



DEPARTMENT OF TAX AND REVENUE
OFFICE OF THE SECRETARY

CECIL H. UNDERWOOD
GOVERNOR

STATE CAPITOL
CHARLESTON, WEST VIRGINIA

ROBIN C. CAPEHART
SECRETARY

July 21, 1998

Ms. Judy Cooper
Administrative Law Division
Office of Secretary of State
Building 1, Suite 157K
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0770

Re: Emergency Rule 110 C.S.R. Series 301
Notice of Withdrawal
Notice of Public Comment Period

Dear Ms. Cooper:

By letter dated July 14, 1998, the Legislative Rule Making Review Committee asked the Secretary of Tax and Revenue to temporarily withdraw the above-referenced emergency rule for a period of at least 30 days to allow interested parties to submit public comments on the emergency rule.

This letter constitutes notice of the Secretary's withdrawal of the above-referenced emergency rule. This letter also constitutes notice of a 30 day period during which the public may comment on the emergency rule. This public comment period expires August 21, 1998. Timely mailing will be treated as timely filing. Public comments should be sent to the undersigned at Post Office Box 963, Charleston, West Virginia 25324-0963.

We thank you in advance for your assistance.

Very truly yours

Dale W. Steager
General counsel

cc: Debra Graham, Counsel ✓
Legislative rule-Making Review Committee

RECEIVED
JUL 22 1998
Legislative Rule Making
Review Committee



WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

*State Capitol - Room MB-49
Charleston, West Virginia 25305
(304) 347-4840*

*Senator Mike Ross, Co-Chairman
Delegate Mark Hunt, Co-Chairman
Debra A. Graham, Counsel*

July 14, 1998

*Joseph A. Altizer, Associate Counsel
Rita Pauley, Associate Counsel
Teri Anderson, Administrative Assistant*

Robin Capehart, Cabinet Secretary
Building 1, Room W-300
Charleston, WV 25305

Dear Mr. Capehart:

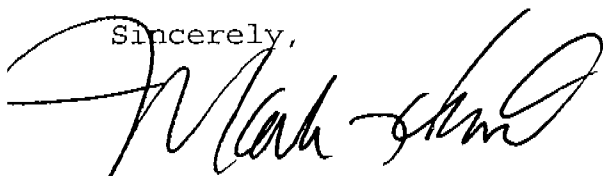
On behalf of the Legislative Rule-Making Review Committee, we are requesting that you temporarily withdraw the emergency rule proposed by the Secretary of Tax and Revenue - Registration of Telemarketers, 119CSR301 and filed with the Secretary of State on June 12, 1998. The Committee heard testimony from Steve Haid, a lobbyist representing telemarketers, regarding some sections of the emergency rule which he feels need to be amended. Several members of the Committee also expressed concern regarding whether or not several sections of the rule do not comply with legislative intent or exceed the scope or your authority.

The Committee is requesting that you withdraw the emergency rule and not refile it for at least 30 days to allow interested parties to review the emergency rule and to allow you to possibly make amendments to the emergency rule.

Sincerely,


Senator Mike Ross

Sincerely,


Delegate Mark Hunt

cc Ken Hechler, Secretary of State



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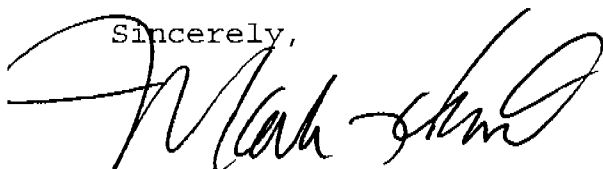
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