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NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Education (126-13)	A Process for Improving Education: Performance Based Accreditation System (2320)	§29A-3B-1 et seq.	Written Comments Only May 16, 2016, 4:00 pm Michele Blatt WVDE Division of School Effectiveness Capitol Building 6, Room 318 1900 Kanawha Boulevard East Charleston, WV 25305-0330
Education (126-44D)	Next Generation Content Standards and Objectives for Social Studies in WV Schools (2520.4)	§29A-3B-1 et seq.	Written Comments Only May 16, 2016, 4:00 pm Allegra Kazemzadeh WVDE Office of Middle/Secondary Learning Capitol Building 6, Room 603 1900 Kanawha Boulevard East Charleston, WV 25305-0330
Education (126-81)	Attendance (4110)	§29A-3B-1 et seq.	Written Comments Only May 16, 2016, 4:00 pm Heather Hutchens WVDE Office of Legal Services Capitol Building 6, Room 362 1900 Kanawha Boulevard East Charleston, WV 25305-0330
Education (126-114)	Approval of Educator Preparation Programs (5100)	§29A-3B-1 et seq.	Written Comments Only May 16, 2016, 4:00 pm Linda Bragg WVDE Office of Educator Effectiveness & Licensure Capitol Building 6, Room 304 1900 Kanawha Boulevard East Charleston, WV 25305-0330
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (5202)	§29A-3B-1 et seq.	Written Comments Only May 16, 2016, 4:00 pm Brad A. Fittro WVDE Office of Educator Effectiveness & Licensure Capitol Building 6, Room 304 1900 Kanawha Boulevard East Charleston, WV 25305-0330

NO NEW EMERGENCY RULES WERE FILED THIS WEEK				
AGENCY	**RULE/TYPE**	**AUTHORITY**	**EFFECTIVE DATE**	**DATE NOTICE FOR HEARING**

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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

Column	1.	Agency Name, (Title and Series Number)
Column	2.	Rule Title, Price and Type
Column	3.	Date Notice of Public Hearing or Comment Period Filed
Column	4.	Date of Public Hearing or Last Date Comments Will Be Received
Column	5.	Date Emergency Rule Filed, Emergency Amendments Filed, Emergency Rule Decision (ERD) Number & Date ERD Filed (Effective Date of Emergency Rule)
Column	6.	Date Agency Approved Legislative Rules Filed.
Column	7.	Date Review by the Legislative Rule-Making Review Committee & Action Taken **Please Note** The Board of Education, Board of Trustees & Board of Directors File Their Rules With the Educational Over-Sight Committee
Column	8.	Legislative Action
Column	9.	Date Agency Final Files Legislative, Procedural or Interpretive Rules. This is the Final Step for Procedural & Interpretive Rules
Column	10.	Date Rule is Effective

- Emergency rules will not have a "Notice" date until the agency files one but the rule will appear in Columns 1, 2 & 5. An Agency must file for either a public hearing or public comment period either before filing as an emergency or no more than 30 days after filing the rule as an emergency
- If more than one date appears in a column, it means the agency has repeated that step (ex. - holding an additional public hearing)

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

TITLE NUMBER		NAME OF AGENCY
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	13	OCCUPATIONAL THERAPY
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	20	SANITARIANS
TITLE	24	OSTEOPATHY
TITLE	25	SOCIAL WORK EXAMINERS
TITLE	26	VETERINARY MEDICINE
TITLE	27	COUNSELING
TITLE	29	SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY
TITLE	33	OFFICE OF WASTE MANAGEMENT (FORMERLY PART OF TITLE 47)
TITLE	35	OFFICE OF OIL AND GAS
TITLE	36	COAL MINE HEALTH & SAFETY
TITLE	38	MINING & RECLAMATION
TITLE	42	LABOR
TITLE	45	OFFICE OF AIR QUALITY
TITLE	47	OFFICE OF WATER RESOURCES
TITLE	48	MINES TRAINING EDUCATION & CERTIFICATION
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
TITLE	60	ENVIRONMENTAL PROTECTION, SECRETARY'S OFFICE
TITLE	61	AGRICULTURE
TITLE	63	CONSERVATION AGENCY
TITLE	64	HEALTH
TITLE	65	HEALTH CARE AUTHORITY
TITLE	69	HEALTH & HUMAN RESOURCES
TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
TITLE	81	STATE POLICE
TITLE	82	CULTURE AND HISTORY
TITLE	85	WORKERSCOMPENSATION BY THE INSURANCE COMMISSION
TITLE	86	VETERANS AFFAIRS
TITLE	87	FIRE COMMISSION
TITLE	90	CORRECTIONS
TITLE	91	MOTOR VEHICLES
TITLE	94	REGIONAL JAIL & CORRECTIONAL FACILITY AUTHORITY
TITLE	96	WORKFORCE WEST VIRGINIA
TITLE	110	TAX DEPARTMENT
TITLE	112	TREASURER
TITLE	113	HEALTH INSURANCE PLAN
TITLE	114	INSURANCE
TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMM.
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY & TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
TITLE	146	STATE ELECTION COMMISSION
TITLE	148	ADMINISTRATION
TITLE	149	CRIME, DELINQUENCY AND CORRECTION
TITLE	150	PUBLIC SERVICE COMMISSION
TITLE	153	SECRETARY OF STATE
TITLE	157	DIVISION OF HIGWAYS
TITLE	158	ETHICS COMMISSION
TITLE	162	CONSOLIDATED PUBLIC RETIREMENT BOARD
TITLE	172	STATE RAIL AUTHORITY
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION – BEER
TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY
TITLE	184	PARKWAYS ECONOMIC DEV. & TOURISM AUTHORITY
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD
TITLE	191	FAMILY PROTECTION SERVICES BOARD
TITLE	199	EXPLOSIVES & BLASTING
TITLE	204	HATFIELD-MCCOY REGIONAL RECREATION AUTHORITY
TITLE	205	OUTDOOR HERITAGE CONSERVATION FUND
TITLE	207	COALFIELD COMMUNITY DEVELOPMENT
TITLE	210	GOHELP

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy (1-1)	Board Rules and Rules of Professional Conduct Legislative	6/15/2015	7/15/2015		7/24/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 148 HB 4081 BUNDLED SB 159		
Administration (148-1)	Purchasing Division Legislative	7/27/2015	8/26/2015	7/23/2015 Approved 7/31/2015	9/1/2015	Approved 11/19/2015	SB149 HB 4046 BUNDLED HB 4046		
Agriculture (61-23D)	Inspection of Nontraditional, Domesticated Animals Legislative	6/10/2015	7/17/2015	6/10/2015 Effective 7/22/2015	7/30/2015	Modified & Approved 10/22/2015 Filed 11/3/2015	SB 151 HB 4083 BUNDLED SB 159		
Agriculture (61-28)	Poultry Litter and Manure Movement Into Primary Poultry Breeder Rearing Areas Legislative	6/30/2015	7/30/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 152 HB 4084 BUNDLED SB 159		
Agriculture (61-30)	Dangerous Wild Animal Rule-Repeal Legislative	1/11/2016	2/10/2016						
Agriculture (61-31)	Livestock Care Standards Legislative	6/30/2015	7/30/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 153 HB 4085 BUNDLED SB 159		
Agriculture (61-31)	Livestock Care Standards-Repeal Legislative	1/11/2016	2/10/2016						
Agriculture (61-34)	Captive Cervid Farming Legislative	4/28/2015	5/28/2015	4/28/2015 Approved 5/12/2015	7/28/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 154 HB 4086 BUNDLED SB 159		
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 10/22/2015	SB 172 HB 4049 BUNDLED HB 4053		
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 10/22/2015	SB 173 HB 4050 BUNDLED HB 4053		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 10/22/2015	SB 174 HB 4051 BUNDLED HB 4053		
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 10/22/2015	SB 175 HB 4052 BUNDLED HB 4053		
Air Quality (45-39)	Control of Annual Nitrogen Oxides Emissions - Repeal Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 11/19/2015	SB 176 HB 4053 BUNDLED HB 4053		
Air Quality (45-40)	Control of Ozone Season Nitrogen Oxides Emissions Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 11/19/2015	SB 177 HB 4054 BUNDLED HB 4053		
Air Quality (45-41)	Control of Annual Sulfur Dioxide Emissions - Repeal Legislative	6/3/2015	7/6/2015		7/24/2015	Approved 11/19/2015	SB 178 HB 4055 BUNDLED HB 4053		
Alcohol Beverage Control Comm. (175-2)	Private Club Licensing Legislative	6/10/2015	7/11/2015		7/31/2015	Approved 10/22/2015	SB 155 HB 4047 BUNDLED SB 157		
Alcohol Beverage Control Comm. (175-10)	Distilleries and Mini-Distilleries Legislative	6/10/2015	7/11/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 11/4/2015	SB 156 HB 4087 BUNDLED SB 157		
Alcohol Beverage Control Comm – Beer (176-1)	Nonintoxicating Beer Licensing and Operations Procedures Legislative	6/10/2015	7/11/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 11/4/2015	SB 157 HB 4088 BUNDLED SB 157		
Conservation Committee (63-2)	WV Conservation Agency Financial Assistance Program Legislative	4/29/2015	5/29/2015	4/29/2015 Approved 5/12/2015	6/5/2015	Modified & Approved 9/15/2015 Filed 9/16/2015	SB 158 HB 4089 BUNDLED SB 159		
Consolidated Public Retirement Board (162-2)	Benefit Determination and Appeal Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 163 HB 4091 BUNDLED HB 4046		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Consolidated Public Retirement Board (162-3)	Teachers' Defined Contribution Retirement System Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 9/15/2015 Filed 9/22/2015	SB 164 HB 4092 BUNDLED HB 4046		
Consolidated Public Retirement Board (162-4)	Teachers Retirement System Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 9/15/2015 Filed 9/22/2015	SB 165 HB 4093 BUNDLED HB 4046		
Consolidated Public Retirement Board (162-7)	Refund, Reinstatement, Retroactive Service,Loan and Correction of Error Interest Factors Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 9/15/2015 Filed 9/22/2015	SB 166 HB 4094 BUNDLED HB 4046		
Consolidated Public Retirement Board (162-8)	Service Credit for Accrued and Unussed Sick and Annual Leave Legislative	6/4/2015	7/6/2015		7/28/2015	Approved 9/15/2015	SB 167 HB 4048 BUNDLED HB 4046		
Consolidated Public Retirement Board (162-9)	West Virginia State Police Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 168 HB 4095 BUNDLED HB 4046		
Consolidated Public Retirement Board (162-10)	Deputy Sheriff Retirement System Legislative	6/4/2015	7/6/2015		7/28/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 169 HB 4090 BUNDLED HB 4046		
Counseling (27-1)	Licensing Rule Legislative	6/15/2015	7/15/2015		7/28/2015	Modified & Approved 10/22/2015 Filed 10/20/2015	SB 129 HB 4096 BUNDLED SB 159		
Counseling (27-3)	Licensed Professional Counselor License Renewal and Continuing Professional Education Requirements Legislative	6/15/2015	7/15/2015		7/28/2015	Modified & Approved 9/16/2015 Filed 9/29/2015	SB 160 HB 4098 BUNDLED SB 159		
Counseling (27-5)	Disciplinary and Complaint Procedures for Counselors Procedural	6/17/2015	7/20/2015						

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Counseling (27-8)	Marriage and Family Therapists Licensing Rule Legislative	6/15/2015	7/15/2015		7/28/2015	Modified & Approved 10/22/2015 Filed 10/20/2015	SB 161 HB 4099 BUNDLED SB 159		
Counseling (27-10)	Marriage and Family License Renewal and Continuing Professional Education Legislative	6/15/2015	7/15/2015		7/28/2015	Modified & Approved 9/16/2015 Filed 9/29/2015	SB 162 HB 4097 BUNDLED SB 159		
Counseling (27-11)	Disciplinary and Complaint Procedures for Marriage and Family Therapists Procedural	6/17/2015	7/20/2015						
Counseling (27-12)	Contested Case Hearing Procedure for Marriage and Family Therapist Procedural	6/17/2015	7/20/2015						
Crime, Delinquency and Correction (GCCDC) (149-2)	Law Enforcement Training and Certification Standards Legislative	6/15/2015	7/22/2015		7/27/2015	Modified & Approved 10/22/2015 Filed 11/5/2015	SB 214 HB 4019 BUNDLED SB 159		
Dangerous Wild Animal Board (74-1)	Dangerous Wild Animals Legislative	1/11/2016	2/10/2016		2/11/2016				
Dentistry (5-11)	Continuing Education Requirements Legislative	5/13/2015	6/13/2015		7/23/2015	Modified & Approved 9/16/2015 Filed 9/23/2015	SB170 HB 4100 BUNDLED SB 159		
Dentistry (5-13)	Expanded Duties of Dental Hygienists and Dental Assistants Legislative	5/13/2015	6/13/2015		7/23/2015	Modified & Approved 9/16/2015 Filed 9/23/2015	SB171 HB 4101 BUNDLED SB 159		
Education (126-13)	A Process for Improving Education: Performance Based Accreditation System (2320) Legislative Exempt	4/14/2016	5/16/2016						
Education (126-42)	Assuring the Quality of Education: Regulations for Education Programs (2510) Legislative Exempt	2/12/2016	3/14/2016					4/14/2016	7/1/2016

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-44AA)	WV College and Career-Readiness Standards for English Language Arts (2520.1A) Legislative Exempt	11/13/2015	12/14/2015					12/18/2015	7/1/2016
Education (126-44BB)	WV College and Career-Readiness Standards for Mathematics (2520.2B) Legislative Exempt	11/13/2015	12/14/2015					12/18/2015	7/1/2016
Education (126-44D)	Next Generation Content Standards and Objectives for Social Studies in WV Schools (2520.4) Legislative Exempt	4/14/2016	5/16/2016						
Education (126-44P)	Alternate Academic Achievement Standards for Science in WV Schools (2520.16) Legislative Exempt	8/13/2015	9/14/2015					10/15/2015	7/1/2016
Education (126-73)	School Calendar (3234) Legislative Exempt	12/18/2015	1/19/2016					2/12/2016	7/1/2016
Education (126-81)	Attendance (4110) Legislative Exempt	4/14/2016	5/16/2016						
Education (126-114)	Approval of Educator Preparation Programs (5100) Legislative Exempt	4/14/2016	5/16/2016						
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (5202) Legislative Exempt	4/14/2016	5/16/2016						
Education (126-149)	Professional Development for WV Educators (5500) Legislative Exempt	12/18/2015	1/19/2016					2/12/2016	7/1/2016
Election Commission (146-3)	Regulation of Campaign Finance Legislative	5/20/2015	6/19/2015		7/31/2015	Modified w/certain amendments and approved 11/19/2015 Filed 11/30/2015 2nd Filed 12/22/2015	SB 207 HB 4140 BUNDLED SB 159		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Election Commission (146-5)	WV Supreme Court of Appeals Campaign Financing Program Legislative	5/20/2015	6/19/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 11/30/2015 2nd Filed 12/22/2015	SB 208 HB 4105 BUNDLED SB 159		
Ethics Commission (158-21)	Public Use of Names or Likeness Legislative	5/12/2015	6/12/2015	5/12/2015 Effective 6/23/2015	6/30/2015	Approved w/certain amendments 11/19/2015	SB 210 HB 4143 BUNDLED HB 4046		
Fire Commission (87-1)	Fire Code Legislative	5/1/2015	5/29/2015 Written Comments 6/1/2015		6/29/2015	Approved 11/19/2015	SB 211 HB 4060 BUNDLED HB 4060		
Fire Commission (87-4)	State Building Code Legislative	5/1/2015	6/1/2015		6/29/2015	Modified & Approved 11/19/2015 Filed 12/10/2015	SB 212 HB 4107 BUNDLED HB 4060		
Fire Commission (87-7)	Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code Officials, Inspectors and Plans Examiners Legislative	5/1/2015	6/1/2015		6/29/2015	Modified & Approved 11/19/2015 Filed 12/10/2015	SB 213 HB 4108 BUNDLED HB 4060		
Health (64-48)	Emergency Medical Services Legislative	6/25/2015	7/25/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/8/2015	SB 186 HB 4112 BUNDLED SB 195		
Health (64-51)	Fees for Service Legislative	6/25/2015	7/25/2015		7/27/2015	Approved 10/22/2015	SB 187 HB 4061 BUNDLED SB 195		
Health (64-56)	Infectious Medical Waste Legislative	6/25/2015	7/25/2015		7/27/2015	Modified & Approved 9/16/2015 Filed 9/23/2015	SB 188 HB 4113 BUNDLED SB 195		
Health (64-64)	Aids-Related Medical Testing and Confidentiality Legislative	6/25/2015	7/25/2015		7/27/2015	Approved 9/16/2015	SB 189 HB 4062 BUNDLED SB 195		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-76)	Tuberculosis Testing, Control, Treatment and Commitment Legislative	6/25/2015	7/25/2015		7/27/2015	Approved 9/16/2015	SB 190 HB 4063 BUNDLED SB 195		
Health (64-102)	Farmers Market Vendors Legislative	6/25/2015	7/25/2015		7/27/2015	Modified & Approved 10/22/2015 Filed 10/23/2015	SB 191 HB 4110 BUNDLED SB 195		
Health (64-104)	Certification of Opioid Overdose Prevention and Treatment Training Programs Legislative	6/25/2015	7/25/2015		7/27/2015	Modified & Approved 9/16/2015 Filed 9/23/2015	SB 192 HB 4111 BUNDLED SB 195		
Health & Human Resources (69-8)	Chronic Pain Management Clinic Licensure Legislative	6/26/2015	7/26/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/8/2015	SB 193 HB 4115 BUNDLED SB 195	4/8/2016	5/1/2016
Health & Human Resources (69-9)	Neonatal Abstinence Centers Legislative	6/25/2015	7/25/2015	6/25/2015 Approved 7/29/2015 Amendment 12/8/2015 Approved 12/15/2015	7/31/2015	Modified & Approved 11/19/2015 Filed 12/8/2015	SB 194 HB 4116 BUNDLED SB 195		
Health & Human Resources (69-10)	WV Clearance for Access: Registry and Employment Screening Legislative	6/26/2015	7/26/2015	6/26/2014 Amendment 7/17/2015 Approved 7/29/2015 Amendment 10/23/2015 ERD by 12/4/2015	7/31/2015	Modified & Approved 10/22/2015 Filed 10/23/2015	SB 195 HB 4114 BUNDLED SB 195	4/8/2016	5/1/2016
Higher Education Policy Comm. (133-19)	Guidelines for the Offering of Early Enrollment Courses for High School Students Procedural	11/24/2015	12/24/2015						
Higher Education Policy Comm. (133-26)	Underwood-Smith Teacher Scholarship Program Legislative	6/4/2015	7/4/2015			Approved 10/28/2015	HB 4617		
Higher Education Policy Comm. (133-58)	Nursing Scholarship Program Legislative	6/4/2015	7/4/2015			Approved 10/28/2015	HB 4617		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Highways (157-11)	State Transportation Infrastructure Fund Program Legislative	6/29/2015	7/29/2015		7/31/2015	Modified & Approved 9/15/2015 Filed 9/30/2015	SB 215 HB 4121	4/14/2016	4/14/2016
Human Rights Commission (77-10)	Pregnant Workers' Fairness Act Legislative	6/29/2015	7/30/2015		7/31/2015	Modifed w/certain amendments & Approved 11/19/2015 Filed 12/8/2015	SB 216 HB 4140		
Human Services (78-1)	Child Care Center Licensing Requirements Legislative	6/25/2015	7/25/2015		7/31/2015	Approved 10/22/2015	SB 196 HB 4064 BUNDLED SB 195		
Human Services (78-18)	Family Child Care Facility Licensing Requirements Legislative	6/25/2015	7/25/2015		7/31/2015	Approved 10/22/2015	SB 197 HB 4065 BUNDLED SB 195		
Human Services (78-19)	Family Child Care Home Registration Requirements Legislative	6/25/2015	7/25/2015		7/31/2015	Modified & Approved 10/22/2015 Filed 10/28/2015	SB 198 HB 4117 BUNDLED SB 195		
Human Services (78-23)	W. Va. Works Program Sanctions Legislative	6/25/2015	7/25/2015	6/25/2015 Amendment 7/31/2015 Approved 9/4/2015	7/31/2015	Modified & Approved 10/22/2015 Filed 11/13/2015	SB 199 HB 4118 BUNDLED SB 195		
Human Services (78-24)	Qualifications for a Restricted Provisional License to Practice as a Social Worker Within the Dept. of Health & Human Resources Legislative	6/25/2015	7/25/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/8/2015	SB 200 HB 4119 BUNDLED SB 195		
Human Services (78-25)	Goals for Foster Children Legislative	6/26/2015	7/26/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/22/2015	SB 201 HB 4120 BUNDLED SB 195		
Labor (42-5)	Wage Payment and Collection Legislative	6/25/2015	7/25/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/9/2015	SB 217 HB 4126 BUNDLED SB 202		

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Labor (42-8)	Minimum Wages and Maximum Hours Standards Regulations Legislative	6/26/2015	7/27/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 12/9/2015	SB 218 HB 4124		
Labor (42-21)	Elevator Safety Act Legislative	6/26/2015	7/27/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 11/17/2015	SB 219 HB 4122 BUNDLED SB 202		
Labor (42-21A)	Licensing of Elevator Mechanics and Technicians and Registration of Apprentices Legislative	6/26/2015	7/27/2015		7/31/2015	Approved 11/19/2015	SB 220 HB 4066 BUNDLED SB 202		
Livestock Care Standards Bd (73-1)	Livestock Care Standards Legislative	1/11/2016	2/10/2016		2/11/2016				
Lottery (179-5)	Limited Video Lottery Legislative (Called up by the 2016 Legislature)						SB 157		
Medical Imaging & Radiation Therapy Tech. Bd. of Exam. (18-1)	Rules of the WV Medical Imaging & Radiation Therapy Tech Bd of Exam Legislative	3/6/2015	5/1/2015		6/8/2015	Approved 10/22/2015	SB 221 HB 4067 BUNDLED SB 159		
Medicine (11-11)	Establishment and Regulation of Limited License to Practice Medicine and Surgery at Certain State Veterans Nursing Home Facilities Legislative	6/12/2015	7/13/2015	6/12/2015 Approved 6/30/2015	7/27/2015	Modified & Approved 10/22/2015 Filed 10/23/2015	SB 223 HB 4125 BUNDLED SB 159		
Miners' Health, Safety and Training (56-19)	Substance Abuse Screening, Standards and Procedures Legislative	6/26/2015	7/27/2015	6/26/2015 Effective 8/7/2015	7/30/2015	Approved 10/22/2015	SB 224 HB 4068 BUNDLED SB 202	4/14/2016	5/16/2016
Mining and Reclamation (38-2)	WV Surface Mining Reclamation Legislative	6/23/2015	7/24/2015		7/27/2015	Approved 11/19/2015	SB 182 HB 4056 BUNDLED HB 4053		
Natural Resources (58-47)	Prohibition When Hunting and Trapping Legislative	6/23/2015	7/22/2015		7/30/2015	Modified & Approved 9/15/2015 Filed 10/8/2015	SB 202 HB 4126 BUNDLED SB 202		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-49)	General Hunting Legislative	6/23/2015	7/22/2015		7/30/2015	Approved 9/15/2015	SB 203 HB 4069 BUNDLED SB 202		
Natural Resources (58-50)	Deer Hunting Rule Legislative	6/23/2015	7/22/2015		7/30/2015	Approved 9/15/2015	SB 204 HB 4070 BUNDLED SB 202		
Natural Resources (58-52)	Wild Boar Hunting Rule Legislative	6/23/2015	7/22/2015		7/30/2015	Approved 9/15/2015	SB 205 HB 4071 BUNDLED SB 202		
Natural Resources (58-74)	Elk Restoration and Management Rule Legislative	6/23/2015	7/22/2015		7/30/2015	Modified & Approved 10/22/2015 Filed 10/29/2015	SB 206 HB 4127 BUNDLED SB 202		
Nursing Home Administrators Licensing Bd. (21-1)	Nursing Home Administrators Legislative	6/9/2015	7/10/2015		7/17/2015	Modified & Approved 10/22/2015 Filed 11/2/2015	SB 225 HB 4028 BUNDLED SB 159		
Oil and Gas (35-8)	Horizontal Well Development Legislative	7/24/2015	Hearing 7/23/2015 Written 7/27/2015		7/31/2015	Modified & Approved 11/19/2015 Filed 11/23/2015	SB 179 HB 4102 BUNDLED HB 4053		
Personnel (143-1)	Administrative Rule of the WV Div. of Personnel Legislative	5/19/2015	6/30/2015		7/21/2015	Approved 11/19/2015	SB 226 HB 4072 BUNDLED HB 4046		
Pharmacy (15-1)	Licensure and Practice of Pharmacy Legislative	5/22/2015	6/24/2015		7/16/2015	Modified & Approved 10/22/2015 Filed 12/17/2015	SB 227 HB 4129 BUNDLED SB 159		
Pharmacy (15-2)	Rules of the Bd. Of Pharmacy for the Uniform Controlled Substances Act Legislative	5/22/2015	6/24/2015		7/16/2015	Modified & Approved 11/19/2015 Filed 12/17/2015	SB 228 HB 4130 BUNDLED SB 159		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-4)	Record Keeping and Automated Data Processing Systems Legislative	5/22/2015	6/24/2015		7/16/2015	Modified & Approved 10/22/2015 Filed 12/17/2015	SB 229 HB 4131 BUNDLED SB 159		
Pharmacy (15-5)	Licensure of Wholesale Drug Distributors, Third-Party Logistics Providers and Manufacturers Legislative	5/22/2015	6/24/2015		7/16/2015	Modified & Approved 10/22/2015 Filed 12/17/2015	SB 230 HB 4132 BUNDLED SB 159		
Physical Therapy (16-4)	Fees for Physical Therapist and Physical Therapist Assistant Legislative	3/16/2016	4/18/2016						
Professional Engineers (7-1)	Examination, Licensure and Practice of Professional Engineers Legislative	4/3/2015	5/4/2015	4/3/2015 Withdrawn 5/11/2015 5/11/2015 Approved 6/2/2015	5/11/2015	Modified & Approved 9/16/2015 Filed 9/22/2015	SB 206 HB 4106 BUNDLED SB 159		
Property Valuation Training & Procedures Commission (189-5)	Tax Map Sales Legislative	6/11/2015	7/13/2015		7/29/2015	Modified & Approved 10/22/2015 Filed 10/27/2015	SB 231 HB 4133 BUNDLED SB 159		
Public Transit (225-1)	Rail Fixed Guideway Systems State Safety Oversight Legislative	7/1/2015	7/30/2015		7/31/2015	Modified & Approved 9/15/2015 Filed 9/30/2015	SB 243 HB 4138 BUNDLED SB 150		
Racing Commission (178-1)	Thoroughbred Racing Legislative	6/11/2015	7/13/2015		7/22/2015	Approved 11/19/2015	SB 232 HB 4073 BUNDLED SB 157		
Racing Commission (178-5)	Pari-Mutuel Wagering Legislative	6/11/2015	7/13/2015		7/22/2015	Approved 11/19/2015	SB 233 HB 4074 BUNDLED SB 157		
Registered Professional Nurses (19-5)	Contested Case Hearing Procedure Legislative	4/4/2016	5/5/2016						
Registered Professional Nurses (19-6)	Open Meetings and Bylaws Procedural	4/1/2016	5/2/2016						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Secretary of State (153-3)	(Repeal of) Registration Forms and Receipts Legislative	5/27/2015	6/30/2015		6/30/2015	Approved 11/19/2015	SB 235 HB 4076 BUNDLED SB 159		
Secretary of State (153-9)	(Repeal of) Elimination of Precinct Registration Books Legislative	5/27/2015	6/30/2015		7/1/2015	Approved 11/19/2015	SB 236 HB 4077 BUNDLED SB 159		
Secretary of State (153-23)	(Repeal of) Absentee Voting by Military Voters Who Are Members of Reserve Units Called to Active Duty Legislative	5/27/2015	6/30/2015		6/30/2015	Approved 11/19/2015	SB 237 HB 4075 BUNDLED SB 159		
Secretary of State (153-52)	Freedom of Information Act Database Legislative	5/18/2015	6/19/2015	7/1/2015 Effective 8/12/2015	6/30/2015	Modified & Approved 11/19/2015 Filed 11/30/2015 2nd Filed 12/22/2015	SB 238 HB 4134 BUNDLED SB 159		
Senior Services (76-3)	WV State Plan on Aging-Title V Interpretive	3/1/2016	3/31/2016					4/4/2016	5/4/2016
Social Work, WV Bd of (25-1)	Qualifications for the Profession of Social Work Legislative	6/9/2015	7/10/2015	5/26/2015 Approved 6/9/2015	7/21/2015	Modified & Approved 11/19/2015 Filed 12/4/2015	SB 234 HB 4135 BUNDLED SB 159		
Speech-Language Pathology & Audiology (29-1)	Licensure of Speech-Pathology and Audiology Legislative	4/22/2015	6/5/2015		6/8/2015	Modified & Approved 11/19/2015	SB 239 HB 4136 BUNDLED SB 159		
Speech-Language Pathology & Audiology (29-2)	Rule Governing Speech-Language Pathology and Audiology Assistants Legislative	4/22/2015	6/5/2015		6/8/2015	Modified w/certain amendments & Approved 11/19/2015	SB 240 HB 4142 BUNDLED SB 159		
Tax Department (110-10F)	Payment of Taxes by Electronic Funds Transfer Legislative	6/11/2015	7/13/2015		7/29/2015	Modified & Approved 9/16/2015 Filed 9/18/2015	SB 241 HB 4137 BUNDLED SB 157		
Tax Department (110-14C)	Motor Fuel Excise Tax Interpretive	11/5/2015	12/4/2015						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax Department (110-50H)	Exchange of Info Agreement Between the Comm of the Tax Div of the Dept of Rev and the Sec of the Dept of Commerce, the Sec of the Dept of Environmental Protection, the Dir of the Div of Forestry of the Dept of Commerce and the Comm of the PSC Legislative	6/11/2015	7/13/2015		7/29/2015	Approved 9/16/2015	SB 242 HB 4078 BUNDLED SB 157		
Tourism (144-1)	Direct Advertising Grants Program (Called up by the 2016 Legislature) Legislative						BUNDLED SB 202	4/12/2016	4/15/2016
Veterans' Assistance (86-2)	State Home for Veterans-Fiscal Legislative	5/29/2014	6/28/2014	5/28/2014 Approved 6/2/2014 Expired 9/2/2015	8/1/2014	Approved 9/16/2015	SB 244 HB 4079 BUNDLED SB 4080		
Veterans' Assistance (86-4)	VA Headstones or Markers Legislative	5/28/2014	6/28/2014		8/1/2014	Approved 9/16/2015	SB 245 HB 4080 BUNDLED SB 4080		
Veterinary Medicine (26-4)	Standards of Practice Legislative	3/10/2016	4/11/2016						
Water Resources, Div. of Water & Waste Mgmt. (47-2)	Requirements Governing Water Quality Standards Legislative	6/15/2015	Hearing 7/21/2015 Written Comments 7/31/2015	6/29/2015 Effective 8/10/2015 Amendment 9/21/2015 Approved 10/22/2015	7/31/2015	Modified & Approved 11/19/2015 Filed 11/24/2015	SB 180 HB 4103 BUNDLED HB 4053		
Water Resources, Div. of Water & Waste Mgmt. (47-30B)	Administrative Proceedings and Civil Penalty Assessment Legislative	6/23/2015	7/24/2015		7/27/2015	Approved 11/19/2015	SB 183 HB 4057 BUNDLED HB 4053		
Water Resources, Div. of Water & Waste Mgmt. (47-63)	Aboveground Storage Tanks Legislative	6/25/2015	7/30/2015		7/31/2015	Modified & Approved 11/19/2015	SB 181 HB 4104 BUNDLED HB 4053		
Water Resources, Div. of Water & Waste Mgmt. (47-64)	Aboveground Storage Tank Administrative Proceedings and Civil Penalty Assessment Legislative	6/25/2015	7/30/2015		7/31/2015	Approved 11/19/2015	SB 184 HB 4058 BUNDLED HB 4053		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Water Resources, Div. of Water & Waste Mgmt. (47-65)	Aboveground Storage Tank Fee Assessments Legislative	6/25/2015	7/30/2015		7/31/2015	Approved 1/26/2016	SB 185 HB 4059 BUNDLED HB 4053		
WorkForce West Virginia (96-4)	WV Prevailing Wage Act Legislative	9/22/2015	10/22/2015	8/28/2015 ERD by 10/9/2015	11/6/2015	Modified & Approved 11/19/2015 Filed 12/4/2015	SB 222 HB 4140 BUNDLED SB 202		

Policy Directives – Approved for Inmate Viewing

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OFFICE WEST VIRGINIA
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LEGISLATIVE

NUMBER	TOPIC	ISSUE DATE
100	Purpose and Mission	01 January 2016
101	System of Written Instructions	01 January 2016
102	Table of Organization	01 January 2016
111.06	Financial Responsibility Program for Inmates	01 November 2014
117.01	Collection of Rent from Inmates	01 July 2015
117.03	Mandatory Savings for Certain Inmates	01 December 2009
128.00	Financial Transactions Between Inmates	01 January 2004
151.02	Good Time (Computation/Restoration of Inmate Good Time)	01 April 2015
151.03	Mandatory Supervision (To Provide for One Year of Mandatory Post-Release Supervision	01 April 2015
308.03	Drug Abuse Testing and Sanctions	01 December 2006
308.06	Alcohol Abuse Testing and Sanctions	01 June 2013
325.00	Discipline of Inmates	01 August 2015
325.02	Inmate E-Mails, Internet, Website, etc. Prohibition	01 November 2014
325.08	Unit Behavior Management Team	01 March 2008
325.11	Work Camp Behavior Management Team	01 December 2014
325.12	Possession/Use of Tobacco Products/Tobacco-like Products by Inmates Assigned to Work Camps	01 May 2013
325.13	Unit Disciplinary Process for Young Adult Offenders	01 January 2015
326.01	Administrative Segregation	01 February 2013
327.01	Access to Courts	01 January 2004
328.00	Access to Counsel	01 January 2004
329.00	Institutional Law Libraries	01 October 2007
330.00	Access to Programs and Services	01 January 2004
331.01	Diplomatic Representation	01 October 2004
331.02	Transfer of Inmates Under Federal Treaty	01 January 2004
334.01	Inmate Grooming Standards	01 July 2015
335.00	Inmate Grievance Procedures	01 February 2014
400.03	Issuance of Property to Inmates	01 November 2014
401.12	Level of Service Case Management Inventory (LS/CMI) Procedures	01 January 2014
401.15	Notary Public Services	01 January 2004
407.00	Labeling of Inmate Clothing	01 January 2004
407.01	Clothing and Bedding Supplies	01 June 2008
408.00	Bathing and Personal Hygiene	01 January 2004
410.10	Eye Care/Contact Lenses	01 April 2004
410.12	Medical Respite Application Procedure	01 November 2009
424.01	Inmate Medical Co-Payments	01 January 2004
426.00	SMCC Sheltered Housing Unit	01 April 2015
452.01	Counseling for Pregnant Inmates	01 January 2004
454.06	Oxford House Project	01 July 2010
454.07	Accelerated Parole Program	01 April 2015
456.03	Human Gift Registry	01 July 2011
457.04	Registration of Offenders	01 February 2014
500.00	Work Assignment-Education Participation, Eligibility Pay	01 June 2014
501.01	Academic and Vocational Education	01 June 2014
503.00	Mail Privileges for Inmates	01 April 2015
503.03	Incoming Publication	01 November 2009
506.00	Library Services	01 September 2007

Policy Directives – Approved for Inmate Viewing

07.00	Inmate Marriages	01 November 2014
10.00	Religious Services	01 June 2014
511.00	Religious Special Diet	01 May 2014
512.00	Arts & Crafts Program	01 April 2015
700.05	Supervision Fee for Parolee Procedures/Probationers	01 November 2009
2000.12	Non-Possession/Use of Tobacco Products/Tobacco-Like Products by Inmates Housed in Community Correctional Centers – **CANCELLED**	01 July 2015
	Commissioner's Instruction – Inmate Employment at Community-Based Facilities	01 July 2015
	Commissioner's Instruction – Nullification of "One Strike" Program	01 January 2016

Updated 1 April 2016

WEST VIRGINIA SECRETARY OF STATE
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LEGISLATIVE

FORM 1 – NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE (Page 1)

AGENCY **Education**
RULE TYPE **Legislative Exempt** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **126-**
RULE NAME **A Process for Improving Education: Performance Based Accreditation System (2320)** **013**

CITE AUTHORITY **W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)**

COMMENTS LIMITED TO
Written

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS
Monday, May 16, 2016 4:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
Michele Blatt
WVDE Division of School Effectiveness
Capitol Building 6, Room 318
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0330

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Jill M Newman -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

Title-Series: 126-013 Rule Id: 10109 Document: 27476

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FORM 5 – NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY **Education**
RULE TYPE **Legislative Exempt** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **126-**
RULE NAME **Assuring the Quality of Education: Regulations for Education Programs (2510)** **042**

CITE AUTHORITY **W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)**

RULE IS LEGISLATIVE EXEMPT
Yes
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW
W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE EFFECTIVE DATE OF THIS RULE IS
Friday, July 01, 2016

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Jill M Newman -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

Title-Series: 126-042 Rule Id: 10028 Document: 27474

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LEGISLATIVE

FORM 1 – NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
(Page 1)

AGENCY **Education**
RULE TYPE **Legislative Exempt** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **126-044D**
RULE NAME **NEXT GENERATION CONTENT STANDARDS AND OBJECTIVES FOR SOCIAL STUDIES IN EST VIRGINIA SCHOOLS (2520.4)**
CITE AUTHORITY **W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)**

COMMENTS LIMITED TO
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DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS
Monday, May 16, 2016 4:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
Allegra Kazemzadeh
WVDE Office of Middle/Secondary Learning
Capitol Building 6, Room 603
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0330

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Jill M Newman -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

Title-Series: 126-044D Rule Id: 9755 Document: 27472

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ADMINISTRATIVE LAW DIVISION

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FORM 1 – NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
(Page 1)

AGENCY **Education**
RULE TYPE **Legislative Exempt** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **126-081**
RULE NAME **Attendance (4110)**

CITE AUTHORITY **W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)**

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WRITTEN COMMENTS MAY BE MAILED TO
Heather Hutchens
WVDE Office of Legal Services
Capitol Building 6, Room 362
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0330

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Jill M Newman -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

Title-Series: 126-081 Rule Id: 10110 Document: 27477

FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
(Page 1)

AGENCY **Education**
RULE TYPE **Legislative Exempt** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **126-114**
RULE NAME **Approval of Educator Preparation Programs (5100)**

CITE AUTHORITY **W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)**

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DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS
Monday, May 16, 2016 4:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
Linda Bragg
WVDE Office of Educator Effectiveness & Licensure
Capitol Building 6, Room 304
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0330

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Jill M Newman -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

Title-Series: 126-114 Rule Id: 10111 Document: 27478

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NATALIE E. TENNANT
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FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
(Page 1)

AGENCY **Education**
RULE TYPE **Legislative Exempt** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **126-136**
RULE NAME **Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (5202)**

CITE AUTHORITY **W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)**

COMMENTS LIMITED TO
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DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS
Monday, May 16, 2016 4:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
Brad A. Fittro
WVDE Office of Educator Effectiveness & Licensure
Capitol Building 6, Room 304
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0330

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Jill M Newman -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

Title-Series: 126-136 Rule Id: 10108 Document: 27475

WV INCOME MAINTENANCE MANUAL
MANUAL MATERIAL TRANSMISSION

LEGISLATIVE FILED 2016 APR 11 P 12:15 OFFICE WEST VIRGINIA SECRETARY OF STATE

DATE:	April 1, 2016	CHANGE NUMBER:	729
TO:	ALL INCOME MAINTENANCE MANUAL HOLDERS		

DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
21	13	1/16	21	13	4/16
22	13	1/16	22	13	4/16
24	13	8/15	24	13	4/16
25	13	8/15	25	13	4/16
Appendix F FORM DFA-PRC-1	24	8/15	Appendix F FORM DFA-PRC-1	24	4/16

This change will be released under Emergency Rule and will be effective for any sanction applied on or after April 1, 2016. The purpose of this change is to update the sanction policy due to the passage of Senate Bill #195. Future TANF sanctions will be applied at the next subsequent level based upon previous individual sanctions.

Chapter 13
13.9: Sanctions will be applied as follows: First offense is ineligibility for cash benefits for one month. Second offense is ineligibility for cash benefits for six months. Third and subsequent offences result in ineligibility for cash assistance for twelve months.

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Policy questions should be directed to the DFA Policy Unit.

RAPIDS questions should be directed to the RAPIDS Help Desk.

DW-17
Rev. 10/04

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ADMINISTRATIVE LAW DIVISION

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Form #6

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Department of Health and Human Resources TITLE NUMBER: 69

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 8

TITLE OF RULE BEING AMENDED: Chronic Pain Management Clinic Licensure

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) 195

SECTION (s), PASSED ON March 10, 2016

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE: May 1, 2016

Karen L. Bowling

Authorized Signature

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

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Form #6

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Department of Health and Human Resources TITLE NUMBER: 69

AMENDMENT TO AN EXISTING RULE: YES ___ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: ___

TITLE OF RULE BEING AMENDED: ___

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 10

TITLE OF RULE BEING PROPOSED: West Virginia Clearance for Access: Registry and Employment Screening (WV CARES)

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) 195

SECTION (u), PASSED ON March 10, 2016

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE: May 1, 2016

Karen L. Bowling

Authorized Signature

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ADMINISTRATIVE LAW DIVISION

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2016 APR 14 P 4:23

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Form #6

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: W.Va. Depart. of Transportation, Division of Highways TITLE NUMBER: 157

AMENDMENT TO AN EXISTING RULE: YES ___ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: ___

TITLE OF RULE BEING AMENDED: ___

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 11

TITLE OF RULE BEING PROPOSED: State Transportation Infrastructure Fund Program

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) S.B. 150

SECTION 64-8-2, PASSED ON February 22, 2016

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE: April 14, 2016

Carl D. Martin, J

Authorized Signature

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

Form #6

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LEGISLATIVE rm #6

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: West Virginia Office of Miners' Health, Safety and Training TITLE NUMBER: 56

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 19

TITLE OF RULE BEING AMENDED: Substance Abuse Screening, Standards and Procedures

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) S.B. 202

SECTION 64-10-3, PASSED ON March 11, 2016

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE: May 16, 2016

Joshua H. Jarrett
Authorized Signature

WEST VIRGINIA
SECRETARY OF STATE
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NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Tourism Commission TITLE NUMBER: 144

AMENDMENT TO AN EXISTING RULE: YES X NO ___

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Direct Advertising Grants Program

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: ___

TITLE OF RULE BEING PROPOSED: ___

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) SB202

SECTION 64-10-4, PASSED ON March 11, 2016

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE FOLLOWING DATE: April 15, 2016

Authorized Signature

Orders Report

Docket Number	Agency	Respondent	Date Rendered
15-EP-CC-02058	Insurance Commission	Alps Property and Casualty Insurance Company	4/7/2016
15-AP-PREC-02064	Insurance Commission	Jeanette Carey	4/7/2016
N/A	Medicine, West Virginia Board Of	Aaron Everett Bailey, P.A.-C.	4/6/2016
N/A	Osteopathic Medicine, WV Board of	Steven W. Craft, D.O.	4/8/2016
2015-45	Osteopathic Medicine, WV Board of	John Paul Short, D.O.	4/4/2016

WEST VIRGINIA ETHICS COMMISSION CONTRACT EXEMPTION	
NO.	**OPINION SOUGHT**
2016-01	The City of Cameron seeks an exemption to allow it to purchase materials and supplies from Cameron Hardware, which is owned by its Mayor, K. Scott Chaplin.

Grievances Report

Docket Number	Grievants Name	Respondents Name	Date Decision
2016-0725-RalED	Johnnie Lee Canterbury	Raleigh County Board Of Education	3/16/2016
2015-1554-WooED	Rachelle Lynn Cole	Wood County Board Of Education	3/18/2016
2015-0499-UpsED	Jan Craig	Upshur County Board Of Education	3/18/2016
2015-0807-CONS	Marshall Hinkle, et al.	Highways	3/22/2016
2015-1506-DOC	Jerry Dennis Gill	Natural Resources	3/23/2016
2016-0606-DEP	Deeanna Liegey	Environmental Protection	3/23/2016
2014-1753-CONS	Christine Beckett	Health And Human Resources	3/25/2016
		Child Support Enforcement	3/25/2016
2016-0817-GraCH	Kimberly Trozzi	Grafton-Taylor Health Department	3/31/2016
2016-0447-KanED	Wendy Russell	Kanawha County Board Of Education	4/8/2016

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SECRETARY OF STATE

AG OPINION

State of West Virginia
Office of the Attorney General

Patrick Morrisey
Attorney General

April 6, 2016

(304) 558-2021
Fax (304) 558-0140

Mark Holstine, P.E.
Executive Director
Solid Waste Management Board
601 57th Street, S.E.
Charleston, WV 25304

Dear Mr. Holstine:

You have asked on behalf of the West Virginia Solid Waste Management Board (SWMB) for an Opinion of the Attorney General regarding whether a county solid waste authority is considered a "state agency," such that the authority may be required to follow "state policies and procedures, such as purchasing." This Opinion is being issued pursuant to West Virginia Code § 5-3-1, which provides that the Attorney General "shall give written opinions and advice upon questions of law . . . whenever required to do so, in writing, by . . . any other state officer, board or commission." To the extent this Opinion relies on facts, it is based solely upon the factual assertions set forth in your correspondence with the Attorney General's Office.

Your letter raises the following legal question:

Are county solid waste authorities state agencies, such that they should follow state policies and procedures, such as purchasing rules?

In your letter, you state that "[i]t is the SWMB's contention that the county authorities *are* state entities, and thus, must adhere to applicable state policies and procedures." Quoting from *Blower v. West Virginia Educational Broadcasting Authority*, 182 W. Va. 528, 389 S.E.2d 739 (1990), you assert that "[t]he West Virginia Supreme of Appeals has established that in 'determining whether a particular organization is a state agency, we have examined its legislative framework.'" County solid waste authorities, your letter goes on to claim, satisfy the *Blower* factors and thus "are also 'state agencies.'"

After a careful review of the relevant statutes and case law, we do not believe we can answer whether, in all circumstances, county solid waste authorities are "state agencies" and must follow "state policies and procedures." The Legislature has the authority to statutorily define the concept of a "state agency" differently in different contexts, and to dictate as it sees fit

which particular entities are covered by which state policies or procedure. For example, the state purchasing laws specifically provide that they apply to "spending units of state government," a term that has a particular statutory definition. W. Va. § 5A–3–1(c); *see also id.* § 5A–1–1(21) (defining "spending unit").

While your letter suggests that the West Virginia Supreme Court of Appeals set forth a general test for state agency status in *Blower v. West Virginia Educational Broadcasting Authority*, 182 W. Va. 528, 389 S.E.2d 739 (1990), we do not read that case to go so far. In *Blower*, the Supreme Court of Appeals was faced with a very specific certified question: "whether the West Virginia Educational Broadcasting Authority (EBA) is a state agency and thus subject to the special venue provisions of W. Va. Code, 14-2-2(a)(1) (1976)." *Id.* at 529, 389 S.E.2d at 740. Noting that it had "not previously had occasion to formulate a test on what constitutes a state agency under W. Va. Code, 14-2-2," the court looked to previous cases that "dealt with what is a state agency for purposes of determining whether the entity is entitled to constitutional immunity." *Id.* at 530, 389 S.E.2d at 741. It then borrowed from those cases a multi-factor test, explaining that it saw "no reason why the same test should not apply to determine whether an organization is a state agency for purposes of the venue provisions of W. Va. Code, 14-2-2." *Id.* at 530-31, 389 S.E.2d at 741-42. Thus, as the court has said since *Blower*, we believe that the case only "set forth a test for determining whether an entity is a 'state agency' for purposes of West Virginia Code § 14-2-2." *State ex rel. W. Va. Real Estate Appraiser Licensing & Certification Bd. v. Chiles*, 234 W. Va. 125, 128, 763 S.E.2d 663, 666 (2014).

Not only has the Supreme Court of Appeals never suggested that the *Blower* test answers for all purposes whether an entity is a state agency, it has only applied the test in a few specific contexts. *First*, the test has been applied to determine whether an entity is a state agency for purposes of the special venue provisions of West Virginia Code § 14-2-2, as in *Blower* itself. *See, e.g., Chiles*, 234 W. Va. at 128, 763 S.E.2d at 666; *State ex rel. Stewart v. Alsop*, 207 W. Va. 430, 434, 533 S.E.2d 362, 366 (2000); *State ex rel. W. Virginia Bd. of Educ. v. Perry*, 189 W. Va. 662, 664 n.1, 434 S.E.2d 22, 24 n.1 (1993). *Second*, the test has been applied to determine whether an entity is a state agency for purposes of sovereign immunity, as in the cases on which *Blower* was based. *See, e.g., Arnold Agency v. W. Virginia Lottery Comm'n*, 206 W. Va. 583, 592, 526 S.E.2d 814, 823 (1999). *Third*, the test has been extended in one case to determine whether the Secondary Schools Athletic Commission (SSAC) constitutes a state agency against which attorney's fees could be awarded. *Mayo v. W. Virginia Secondary Sch. Activities Comm'n*, 223 W. Va. 88, 94–97, 672 S.E.2d 224, 230–33 (2008); *see also Chiles*, 234 W. Va. at 130 n.9, 168 S.E.2d at 668 ("Although the issue of 'state agency' in *Mayo* pertained to an award of attorney's fees, rather than venue, the *Blower* test was applied."). We do not understand your letter to be asking about the state agency status of county solid waste authorities in any of these circumstances, and therefore do not undertake a *Blower* analysis.*

* We do note that, in any event, the *Blower* factors do not point clearly in one direction. The first *Blower* factor favors a finding that county solid waste authorities are state agencies because the powers of county solid waste authorities were "substantially created by the legislature." Syl. Pt. 1, *Blower*, 182 W. Va. 528, 389 S.E.2d 739; *see* W. Va. Code § 22C–4–1, *et seq.* (establishing county solid waste authorities and their powers and duties); *Warner*, 198 W. Va. at 669, 482 S.E.2d at 654 ("the legislature empowered the county commissions to create and establish

Though we cannot answer your general question about the status of county solid waste authorities in all circumstances, we can answer, in the negative, your specific question regarding the applicability of the State's purchasing rules to county solid waste authorities. The statutory authority of the Purchasing Division of the Department of Administration is found in Chapter 5A, Article 3 of the West Virginia Code. As noted above, "[t]he provisions of th[at] article apply to all of the *spending units* of state government, except as otherwise provided by this article or by law." W. Va. § 5A–3–1(c) (emphasis added). "Spending unit" is defined as "a department, bureau, department, division, office, board commission, authority, agency or institution of the state government *for which an appropriation is requested of the Governor, or to which an appropriation is made by the Legislature*, unless a specific exemption from this chapter is provided in this code." *Id.* § 5A–1–1(21) (emphasis added). A county solid waste authority does not constitute a "spending unit[] of state government," *id.* § 5A–3–1(c), under this statutory definition.

Even assuming that a county solid waste authority meets the first part of the definition for "spending unit"—*i.e.*, it is "a department, bureau, department, division, office, board commission, authority, agency or institution of the state government"—it does not satisfy the latter requirement that it be funded by "an appropriation . . . requested [by] the Governor, or . . . made by the Legislature." *Id.* By statute, each county solid waste authority is funded not by state appropriation but rather "from the general funds in the county treasury to the extent that such expenses are not paid by fees, grants and funds received by the authority from other sources." W. Va. Code § 22C–4–7(b). County commissions have "the authority to determine the amount to be allocated annually to the [county solid waste] authority." *Id.* As the Supreme Court of Appeals has explained, there is a "financial tether" between county commissions and county solid waste authorities. *State ex rel. Warner v. Jefferson Cty. Comm'n*, 198 W. Va. 667, 673, 482 S.E.2d 652, 658 (1996); *see also id.* ("[A]s a matter of law the Jefferson County Commission has a duty and responsibility of financially subsidizing the functions of the [Jefferson County Solid Waste Authority]").

county solid waste authorities"). The second factor—whether the "composition" of the governing board of each county solid waste authority is "prescribed by the legislature," Syl. Pt. 1, *Blower*, 182 W. Va. 528, 389 S.E.2d 739—also appears to favor state agency status. *See* W. Va. Code § 22C–4–3(b) (establishing five-member board with one member appointed by director of the division of environmental protection, two by the county commission, one by the board of supervisors for the soil conservation district in which the county is situated, and one by the chairman of the public service commission). As does the third factor, because the county solid waste authority is "financially dependent on public funds." Syl. Pt. 1, *Blower*, 182 W. Va. 528, 389 S.E.2d 739. But the remaining two factors cut against state agency status under *Blower*. County solid waste authorities do not operate on a "statewide basis," *id.*, but rather on a countywide basis, W. Va. Code § 22C-4-3(a) ("a public agency in every county of the state"). Nor are county solid waste authorities required by statute to deposit funds in the "state treasury." Syl. Pt. 1, *Blower*, 182 W. Va. 528, 389 S.E.2d 739. We also note that the Supreme Court of Appeals appeared to note in *Blower* a difference between State and local funding and control, *see id.* at 530, 389 S.E.2d at 741 ("Factors to consider are . . . whether it is subject to local control . . . and its financial dependence on State coffers"), which would cut against state agency status for county solid waste authorities.

AG OPINION

In sum, we cannot answer whether county solid waste authorities are state agencies in all circumstances, but as to your specific question regarding the State's purchasing rules, we believe state law clearly provides that county solid waste authorities are not covered.

Sincerely,

Patrick Morrisey
Attorney General

Elbert Lin
Solicitor General

Julie Warren
J. Zak Ritchie
Assistant Attorneys General

AIR QUALITY PERMIT NOTICE

FILED

2016 APR -6 P 2:40

OFFICE WEST VIRGINIA SECRETARY OF STATE

OTHER

Notice of Intent to Approve Class II General Permit G70-C for Natural Gas Production Facilities

The West Virginia Department of Environmental Protection Division of Air Quality (DAQ) is providing notice to the general public of its intent to modify and issue a Class II General Permit for the construction, modification, relocation of and to prevent and control air pollution from the operation of natural gas production facilities pursuant to WV Legislative Rules 45CSR13. The changes to the existing G70-B general permit that are the subject of this public notice consists of increasing the allowable maximum design heat input for all registered flares and/or combustion devices from 30 MMBTU/hr to 36 MMBTU/hr and clarifying that the leak detection and repair (LDAR) requirements only apply to closed vent systems. No emission increases to the already existing emission limits established in General Permit G70-B are being permitted.

Provided that the applicant can demonstrate compliance with the requirements, provisions, standards and conditions of this Class II General Permit, the DAQ has determined that all state air quality requirements will be met by any eligible natural gas production facilities. Any natural gas production facility granted Class II General Permit registration by the Director shall not have a potential to emit any criteria pollutant in an amount equal to or greater than the following:

Pollutant	Maximum Annual Emission Limit (tons/year)
Nitrogen Oxides	50
Carbon Monoxide	80
Volatile Organic Compounds	80
Particulate Matter – 10/2.5	20
Sulfur Dioxide	20
Any Single Hazardous Air Pollutant	8
Total Hazardous Air Pollutants	20

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Written comments or requests for a public meeting must be received by the DAQ before 5:00 p.m. on Monday, May 16, 2016. A public meeting may be held if the Director of the DAQ determines that significant public interest has been expressed, in writing, or when the Director deems it appropriate.

The purpose of the DAQ's permitting process is to make a preliminary determination if the proposed modification will meet all state and federal air quality requirements. The purpose of the public review process is to accept public comments on air quality issues relevant to this determination. Only written comments received at the address noted below within the specified time frame, or comments presented orally at a scheduled public meeting, will be considered prior to final action on the permit. All such comments will become part of the public record.

Jerry Williams
WV Department of Environmental Protection
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304
Telephone: 304/926-0499, ext. 1223
FAX: 304/926-0478
Email: jerry.williams@wv.gov

Additional information, including copies of the draft permit, application and all other supporting materials relevant to the permit decision may be obtained by contacting the engineer listed above. The draft permit and engineering evaluation can be downloaded at:

www.dep.wv.gov/daq/Pages/NSRPermitsforReview.aspx

WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED
100 Dee Drive
Charleston, West Virginia 25311-1600

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2016 APR 11 P 2:41
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SECRETARY OF STATE

OTHER

April 11, 2016

LEGAL NOTICE

James L. Pitrolo, Jr., Chairman, West Virginia Health Care Authority, announces the following Certificate of Need activities for the week ending **April 8, 2016**.

LETTERS OF INTENT FOR EXPEDITED REVIEW RECEIVED

April 5, 2016 – Westbrook Health Services, Inc., Parkersburg, Wood County, CON File #16-5-10778-P, for the development of an ambulatory care facility through the provision of primary care practitioner services; capital expenditure: $10,000.

April 8, 2016 – Capital Caring, Inc., Falls Church, Virginia, CON File #16-6-10783-A, for the acquisition of the Hospice Care Corporation, a licensed hospice program headquartered in Arthurdale, Preston County; capital expenditure: $7,400,000.

April 8, 2016 – Genesis Eldercare Rehabilitation Services, LLC, Kennett Square, Pennsylvania, CON File #16-9-10781-P, for the provision of medically necessary rehabilitation services, including physical therapy, occupational therapy and speech therapy, as well as respiratory therapy and wellness service in patients' homes or in other community settings in Berkeley and Jefferson counties; capital expenditure: $25,000.

April 8, 2016 – Genesis Eldercare Rehabilitation Services, LLC, Kennett Square, Pennsylvania, CON File #16-1/2/3/4/5/6/7-10782-P, for the provision of medically necessary rehabilitation services, including physical therapy, occupational therapy and speech therapy, as well as respiratory therapy and wellness service in patients' homes or in other community settings in Barbour, Boone, Cabell, Fayette, Greenbrier, Harrison, Jackson, Kanawha, Lewis, Lincoln, Marion, Mason, Mercer, Monongalia, Putnam, Nicholas, Summers, Taylor, Raleigh, and Wayne counties; capital expenditure: $25,000.

REQUEST FOR EXEMPTION RECEIVED

April 4, 2016 – Community Health Systems, Inc., Beckley, Raleigh County, CON File #16-1-10777-X, for the development of a new clinic for AccessHealth Beckley in Raleigh County. The satellite health clinic will be located at 202 Bill Baker Way, Beckley, Raleigh County.

The capital expenditure associated with the project is $0.

Any affected person may oppose this proposal by submitting a letter stating the reason for opposition within thirty (30) days of the first date of publication of the public notice to: Marianne Kapinos, General Counsel, West Virginia Health Care Authority, Certificate of Need Program, 100 Dee Drive, Charleston, West Virginia 25311-1600.

The last date upon which an affected party may file a letter of opposition to this proposal is May 11, 2016.

Further information may be obtained on any of the above-referenced projects by contacting Timothy E. Adkins, Director, Certificate of Need Division.