local relations. (See General Notices)

Contact: Jewel A. Paige, Administrative Assistant, Ninth Street Office Bldg., 10th Fl., Richmond, Va. 23219, telephone (804) 786-2405

## VIRGINIA BOARD OF VETERINARY MEDICINE

September 1, 1987 - 8:30 a.m. - Open Meeting  
Health Regulatory Boards Building, 1601 Rolling Hills Drive, Richmond, Virginia

A meeting to (i) consider implementation of new regulations; (ii) review disciplinary cases, and (iii) conduct general board business.

Contact: Moira C. Lux, Executive Director, Virginia Board of Veterinary Medicine, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9942

## VIRGINIA VOLUNTARY FORMULARY BOARD

September 3, 1987 - 10:30 a.m. - Open Meeting  
Department of Health, James Madison Building, 109 Governor Street, Main Floor Conference Room, Richmond,

Virginia. ☒

A meeting to review public hearing comments and product data for drug products being considered for inclusion in the Virginia Voluntary Formulary.

Contact: James K. Thomson, Director, Bureau of Pharmacy Services, Department of Health, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-4326

## STATE WATER CONTROL BOARD

† September 14, 1987 - 7 p.m. - Public Hearing  
Old Courthouse, Old Courthouse Circle, Main Street, Gloucester, Virginia

A public hearing to receive comments on the proposed reissuance of a National Pollutant Discharge Elimination System Permit (NPDES) for the Gloucester Sanitary District No. 1, Gloucester, Virginia. This proposed permit would allow the continued discharge of treated domestic wastewater into Fox Mill Run, a tributary to the Ware River.

† September 17, 1987 - 7 p.m. - Public Hearing  
Paul D. Camp Community College, College and Armory Drive, Room 143, Franklin, Virginia

A public hearing for the purpose of receiving comments relative to the issuance and modification of No-Discharge Certificates and State Certifications to Smithfield-Carrolls Farms and to effect(s) on water quality and beneficial uses of state waters. Such information will be used by the board in making its final determinations on the certificates.

† September 28, 1987 - 2 p.m. - Public Hearing  
General Assembly Building, Capitol Square, Senate Room B, Richmond, Virginia. ☒

The State Water Control Board's Construction Assistance Program, which administers federal grant funds for financial assistance in the construction of municipal wastewater treatment facilities, has developed a proposed priority funding list for wastewater treatment projects to receive federal fiscal year 1988 funds. This public hearing will be for the purpose of receiving comments on the proposed funding list.

September 28, 1987 - 7:30 p.m. - Open Meeting  
General Assembly Building, Capitol Square, Senate Room B, Richmond, Virginia. ☒

A formal hearing on Solite Corporation to reissue NPDES Permit No. VA0003468 with the pH mixing zone included and grant other relief as deemed appropriate.

# Calendar of Events

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**September 29, 1987 - 9 a.m. - Open Meeting**  
**September 30, 1987 - 9 a.m. - Open Meeting**  
General Assembly Building, Capitol Square, Senate Room B, Richmond, Virginia. ☐

A regular quarterly meeting.

**October 1, 1987 - 9 a.m. - Open Meeting**  
Virginia Beach, Virginia (exact location to be determined)

A policy planning session.

**Contact:** Doneva A. Dalton, State Water Control Board, P. O. Box 11143, 2111 N. Hamilton St., Richmond, Va. 23230, telephone (804) 257-6829

## COUNCIL ON THE STATUS OF WOMEN

† **September 14, 1987 - 8 p.m. - Open Meeting**  
Embassy Suites Hotel, The Commerce Center, 2925 Emerywood Parkway, Richmond, Virginia

Meetings of the standing committees of the Council on the Status of Women.

† **September 15, 1987 - 9:30 a.m. - Open Meeting**  
Surry Building, 1601 Rolling Hills Drive, Board Room 1, 2nd Floor, Richmond, Virginia. ☐

A regular meeting of the council to conduct general business and to receive reports from the council standing committees and other committees.

**Contact:** Bonnie H. Robinson, Executive Director, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9200

## LEGISLATIVE

### VIRGINIA CODE COMMISSION

**September 1, 1987 - 9:30 a.m. - The Michie Company**  
**September 2, 1987 - 9 a.m. - Open Meeting**  
Boar's Head Inn, Charlottesville, Virginia

The commission will meet with its publisher, The Michie Company, on Tuesday, September 1.

On Wednesday, September 2, it will complete its work on the revision of Title 54 of the Code of Virginia.

**Contact:** Joan W. Smith, Registrar of Regulations, General Assembly Bldg., P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

### JOINT SUBCOMMITTEE STUDYING MEDIATION OF CHILD SUPPORT, CUSTODY AND VISITATION

† **September 24, 1987 - 10 a.m. - Open Meeting**  
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. ☐

Subcommittee will hear Department of Social Services, Judges and members of the court service units as well as some of the consumers involved in process. HJR 246

**Contact:** Susan Ward, Staff Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

### JOINT SUBCOMMITTEE STUDYING CHILD-SUPPORT FORMULAS

**September 16, 1987 - 2 p.m. - Open Meeting**  
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. ☐

**October 7, 1987 - 10 a.m. - Open Meeting**  
General Assembly Building, Capitol Square, House Room D, Richmond, Virginia. ☐

The joint subcommittee will continue to study the feasibility of use of formulas or guidelines to set child support awards. HJR 341

**Contact:** Susan Ward, Staff Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

### VIRGINIA COAL AND ENERGY COMMISSION

**September 2, 1987 - 10 a.m. - Open Meeting**  
General Assembly Building, Capitol Square, Senate Room B, Richmond, Virginia. ☐

The commission will hear a presentation on federal state coal initiatives from J. Allen Wampler, Assistant Secretary for Fossil Fuels, U.S. Department of Energy. There will also be status reports on the use of Virginia coal in state facilities and the Virginia tax credit for use of Virginia mined coal.

**Contact:** Martin G. Farber, Research Associate, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

## VIRGINIA STATE CRIME COMMISSION

### Firearms and Ammunition Subcommittee

**August 31, 1987 - 10 a.m. — Public Hearing**  
General Assembly Building, Capitol Square, House Room D, Richmond, Virginia. ☐

The subcommittee will listen to staff presentations and testimony from various organizations and concerned citizens regarding issues which were proposed for study at the subcommittee meeting June 10, 1987 concerning firearms and ammunition.

**Contact:** Jan F. Hoen, Research Assistant, P. O. Box 3-AG, Richmond, Va. 23208, or General Assembly Bldg., 9th Fl., Room 915, Richmond, Va. 23219, telephone (804) 225-4534

### Victims and Witnesses of Crimes Subcommittee

**† September 2, 1987 - 10 a.m. — Public Hearing**  
City Hall, City Council Chambers, Municipal Building, Holt and Albemarle Drive, Civic Center Complex, Chesapeake, Virginia

The Virginia State Crime Commission Subcommittee established to study Victims and Witnesses of Crimes will be conducting its last two public hearings in Fredericksburg and Chesapeake, Virginia, to hear testimony concerning services provided to crime victims and witnesses. Such services include, but are not limited to, crime victims compensation, notification of victims and witnesses of court dates and procedures, protection of victims and witnesses from harassment and intimidation, notification of parole hearing, required victim impact statements, and other relevant crime victim issues and considerations. HJR 225

**Contact:** Persons wishing to speak contact: Kim Morris, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 225-4534; for additional information contact: Mandie Patterson, Department of Criminal Justice Services, 805 E. Broad St., Richmond, Va. 23219, telephone (804) 786-3923

### JOINT SUBCOMMITTEE STUDYING THE NEED FOR EARLY CHILDHOOD PROGRAMS

**† September 17, 1987 - 9 a.m. — Open Meeting**  
The study committee will tour various child-care facilities - throughout Arlington, Virginia and will hold a working session at the Arlington County Career Center on Walter Reed Drive, Arlington, Virginia

The meeting will be a combined study tour and working session, to be held throughout Arlington, Virginia. The study tour will focus on various

child-care facilities in Arlington County and is scheduled to last from 9 a.m. to 1 p.m. The working session at the Arlington County Career Center, on Walter Reed Drive, is set for 2 p.m. and should last until 5 p.m. HJR 299; SJR 167

**Contact:** Normal Szakal, Staff Attorney, or Brenda Edwards, Research Associate, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

### JOINT SUBCOMMITTEE STUDYING ECONOMIC DEVELOPMENT IN VIRGINIA

**† September 29, 1987 - 1:30 p.m. — Open Meeting**  
Newport News City Council Chambers, 2400 Washington Avenue, Newport News, Virginia

This two-year study subcommittee will receive testimony with regard to economic development in the Hampton Roads area. HJR 132

**Contact:** Persons wishing to speak contact: Anne R. Howard, House of Delegates Clerk's Office, P. O. Box 406, Richmond, Va. 23203, telephone (804) 786-7681; for additional information contact: Angela Bowser, Staff Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

### SUBCOMMITTEE STUDYING HATE AND VIOLENCE IN VIRGINIA

**† September 16, 1987 - 10 a.m. — Public Hearing**  
General Assembly Building, Capitol Square, House Room D, Richmond, Virginia. ☐

A public hearing to receive testimony concerning racial, ethnic, religious violence in the Commonwealth. HJR 339

**Contact:** Person wishing to speak contact: Anne R. Howard, House of Delegates Clerk's Office, P. O. Box 406, Richmond, Va. 23203, telephone (804) 786-7681; for additional information contact: Oscar Brinson, Staff Attorney, or Mary K. Geisen, Research Associate, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

### JOINT SUBCOMMITTEE STUDYING THE HEARSAY RULE AND VIDEO TAPING OF TESTIMONY USED IN CHILD ABUSE CASES

**September 1, 1987 - 10 a.m. — Public Hearing**  
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. ☐

# Calendar of Events

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The subcommittee will meet for a public hearing and working session.

**September 28, 1987 - 10 a.m. - Open Meeting**  
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. ☒

The subcommittee will hold a working session.

**Contact:** Persons wishing to speak contact: Anne R. Howard, House of Delegates Clerk's Office, P. O. Box 406, Richmond, Va. 23203, telephone (804) 786-7681; for additional information contact: Oscar Brinson, Staff Attorney, or Mary K. Geisen, Research Associate, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

## GOVERNOR'S TASK FORCE ON INDIGENT HEALTH CARE

**September 9, 1987 - 1:30 p.m. - Public Hearing**  
General Assembly Building, Capitol Square, Senate Room A, Richmond, Virginia. ☒

A public hearing will be held on the recommendations of the subcommittees for the Governor's Task Force on Indigent Health Care. Twenty-three policy issues have been identified for study by the Task Force and its subcommittees. The subcommittees have proposed 68 actions on these issues. Before finally deciding what specific recommendations will be made to the Governor and to the General Assembly, public input is being invited. A copy of the subcommittees' report, which includes a listing of all issues and recommendations, is available from Leslie Darby, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, Virginia 23219, telephone (804) 225-4280. SJR 151 (1987); SJR 32 (1986)

**Contact:** Herbert W. Oglesby, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, Va. 23219, telephone (804) 225-4287

## JOINT SUBCOMMITTEE STUDYING ADOPTION OF NEW LYRICS FOR THE OFFICIAL SONG OF THE COMMONWEALTH

† **September 11, 1987 - 10:30 a.m. - Public Hearing**  
Auditorium of the Vocational Technical Building, New River Community College, Route 100, Dublin, Virginia

† **October 2, 1987 - 2 p.m. - Public Hearing**  
Fairfax City Council Chambers, Fairfax City Hall, 10455 Armstrong Street, Room 305, Fairfax, Virginia

† **October 16, 1987 - 2 p.m. - Public Hearing**

James Madison University, Anthony Seeger Auditorium, South Main and Grace Streets, Harrisonburg, Virginia

Hearings to receive testimony on changing or retaining lyrics of Virginia's official song.

**Contact:** Persons wishing to speak contact: Anne R. Howard, House of Delegates Clerk's Office, P. O. Box 406, Richmond, Va. 23203, telephone (804) 786-7681; for additional information contact: Angela Bowser, Staff Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

## JOINT SUBCOMMITTEE STUDYING OUTDOOR RECREATIONAL NEEDS

† **September 28, 1987 - 10 a.m. - Public Hearing**  
† **September 28, 1987 - 1 p.m. - Working Session**  
General Assembly Building, Capitol Square, House Room D, Richmond, Virginia. ☒

The subcommittee will receive testimony from interested parties on current and long-range outdoor recreational needs of the Commonwealth. At work session, subcommittee will discuss recommendations for proposed legislation to the 1988 Session of the General Assembly regarding basic needs and a long-term funding source. HJR 204

**Contact:** Persons wishing to speak contact: Barbara H. Hanback, House of Delegates, General Assembly Bldg., 1st Fl., Richmond, Va. 23219, telephone (804) 786-7681; for additional information contact: Martin G. Farber, Research Associate, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

## JOINT SUBCOMMITTEE INVESTIGATING THE EXTENT OF UNFAIR COMPETITION BETWEEN NONPROFIT ORGANIZATIONS AND SMALL FOR-PROFIT BUSINESSES IN VIRGINIA

**September 1, 1987 - 10 a.m. - Open Meeting**  
General Assembly Building, Capitol Square, House Room D, Richmond, Virginia. ☒

The joint subcommittee will meet to elicit testimony regarding unfair competition issues; followed by a public hearing at 10:30 a.m. HJR 303

**Contact:** Persons wishing to speak contact: Barbara Hanback, House of Delegates, P. O. Box 406, Richmond, Va. 23203, telephone (804) 786-7681; for additional information contact: Terry Barrett, Research Associate, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

## COMMISSION ON VETERANS' AFFAIRS

September 11, 1987 - 10 a.m. - Public Hearing  
General Assembly Building, Capitol Square, House Room C,  
Richmond, Virginia. ☒

The commission will conduct a public hearing, taking testimony from individual veterans, representatives of veterans' organizations, and the general public on any matters concerning Virginia's veterans.

Contact: Alan Wambold, Research Associate, Division of Legislative Services, P.O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

## SUBCOMMITTEE STUDYING ALTERNATIVES FOR IMPROVING WASTE REDUCTION AND RECYCLING EFFORTS

† September 14, 1987 - 2 p.m. - Working Session  
† September 14, 1987 - 3 p.m. - Public Hearing  
City Hall Building, 810 Union Street and Saint Paul's Boulevard, 11th Floor, Norfolk, Virginia

This subcommittee will hold a working meeting, beginning at 2 p.m., with remarks from the Virginia Municipal League and local government officials dealing with topic.

Meeting will be followed at 3 p.m. by a public hearing to receive testimony from persons in the Hampton Roads area concerned with waste management and recycling issues. HJR 292/SJR 132

Contact: Persons wishing to speak contact: Anne R. Howard, House Clerk's Office, P. O. Box 406, Richmond, Va. 23203, telephone (804) 786-7681; for additional information contact: John Heard, Staff Attorney, or Martin G. Farber, Research Associate, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

## CHRONOLOGICAL LIST

### OPEN MEETINGS

#### August 31

Medical Assistance Services, Board of  
† Nursing, Virginia State Board of

#### September 1

Code Commission, Virginia  
† Farmers' Market Board, Virginia  
† Higher Education for Virginia, State Council of

Marine Resources Commission  
Medical Assistance Services, Board of  
Medicine, Virginia State Board of  
- Informal Conference Committee  
Unfair Competition Between Nonprofit Organizations and Small For-Profit Businesses in Virginia, Joint Subcommittee Investigating the Extent of  
Veterinary Medicine, Virginia Board of

#### September 2

Coal and Energy Commission, Virginia  
Code Commission, Virginia  
† Higher Education for Virginia, State Council of

#### September 3

Forestry, Department of  
- Reforestation of Timberlands Board  
Voluntary Formulary Board, Virginia

#### September 4

Child Abuse and Neglect, Governor's Advisory Board on  
Land Evaluation Advisory Council

#### September 8

† Alcoholic Beverage Control Board  
Norfolk State University  
- Board of Visitors  
† Resources Authority, Virginia

#### September 9

† Allied Health Professions, Committee on the Regulation of  
Library Board  
† Marine Products Board, Virginia

#### September 10

† Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects, State Board of  
† Criminal Justice Services Board  
- Committee on Criminal Justice Information Systems  
† Hazardous Materials Emergency Response Advisory Council, Virginia  
† Nursing, Virginia State Board of

#### September 11

† Air Pollution Control Board, State  
† Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects, State Board of  
† Children's Residential Facilities, Interdepartmental Licensure and Certification of  
- Coordinating Committee  
Commerce, Board of  
General Services, Department of  
- Art and Architectural Review Board  
- State Insurance Advisory Board

#### September 14

† Efficiency in Government, Governor's Commission on  
† Funeral Directors and Embalmers, Virginia Board of

# Calendar of Events

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- † Fine Arts, Virginia Museum of  
- Entertainment Committee of the Board of Trustees  
Medical Care Facilities Certificate of Public Need,  
Commission on
- † Waste Reduction and Recycling Efforts, Joint  
Subcommittee Studying Alternatives for Improving
- † Women, Council on the Status of

## September 15

- † George Mason University  
- Board of Visitors
- † Housing Development Authority, Virginia
- † Women, Council on the Status of

## September 16

- Child-Support Formulas, Joint Subcommittee Studying  
Corrections, State Board of  
Dentistry, Virginia Board of
- † Real Estate Board, Virginia
- Soil and Water Conservation Board, Virginia

## September 17

- Dentistry, Virginia Board of
- † Early Childhood Programs, Joint Subcommittee  
Studying the Need for  
Education, State Board of
- † Geology, Virginia Board of
- † Mental Health, Mental Retardation and Substance  
Abuse Services, Department of  
- State Human Rights Committee

## September 18

- Commonwealth University, Virginia  
- Health Policy Colloquium
- Dentistry, Virginia Board of  
Education, State Board of
- † Mental Health, Mental Retardation and Substance  
Abuse Services, Department of  
- State Human Rights Committee
- Physical Therapy, Advisory Board on

## September 19

- Dentistry, Virginia Board of

## September 22

- † Alcoholic Beverage Control Board

## September 23

- Health Services Cost Review Council, Virginia
- † Mental Health, Mental Retardation and Substance  
Abuse Services Board, State
- Nursing Home Administrators, State Board of  
Examiners for

## September 24

- † Child Support, Custody and Visitation, Joint  
Subcommittee Studying Mediation of  
Nursing Home Administrators, State Board of  
Examiners for  
Pilots, Board of Commissioners to Examine

## September 25

- Librarians, State Board for Certification of  
Medicine, Virginia State Board of  
- Credentials Committee

## September 26

- Cave Board, Virginia
- Medicine, Virginia State Board of  
- Credentials Committee

## September 28

- Hearsay Rule and Video Taping of Testimony Used in  
Child Abuse Cases, Joint Subcommittee Studying the
- † Nursing, Virginia State Board of
- † Outdoor Recreational Needs, Joint Subcommittee  
Studying  
Water Control Board, State

## September 29

- † Nursing, Virginia State Board of  
Water Control Board, State

## September 30

- † Nursing, Virginia State Board of  
Water Control Board, State

## October 1

- † Health, State Board of  
Water Control Board, State

## October 2

- † Health, State Board of
- † Physician Assistants, Advisory Committee on

## October 5

- Medical Care Facilities Certificate of Public Need,  
Commission on

## October 6

- † Alcoholic Beverage Control Board
- † Labor and Industry, Department of
- † Marine Resources Commission

## October 7

- Child-Support Formulas, Joint Subcommittee Studying
- † Labor and Industry, Department of

## October 8

- † Labor and Industry, Department of
- † Public Telecommunications Board, Virginia

## October 9

- † Labor and Industry, Department of

## October 13

- † Labor and Industry, Department of
- † Nursing, Virginia State Board of
- † Optometry, Virginia Board of

## October 14

- † Corrections, State Board of

# Calendar of Events

† Labor and Industry, Department of  
† Optometry, Virginia Board of  
Sewage Handling and Disposal Appeals Review Board,  
State

**October 15**

† Labor and Industry, Department of

**October 20**

† Alcoholic Beverage Control Board

**October 21**

† Education, State Board of  
† Efficiency in Government, Governor's Commission  
on

**October 22**

† Education, State Board of

**October 28**

† Health Services Cost Review Council, Virginia

**October 29**

† Long-Term Care Council

**November 4**

† Alcoholic Beverage Control Board

**November 9**

Medical Care Facilities Certificate of Public Need,  
Commission on

**November 17**

† Alcoholic Beverage Control Board

## PUBLIC HEARINGS

**August 31**

Crime Commission, Virginia State  
- Firearms and Ammunition Subcommittee

**September 1**

Hearsay Rules and Video Taping of Testimony Used in  
Child Abuse Cases, Joint Subcommittee Studying the  
Mines, Minerals and Energy, Department of

**September 2**

† Crime Commission, Virginia State  
- Victims and Witnesses of Crimes Subcommittee

**September 9**

Indigent Health Care, Governor's Task Force on

**September 11**

† New Lyrics for the Official Song of the  
Commonwealth, Joint Subcommittee Studying Adoption  
of  
Veterans' Affairs, Commission on

**September 14**

† Waste Reduction and Recycling Efforts, Joint  
Subcommittee Studying Alternatives for Improving  
† Water Control Board, State

**September 16**

† Hate and Violence in Virginia, Subcommittee  
Studying

**September 17**

† Water Control Board, State

**September 18**

Taxation, Department of

**September 23**

Nursing Home Administrators, State Board of  
Examiners for  
† Transportation for the Twenty-First Century,  
Governor's Commission on  
- Subcommittee on Local Transportation Financing  
Options  
- Subcommittee on State and Local Relations

**September 25**

Librarians, State Board for the Certification of

**September 28**

Agriculture and Consumer Services, Department of  
† Outdoor Recreational Needs, Joint Subcommittee  
Studying  
† Water Control Board, State

**September 29**

† Economic Development in Virginia, Joint  
Subcommittee Studying

**October 2**

† New Lyrics for the Official Song of the  
Commonwealth, Joint Subcommittee Studying Adoption  
of

**October 7**

Criminal Justice Services Board

**October 16**

† New Lyrics for the Official Song of the  
Commonwealth, Joint Subcommittee Studying Adoption  
of

**October 19**

Air Pollution Control Board, State

**October 20**

Accountancy, State Board of

**October 27**

† Social Services, Department of

**November 6**

† Architects, Professional Engineers, Land Surveyors



## Calendar of Events

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and Certified Landscape Architects, State Board of

**November 13**

† Geology, Virginia Board of

**November 19**

Alcoholic Beverage Control Board