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Health Care Authority

Hearing Aid Dealers

Justice & Community Services

Lottery Commission

Medicine

Natural Resources

Optometry

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Veterinary Medicine

CHRONOLOGICAL INDEX, VOLUME XXXIV ISSUE 35			
NO NEW PROPOSED RULES WERE FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION

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	1	ACCOUNTANCY
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	8	HEARING AID DEALERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
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	31	DIETITIANS
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
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TITLE	87	FIRE COMMISSION
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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	164	SCHOOL BUILDING AUTHORITY
TITLE	172	STATE RAIL AUTHORITY
TITLE	174	REAL ESTATE COMMISSION
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	194	MASSAGE THERAPY LICENSURE BOARD
TITLE	199	EXPLOSIVES & BLASTING
TITLE	204	HATFIELD-MCCOY REGIONAL RECREATION AUTHORITY

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy, WV Bd. Of (1-01)	Board Rules and Rules of Professional Conduct Legislative	6/23/2017	7/23/2017		7/28/2017				
Administration (148-03)	State Owned Vehicles Legislative	6/26/2017	7/26/2017		7/26/2017				
Administration (148-6)	Parking Legislative	6/21/2017	7/21/2017		7/25/2017	Approved 8/29/2017			
Agriculture (61-01)	Animal Disease Control Legislative	6/28/2017	7/28/2017		7/28/2017				
Agriculture (61-1A)	Feeding of Untreated Garbage to Swine Legislative	6/22/2017	7/22/2017		7/27/2017				
Agriculture (61-2)	West Virginia Apiary Law Legislative	6/15/2017	7/16/2017		7/18/2017	Modified & Approved 8/29/2017			
Agriculture (61-8B)	Schedule of Charges for Inspection Services: Fruit Legislative	6/15/2017	7/172017		7/19/2017	Modified & Approved 8/29/2017			
Agriculture (61-11)	Public Markets Legislative	6/27/2017	7/27/2017		7/27/2017				
Agriculture (61-11B)	Auctioneers Legislative	6/26/2017	7/26/2017		7/28/2017				
Agriculture (61-14A)	Noxious Weeds Legislative	6/22/2017	7/22/2017		7/28/2017				
Agriculture (61-16)	Inspection of Meat and Poultry Legislative	6/15/2017	7/16/2017		7/17/2017	Modified & Approved 8/29/2017			
Agriculutre (61-23D)	Inspection of Nontraditional, Domesticated Animals Legislative	6/15/2017	7/16/2017		7/17/2017				
Air Quality (45-8)	Ambient Air Quality Standards Legislative	6/6/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/6/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/7/2017	7/11/2017		7/21/2017	Modified & Approved 8/29/2017 Filed 8/24/2017			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-23)	Control of Air Pollution from Municipal Solid Waste Landfills Legislative	6/7/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/6/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/6/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Athletic Commission (177-1)	WV State Athletic Commission Legislative	6/16/2017	7/16/2017		7/27/2017				
Athletic Commission (177-2)	Regulation of Mixed Martial Arts Legislative	6/16/2017	7/16/2017		7/27/2017				
Crime Delinquency and Correction (149-2)	Law Enforcement Training and Certification Standards Legislative	6/21/2017	7/24/2017		7/26/2017				
Crime Delinquency and Correction (149-03)	Protocol for Law Enforcement Response to Domestic Violence Legislative	6/28/2017	7/28/2017		7/28/2017				
Culture and History (82-6)	Archives and History Library Services and Fee Guidelines Procedural	8/24/2017	10/2/2017						
Dietitians (31-1)	Licensure and Renewal Requirements Legislative	6/8/2017	7/17/2017		7/24/2017				
Education (126-25A)	Standards for Basic and Specialized Health Care Procedures (2422.7) Legislative Exempt	8/10/2017	9/11/2017						
Education (126-28)	West Virginia's Universal Access to a Quality Early Education System (2525) Legislative Exempt	8/10/2017	9/11/2017						
Education (126-44G)	WV College and Career Readiness Standards for World Languages (2520.7) Legislative Exempt	8/10/2017	9/11/2017						
Education (126-44M)	WV College and Career Readiness Programs of Study/Standards for Career and Technical Education (2520.13) Legislative Exempt	8/10/2017	9/11/2017						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-44O)	WV Pre-K Standards (Ages 3-5) (2520.15) Legislative Exempt	8/10/2017	9/11/2017						
Education (126-44P)	WV Alternate Academic Achievement Standards (2520.16) Legislative Exempt	8/10/2017	9/11/2017						
Education (126-81)	Attendance (4110) Legislative Exempt	7/13/2017	8/14/2017						
Education (126-86)	Standards for School Nutrition (Policy 4321.1) Legislative Exempt	6/15/2017	7/17/2017					8/10/2017	1/2/2018
Education (126-92)	WV School Bus Transportation Policy and Procedures Manual (4336) Legislative Exempt	8/10/2017	9/11/2017						
Education (126-099)	Expected Behavior in Safe and Supportive Schools (4373) Legislative Exempt	7/13/2017	8/14/2017						
Education (126-114)	Approval of Educational Personnel Preparation Programs (5100) Legislative Exempt	7/13/2017	8/14/2017						
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classification (5202) Legislative Exempt	7/13/2017	8/14/2017						
Environmental Protection – Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	6/5/2017	7/6/2017		7/11/2017				
Fire Commission (87-2)	Electrician Licensing Rules Legislative	6/16/2017	7/17/2017		7/25/2017				
Fire Commission (87-3)	Hazardous Substance Emergency Response Training Programs Legislative	6/19/2017	7/19/2017		7/25/2017				
Health (64-03)	Public Water Systems Legislative	6/27/2017	7/27/2017		7/28/2017				
Health (64-12)	Hospital Licensure Legislative	6/27/2017	7/27/2017		7/28/2017	Modified & Approved 8/29/2017 Filed 8/30/2017			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-17)	Food Establishments Legislative	6/27/2017	7/27/2017		7/28/2017				
Health (64-23A)	Technologically Enhanced Naturally Occurring Radioactive Material Legislative	6/27/2017	7/27/2017		7/28/2017				
Health (64-48)	Emergency Medical Services Legislative	6/27/2017	7/27/2017		7/28/2017				
Health (64-105)	Harm Reduction Programs Legislative	6/27/2017	7/27/2017		7/28/2017				
Health (64-106)	Home-Based Food Production Legislative	6/27/2017	7/27/2017	6/27/2017 Withdrawn 7/20/2017	7/28/2017				
Health (64-107)	Designation of Comprehensive, Primary and Acute Stroke-Ready Hospitals Legislative	6/27/2017	7/27/2017		7/28/2017				
Health and Human Resources (69-10)	WV Clearance for Access: Registry and Employment Screening Legislative	6/26/2017	7/26/2017		7/27/2017	Approved 8/29/2017			
Health and Human Resources (69-13)	Development of Methodologies to Examine Needs for Substance Use Disorder Treatment Facilities within the State Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017 Amendment 7/28/2017 ERD by 9/21/2017	7/28/2017				
Health and Human Resources (69-14)	Collection and Exchange of Data Related to Overdoses Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017 Amendment 7/28/2017 ERD by 9/21/2017	7/28/2017				
Health Care Authority (65-13)	Financial Disclosure Rule Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017	7/28/2017				
Hearing Aid Dealers (8-01)	WV Board of Hearing Aid Dealers Legislative	6/23/2017	7/24/2017		7/26/2017	Approved 8/29/2017			
Higher Ed. Policy Commission (133-41)	Health Sciences Service Program Procedural	6/26/2017	7/26/2017					8/2/2017	9/2/2017

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Highways (157-2)	Disposal, Lease and Management of Real Property and Appurtenant Structures and Relocation Assistance Legislative	6/22/2017	7/24/2017		7/28/2017				
Human Services (78-01)	Child Care Licensing Legislative	6/26/2017	7/26/2017		7/27/2017				
Human Services (78-02)	Child Placing Agencies Licensing Legislative	6/26/2017	7/26/2017		7/27/2017				
Human Services (78-18)	Family Child Care Facility Licensing Requirements Legislative	6/27/2017	7/26/2017		7/28/2017				
Human Services (78-19)	Family Child Care Home Registration Requirements Legislative	6/26/2017	7/26/2017		7/27/2017				
Human Services (78-20)	Informal and Relative Family Child Care Home Registration Requirements Legislative	6/26/2017	7/26/2017		7/28/2017				
Human Services (78-21)	Out-of-School Time Child Care Center Legislative	6/26/2017	7/26/2017		7/28/2017				
Human Services (78-26)	Drug Screening of Applicants for Cash Assistance Under the Temporary Assistance for Needy Families Program (TANF) Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017 Amendment 7/28/2017 ERD by 9/8/2017	7/28/2017				
Labor (42-10)	Zipline and Canopy Tour Responsibility Act Legislative	6/15/2017	7/17/2017		7/27/2017				
Labor (42-12)	Bedding and Upholstered Furniture Legislative	6/15/2017	7/17/2017		7/27/2017				
Labor (42-17)	Amusement Rides and Amusement Attractions Safety Act Legislative	6/15/2017	7/17/2017		7/27/2017				
Labor (42-21)	Elevator Safety Act Legislative	6/21/2017	7/22/2017		7/27/2017				
Labor (42-33)	Employer Wage Bonds Legislative	6/15/2017	7/17/2017		7/27/2017				

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Labor (42-35)	Registration of Service Persons and Service Agencies Legislative	6/15/2017	7/17/2017	6/16/2017 Approved 7/20/2017	7/27/2017				
Labor (42-36)	Registration of Weighing and Measuring Devices Used by Businesses in Commercial Transactions Legislative	6/15/2017	7/17/2017	6/16/2017 Approved 7/20/2017	7/27/2017				
Licensed Practical Nurses (10-04)	Schedule of Fees for Services Rendered by the WV State Bd. Of Examiners for Licensed Practical Nurses Legislative	6/28/2017	7/28/2017		7/31/2017				
Lottery Commission (179-1)	State Lottery Rules Legislative	6/19/2017	7/21/2017		7/28/2017				
Massage Therapy Licensure Board (194-1)	General Provisions Legislative	6/19/2017	7/22/2017		7/26/2017				
Medicine (11-6)	Continuing Education for Physicians and Podiatrists Legislative	6/21/2017	7/21/2017		7/26/2017	Approved 8/29/2017			
Medicine (11-01B)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	7/11/2017	8/10/2017		8/29/2017				
Miners' Health, Safety and Training (56-23)	Operating Diesel Equipment in Underground Mines in WV Legislative	6/22/2017	7/24/2017	6/22/2017 Approved 7/20/2017	7/27/2017				
Mining and Reclamation (38-02)	West Virginia Surface Mining Reclamation Legislative	6/6/2017	7/18/2017		7/27/2017				
Natural Resources (58-02)	Rules Controlling the Public Land Corporations Sale, Lease, Exchange or Transfer of Land or Minerals Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 8/29/2017			
Natural Resources (58-11)	Hunting, Fishing and Other Outfitters and Guides Legislative	6/23/2017	7/24/2017		7/28/2017				
Natural Resources (58-25)	Boating Rule Legislative	6/23/2017	7/24/2017		7/28/2017				
Natural Resources (58-28)	Special Requirements Concerning Boating Legislative	6/23/2017	7/24/2017		7/28/2017				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-29)	Special Boating Rule for Jennings Randolph Lake Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 8/29/2017			
Natural Resources (58-49)	General Hunting Legislative	6/23/2017	7/24/2017		7/28/2017				
Natural Resources (58-55)	Migratory Bird Hunting Rule Legislative Exempt							8/15/2017	9/1/2017
Natural Resources (58-56)	Special Migratory Bird Hunting Legislative	6/23/2017	7/24/2017		7/28/2017				
Natural Resources (58-57)	Waterfowl Hunting Rule Legisltaive Exempt							8/15/2017	9/1/2017
Natural Resources (58-59)	Special Waterfowl and Migratory Bird Hunting Areas Legislative Exempt							8/15/2017	9/1/2017
Natural Resources (58-64)	Miscellaneous Permits and Licenses Legislative	6/23/2017	7/24/2017		7/28/2017				
Natural Resources (58-69)	Wildlife Disease Management Legislative	6/28/2017	7/28/2017		7/28/2017				
Optometry (14-01)	WV Board of Optometry Legislative	6/28/2017	7/28/2017		7/28/2017	Approved 8/29/2017			
Pharmacy (15-1)	Licensure and Practice of Pharmacy Legislative	6/22/2017	7/24/2017		7/28/2017				
Pharmacy (15-2)	Uniform Controlled Substances Act Legislative	5/11/2017	6/12/2017		7/28/2017				
Pharmacy (15-7)	Registration of Pharmacy Technicians Legislative	5/12/2017	6/12/2017		7/28/2017				
Pharmacy (15-8)	Controlled Substances Monitoring Program Legislative	6/15/2017	7/17/2017	6/15/2017 Approved 7/20/2017	7/28/2017				
Pharmacy (15-10)	Pharmacist Recovery Networks Legislative	5/12/2017	6/12/2017		7/28/2017				
Pharmacy (15-12)	Immunizations Administered by Pharmacists and Pharmacy Interns Legislative	6/22/2017	7/24/2017		7/28/2017				
Pharmacy (15-14)	Centralized Prescription Processing Legislative	6/15/2017	7/17/2017		7/28/2017				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Physical Therapy (16-4)	Fees for Physical Therapist and Physical Therapist Assistant Legislative	3/16/2016	4/18/2016		4/22/2016	Approved 9/1/2016	SB 144 HB 2232 Bundled HB 2219	6/5/2017	9/1/2017
Psychologists (17-01)	Fees Legislative	6/28/2017	7/28/2017		7/28/2017				
Psychologists (17-02)	Organization and Procedures of the Board of Examiners of Psychologists Procedural	6/28/2017	7/28/2017						
Psychologists (17-03)	Requirements for Licensure as a Psychologist and/or a School Psychologist Legislative	6/28/2017	7/28/2017		7/28/2017				
Psychologists (17-06)	Code of Ethics Legislative	6/28/2017	7/28/2017		7/28/2017				
Racing Commission (178-1)	Thoroughbred Racing Legislative	6/19/2017	7/19/2017		7/27/2017				
Real Estate Appraiser Licensing & Cert. Bd. (190-2)	Requirements for Licensure and Certification Legislative	6/14/2017	7/17/2017		7/28/2017				
Real Estate Commission (174-01)	Licensing Real Estate Brokers, Associate Brokers and Salespersons and the Conduct of Brokerage Business Legislative	6/23/2017	7/24/2017		7/27/2017				
Real Estate Commission (174-02)	Schedule of Fees Legislative	6/26/2017	7/26/2017		7/27/2017				
Real Estate Commission (174-03)	Requirements for Real Estate Courses, Course Providers and Instructors Legislative	6/26/2017	7/26/2017		7/27/2017				
School Building Authority of WV (164-1)	School Building Authority Policy and Procedures Handbook Procedural	12/22/2016	1/23/2017						
Secondary School Activities Comm. (127-2)	Athletics, Provisions Governing Eligibility Legislative Exempt	5/18/2017	6/19/2017					7/13/2017	9/11/2017
Secondary School Activities Comm. (127-3)	Provisions Governing Contests Legislative Exempt	5/18/2017	6/19/2017					7/13/2017	9/11/2017

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Secretary of State (153-1)	Electronic Filing and Formatting of Rules Procedural	8/25/2017	9/29/2017						
Secretary of State (153-18)	Procedures for Canvassing Elections Legislative	6/28/2017	7/28/2017		7/28/2017				
Secretary of State (153-27)	Procedures for Handling Ballots and Counting Write-In Votes in Counties Using Optical Scan Ballots Legislative	6/28/2017	7/28/2017		7/28/2017				
Secretary of State (153-34)	Licensing of Private Investigators and Security Guards Legislative	6/26/2017	7/26/2017		7/27/2017				
Secretary of State (153-39)	Vote by Mail Pilot Project Phase 2: Voting by Mail – Repeal Legislative	6/27/2017	7/27/2017		7/28/2017	Approved 8/29/2017			
Senior Services (76-3)	WV State Plan for Aging Programs Interpretive	7/7/2016	8/8/2016						
State Police (81-14)	WV Sex Offender Registration Act Procedural	7/20/2017	8/22/2017						
Tax (110-10F)	Payment of Taxes by Electronic Funds Transfer Legislative	6/16/2017	7/17/2017		7/27/2017	Approved 8/29/2017			
Tax (110-13DD)	Farm-To-Food Bank Tax Credit Legislative	6/16/2017	7/17/2017		7/27/2017	Modified & Approved 8/29/2017			
Tax (110-22)	Property Transfer Tax Legislative	6/19/2017	7/20/2017		7/27/2017	Approved 8/29/2017			
Tax (110-28)	Municipal Sales and Service and Use Tax Administration Legislative	6/16/2017	7/17/2016	6/13/2017 Approved 7/20/2017	7/28/2017	Modified & Approved 8/29/2017			
Veterinary Medicine (26-1)	Organization and Operation and Licensing of Veterinarians Legislative	6/12/2017	7/13/2017		7/18/2017	Modified & Approved 8/29/2017 Filed 8/29/2017			
Veterinary Medicine (26-5)	Certified Animal Euthanasia Technicians Legislative	6/12/2017	7/13/2017		7/18/2017				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Veterinary Medicine (26-6)	Schedule of Fees Legislative	6/12/2017	7/13/2017		7/18/2017	Modified & Approved 8/29/2017 Filed 8/29/2017			
Waste Mgmt., Div. of Water & Waste Mgmt (33-20)	Hazardous Waste Management System Legislative	6/5/2017	7/6/2017		7/21/2017				
Waste Mgmt., Div. of Water & Waste Mgmt (33-30)	Underground Storage Tanks Legislative	6/5/2017	7/6/2017		7/25/2017				

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

FORM 4 – NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY **Health**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **64-12**
RULE NAME **Hospital Licensure**

CITE AUTHORITY **16-5B-8**

THE ABOVE PROPOSED LEGISLATIVE RULES, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE, IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE. THE ATTACHED MOFICATIONS ARE FILED WITH THE SECRETARY OF STATE.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.
Yes

Cynthia H Dellinger – 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: 64-12 Rule Id: 16554 Document: 49817

P.O. BOX 2067
CHARLESTON, WV 25327

PHONE: 304-558-0500
1-800-WVA-CASH

WEST VIRGINIA LOTTERY

Jim Justice
Governor

Alan H. Larrick
Director

August 23, 2017

FILED
2017 AUG 25 P 1:52
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

Honorable Mac Warner
West Virginia Secretary of State
Attn: Administrative Law Division
1900 Kanawha Boulevard, East
Charleston, WV 25305-0771

Dear Secretary Warner:

Pursuant to W. Va. Code §29-22A-5(a), the West Virginia State Lottery is, from time to time, to adopt game rules pertaining to Racetrack Video Lottery which are specifically authorized by W. Va. Code §§29-22A-1 et seq.

Enclosed are game rules for "Black Diamond," "Crystal Star," "Double Jackpot Lion's Share," "Honey Bear," "Marvels of Mystery," "Mata Hari," "Myths and Legends," "The Valkyries" and "Wild Dragon" manufactured by Everi Games, Inc., (formerly known as Multimedia Games, Inc.) for lottery terminals located at all four licensed racetracks in the State.

Please file these documents as a game rule.

Sincerely,

Alan H. Larrick
Director

AHL/pb

Enclosures: Black Diamond
Crystal Star
Double Jackpot Lion's Share
Honey Bear
Marvels of Mystery
Mata Hari
Myths and Legends
The Valkyries
Wild Dragon

P.O. BOX 2067
CHARLESTON, WV 25327

PHONE: 304-558-0500
1-800-WVA-CASH

Jim Justice
Governor

Alan H. Larrick
Director

LEGISLATIVE

August 23, 2017

FILED
2017 AUG 25 P 1:51

Honorable Mac Warner
West Virginia Secretary of State
Attn: Administrative Law Division
1900 Kanawha Boulevard, East
Charleston, WV 25305-0771

Dear Secretary Warner:

Pursuant to W. Va. Code §29-22A-5(a), the West Virginia State Lottery is, from time to time, to adopt game rules pertaining to Racetrack Video Lottery which are specifically authorized by W. Va. Code §§29-22A-1 et seq.

Enclosed are game rules for "Hot Roulette Pink Diamond," "Hot Roulette Triple Red Hot 7s," "I Heart Super Times Pay Free Game$," "Triple Diamond," "Triple Double Red Hot Bells Free Game$" and "Wheel of Fortune – Ultimate 777" manufactured by IGT, Inc. for lottery terminals located at all four licensed racetracks in the State.

Please file these documents as a game rule.

Sincerely,

Alan H. Larrick
Director

AHL/pb

Enclosures: Hot Roulette Pink Diamond
Hot Roulette Triple Red Hot 7s
I Heart Super Times Pay Free Game$
Triple Diamond
Triple Double Red Hot Bells Free Game$
Wheel of Fortune – Ultimate 777

P.O. BOX 2067
CHARLESTON, WV 25327

PHONE: 304-558-0500
1-800-WVA-CASH

Jim Justice
Governor

Alan H. Larrick
Director

August 23, 2017

FILED
2017 AUG 25 P 1:51

Honorable Mac Warner
West Virginia Secretary of State
Attn: Administrative Law Division
1900 Kanawha Boulevard, East
Charleston, WV 25305-0771

Dear Secretary Warner:

Pursuant to W. Va. Code §29-22A-5(a), the West Virginia State Lottery is, from time to time, to adopt game rules pertaining to Racetrack Video Lottery which are specifically authorized by W. Va. Code §§29-22A-1 et seq.

Enclosed are game rules for "88 Fortunes" manufactured by Bally Technologies for lottery terminals located at all four licensed racetracks in the State.

Please file these documents as a game rule.

Sincerely,

Alan H. Larrick
Director

AHL/pb

Enclosures: 88 Fortunes

www.wvlottery.com

P.O. BOX 2067
CHARLESTON, WV 25327

PHONE: 304-558-0500
1-800-WVA-CASH

Jim Justice
Governor

Alan H. Larrick
Director

August 23, 2017

Honorable Mac Warner
West Virginia Secretary of State
Attn: Administrative Law Division
1900 Kanawha Boulevard, East
Charleston, WV 25305-0771

FILED
2017 AUG 25 P 1:5

Dear Secretary Warner:

Pursuant to W. Va. Code §29-22A-5(a), the West Virginia State Lottery is, from time to time, to adopt game rules pertaining to Racetrack Video Lottery which are specifically authorized by W. Va. Code §§29-22A-1 et seq.

Enclosed are game rules for "Rumble Rumble Bison (2I) manufactured by Ainsworth Game Technology for lottery terminals located at all four licensed racetracks in the State.

Please file these documents as a game rule.

Sincerely,

Alan H. Larrick
Director

AHL/pb

Enclosures: Rumble Rumble Bison (2I)

LEGISLATIVE

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
8/29/2017 1:38:06 PM

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

AGENCY: Medicine TITLE-SERIES: 11-01B

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: 11-01B Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants

PRIMARY CONTACT

NAME: Mark A Spangler Executive Director

ADDRESS: 101 Dee Drive Suite 103
Charleston, WestVirginia 25311

EMAIL: mark.a.spangler@wv.gov

PHONE NUMBER: 304-558-2921 70005

CITE STATUTORY AUTHORITY: W. Va. Code §30-1-7(a), §30-3E-3(a)(1)-(10), and W. Va. Code §30-1D-1(d).

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

W. Va. Code §30-1-7(a), §30-3E-3(a)(1)-(10), and W. Va. Code §30-1D-1(d).

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 7/11/2017

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 8/10/2017

COMMENTS RECEIVED: Yes

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No

(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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8/29/2017 1:33:12 PM

OFFICE OF WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

FORM 4 – NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY **Veterinary Medicine**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **26-01**
RULE NAME **Organization and Operation and Licensing of Veterinarians**

CITE AUTHORITY **30-10-6**

THE ABOVE PROPOSED LEGISLATIVE RULES, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE, IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE. THE ATTACHED MOFICATIONS ARE FILED WITH THE SECRETARY OF STATE.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.
Yes

Patricia A Holstein – 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: 26-01 Rule Id: 16475 Document: 49796

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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8/29/2017 1:41:01 PM

OFFICE OF WEST VIRGINIA SECRETARY OF STATE

FORM 4 – NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY **Veterinary Medicine**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **26-06**
RULE NAME **Schedule of Fees**

CITE AUTHORITY **30-10-6**

THE ABOVE PROPOSED LEGISLATIVE RULES, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE, IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE. THE ATTACHED MOFICATIONS ARE FILED WITH THE SECRETARY OF STATE.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.
Yes

Patricia A Holstein – 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: 26-06 Rule Id: 16476 Document: 49798

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:3
LRMRC

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Jennelle Jones, jennelle.h.jones@wv.gov
Administration
Real Estate Division
WV Dept of Administration
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: Parking, 148CSR6

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed — X
   (B) as modified by the agency
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached.
3. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached.
4. Recommends that the Legislative rule be withdrawn; a statement of reasons for the recommendation is attached.
5. Recommends that the Legislative rule be rejected; a statement of reasons for the recommendation is attached.

Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston , WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:2

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Jodee Martin, jodeemartin@wvda.us
Agriculture
WV Dept of Agriculture
1900 Kanawha Blvd. East
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: WV Apiary Law, 61CSR2

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed
   (B) as modified by the agency — X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached.
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Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

FILED
2017 AUG 29 P 3:2
LRMRC

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair
Jared Wyrick, Director

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Jodee Martin, jodeemartin@wvda.us
Agriculture
WV Dept of Agriculture
1900 Kanawha Blvd. East
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Schedule of Charges for Inspection Services: Fruit, 61CSR8B

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed ____
   (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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2017 AUG 29 P 3:2

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair
Jared Wyrick, Director

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Jodee Martin, jodeemartin@wvda.us
Agriculture
WV Dept of Agriculture
1900 Kanawha Blvd. East
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Inspection of Meat and Poultry, 61CSR16

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed ____
   (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:2[illegible]
LRMRC

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Kristin Boggs kristin.a.boggs@wv.gov
DEP - Air Quality
DEP
601 57th St, S.E.

From: Legislative Rule-Making Review Committee

Proposed Rule: Ambient Air Quality Standards, 45CSR8

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed — X
   (B) as modified by the agency —
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
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Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

FILED
2017 AUG 29 P 3:30
[illegible]A

Jared Wyrick, Director

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Kristin Boggs kristin.a.boggs@wv.gov
DEP - Air Quality
DEP
601 57th St, S.E.

From: Legislative Rule-Making Review Committee

Proposed Rule: Standards of Performance for New Stationary Sources, 45CSR16

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed — X
   (B) as modified by the agency —
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
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Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:
LRMRC

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Kristin Boggs kristin.a.boggs@wv.gov
DEP - Air Quality
DEP
601 57th St, S.E.

From: Legislative Rule-Making Review Committee

Proposed Rule: Control of Air Pollution from Combusion of Solid Waste, 45CSR18

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed ____
   - (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Kristin Boggs kristin.a.boggs@wv.gov
DEP - Air Quality
DEP
601 57th St, S.E.

From: Legislative Rule-Making Review Committee

Proposed Rule: Control of Air Pollution from Municipal Solid Waste Landfills, 45CSR23

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   - (A) as originally filed X
   - (B) as modified by the agency ____
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston , WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:30
LRMRC

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Kristin Boggs kristin.a.boggs@wv.gov
DEP - Air Quality
DEP
601 57th St, S.E.

From: Legislative Rule-Making Review Committee

Proposed Rule: Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities, 45CSR25

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed — X
   (B) as modified by the agency —
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. —
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Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston , WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:30

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Kristin Boggs kristin.a.boggs@wv.gov
DEP - Air Quality
DEP
601 57th St, S.E.

From: Legislative Rule-Making Review Committee

Proposed Rule: Emission Standards for Hazardous Air Pollutants, 45CSR34

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed — X
   (B) as modified by the agency —
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Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston , WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

FILED
2017 AUG 29 P 3:3
LRMRC

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Heather Shields heather.j.mcdanielshields@wv.gov
Health
Office of Inspector General
State Capitol Complex
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: Hospital Licensure, 64CSR12

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed ____
   (B) as modified by the agency X
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:3

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Kathy Lawson kathy.m.lawson@wv.gov
Health and Human Resources
Office of Inspector General
State Capitol Complex
Charleston, WV 25305

From: Legislative Rule-Making Review Committee

Proposed Rule: WV Clearance for Access: Registry and Employment Screening, 69CSR10

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed X
   (B) as modified by the agency ____
2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. ____
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Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston, WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:30
LRMRC

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Kendra Zamora, boardofhearingaiddealers@frontier.com
Hearing Aid Dealers, WV Board of
179 Summers St.
Suite 715
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: WV Board of Hearing Aid Dealers, 8CSR1

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed — X
   (B) as modified by the agency
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5. Recommends that the Legislative rule be rejected; a statement of reasons for the recommendation is attached.

Building 1, Room MB-49 1900 Kanawha Boulevard, East Charleston , WV 25305
Phone: (304) 347-4840 Fax: (304) 347-4901 email: jared.wyrick@wvsenate.gov

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:31

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Mark Spangler, mark.a.spangler@wv.gov
Medicine
WV Board of Medicine
101 Dee Drive, Suite 103
Charleston, WV 25311

From: Legislative Rule-Making Review Committee

Proposed Rule: Continuing Education for Physicians and Podiatrists, 11CSR6

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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   (A) as originally filed — X
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2017 AUG 29 P 3:31
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Wendy Greene, wendy.l.green@wv.gov
Natural Resources
324 4th Ave.
Room 343
South Charleston, WV 25303

From: Legislative Rule-Making Review Committee

Proposed Rule: Rules Controlling the Public Land Corporations Sale, Lease, Exchange or Transfer of Land or Minerals, 58CSR2

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed — X
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2017 AUG 29 P 3:31

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Wendy Greene, wendy.l.green@wv.gov
Natural Resources
324 4th Ave.
Room 343
South Charleston, WV 25303

From: Legislative Rule-Making Review Committee

Proposed Rule: Special Requirements Concerning Boating, 58CSR28

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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   (A) as originally filed — X
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:31
LRMRC

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Wendy Greene, wendy.l.green@wv.gov
Natural Resources
324 4th Ave.
Room 343
South Charleston, WV 25303

From: Legislative Rule-Making Review Committee

Proposed Rule: Special Boating Rule for Jennings Randolph Lake, 58CSR29

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed — X
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

FILED
2017 AUG 29 P 3:31

Jared Wyrick, Director

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Pamela Carper wvbdopt@frontier.com
Optometry
179 Summers St.
#231
Charleston, WV 25301

From: Legislative Rule-Making Review Committee

Proposed Rule: West Virginia Board of Optometry, 14CSR1

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:3
LRMRC

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Donald Kersey dkersey@wvsos.gov
Secretary of State

From: Legislative Rule-Making Review Committee

Proposed Rule: Vote by Mail Pilot Project Phase 2: Voting by Mail - Repeal, 153CSR39

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:3

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Mark Morton, mark.s.morton@wv.gov
Tax
Legal Division
State Tax Department
Charleston, WV 25324

From: Legislative Rule-Making Review Committee

Proposed Rule: Payment of Taxes by Electronic Funds Transfer, 110CSR10F

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:3
LRMRC

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Mark Morton, mark.s.morton@wv.gov
Tax
Legal Division
State Tax Department
Charleston, WV 25324

From: Legislative Rule-Making Review Committee

Proposed Rule: Farm-To-Food Bank Tax Credit, 110-13DD

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:2

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Mark Morton, mark.s.morton@wv.gov
Tax
Legal Division
State Tax Department
Charleston, WV 25324

From: Legislative Rule-Making Review Committee

Proposed Rule: Property Transfer Tax, 110CSR22

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:
   (A) as originally filed X
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FILED
2017 AUG 29 P 3:32
LRMRC

WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Mark Morton, mark.s.morton@wv.gov
Tax
Legal Division
State Tax Department
Charleston, WV 25324

From: Legislative Rule-Making Review Committee

Proposed Rule: Municipal Sales and Service and Use Tax Administration, 110CSR28

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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WEST VIRGINIA LEGISLATURE

Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:32

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Patricia Holstein, patricia.a.holstein@wv.gov
Veterinary Medicine
5509 Big Tyler Rd
Suite 3
Cross Lanes, WV 25313

From: Legislative Rule-Making Review Committee

Proposed Rule: Organization and Operation and Licensing of Veterinarians, 26CSR1

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Mark Maynard, Co-Chair
Delegate Kelli Sobonya, Co-Chair

Jared Wyrick, Director

FILED
2017 AUG 29 P 3:
LRMRC

August 29, 2017

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Mac Warner, Secretary of State, State Register

To: Patricia Holstein, patricia.a.holstein@wv.gov
Veterinary Medicine
5509 Big Tyler Rd
Suite 3
Cross Lanes, WV 25313

From: Legislative Rule-Making Review Committee

Proposed Rule: Schedule of Fees, 26CSR6

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

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Orders Report

Docket Number	Agency	Respondent	Date Rendered
17-2-11068-X	Health Care Authority	VOCA Corporation of West Virginia Inc	8/22/2017
17-3-11153-X	Health Care Authority	WV Family Support and Rehabilitation Services Inc	8/22/2017
16-9-10781-P AND 16-1/2/3/4/5/6/7-10782-P	Health Care Authority	Genesis Eldercare Rehabilitation Services LLC	8/23/2017

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

PROCLAMATION

A PROCLAMATION

By the Governor

WHEREAS, pursuant to section six, article five, chapter fifteen of the Code of West Virginia, I declared a State of Emergency in Harrison, Marion, Marshall, Monongalia, Ohio, Taylor, Tucker and Wetzel Counties, West Virginia on the twenty-ninth day of July, Two Thousand Seventeen, as a result of a severe storm event that caused rockslides, mudslides, and flooding, and damaged homes, businesses, roads, and bridges; and

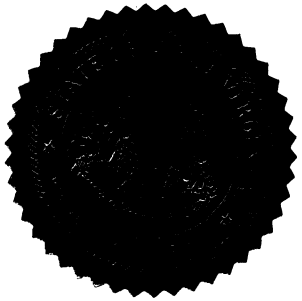
WHEREAS, on the seventh day of August, Two Thousand Seventeen, I extended the State of Emergency to include Doddridge, Preston and Randolph Counties, West Virginia; and

WHEREAS, the relevant Proclamations provided that, in those specific counties, the State of Emergency shall expire at 5:00 p.m. on Tuesday, the twenty-ninth day of August, Two Thousand Seventeen, unless extended by subsequent Proclamation; and

WHEREAS, emergency conditions still exist in the counties of Doddridge, Harrison, Marion, Marshall, Monongalia, Ohio, Preston, Randolph, Taylor, Tucker and Wetzel and therefore, it is necessary to extend further the State of Emergency.

NOW, THEREFORE, I, JIM JUSTICE, by virtue of the authority vested in me as Governor of the State of West Virginia, and in view of the foregoing, do hereby **EXTEND** the State of Emergency proclaimed on the twenty-ninth day of July, Two Thousand Seventeen in the counties of Doddridge, Harrison, Marion, Marshall, Monongalia, Ohio, Preston, Randolph, Taylor, Tucker and Wetzel of West Virginia, said State of Emergency to remain in effect for thirty days unless terminated by subsequent Proclamation. It is hereby **ORDERED** that the State of Emergency shall remain in force and effect until 5:00 p.m. on Thursday, the twenty-eighth day of September, Two Thousand Seventeen, unless terminated or extended by subsequent Proclamation

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol, in the City of Charleston, State of West Virginia, this the twenty-ninth day of August, in the year of our Lord, Two Thousand Seventeen, in the One Hundred Fifty-Fifth year of the State.

GOVERNOR

By the State

Mac Warner
SECRETARY OF STATE

NOTICE OF PUBLIC HEARING AND PUBLIC COMMENT PERIOD

The West Virginia Department of Environmental Protection (DEP) is announcing an opportunity for public comment on the proposed *West Virginia NO_x SIP Call Non-EGU Budget Demonstration.*

45CSR40, *Control of Ozone Season Nitrogen Oxides Emissions*, establishes a NOx emissions budget of 2,184 tons for subject units that have a maximum design heat input greater than 250 mmBtu/hr, excluding any unit subject to the federal Cross-State Air Pollution Rule (CSAPR) NO_x Ozone Season Trading Program, or an equivalent approved trading program. The rule requires the DEP to demonstrate to the U.S. Environmental Protection Agency (EPA) that through the imposition of ozone season NO_x limitations, and assumption of maximum operating capacity or use of a limitation on operating time during the ozone season, NOx emissions will not exceed the budget. West Virginia clearly demonstrates that the budget cannot be exceeded, considering the legally enforceable NO_x emissions limits of the permitted subject units. The legally enforceable maximum potential ozone season NO_x emissions total of 941 tons is less than 50% of the total budget.

Upon finalization of the *NO_x SIP Call Non-EGU Budget Demonstration*, the DEP will submit the demonstration to the EPA as a supplement to the West Virginia's State Implementation Plan (SIP) revision for 45CSR40, *Control of Ozone Season Nitrogen Oxides Emissions,* which was received by the EPA on July 15, 2016.

Copies of the *NO_x SIP Call Non-EGU Budget Demonstration* and supporting documentation may be viewed between 8:30 a.m. and 4:30 p.m. beginning September 1, 2017, at the DEP Division of Air Quality, located at 601 57th Street, SE, Charleston, WV 25304, or they may be viewed electronically on the Division of Air Quality website under the public notice and comment section: www.dep.wv.gov/daq/.

The agency is accepting public comment only on the draft *NO_x SIP Call Non-EGU Budget Demonstration.* A public comment period and public hearing have already concluded for the associated rule 45 C.S.R. 40. Send written comments to be included in the formal record to W. Fred Durham, Director, Division of Air Quality at the address above. Please identify the commenter's name, address, and telephone number. Written comments will also be accepted for inclusion in the formal record by email (Tammy.L.Mowrer@wv.gov), or other delivery to the Division of Air Quality if postmarked or transmitted by 5:00 p.m. on October 2, 2017.

This proposed revision is considered noncontroversial in nature. Therefore, a public hearing will be held only if requested in writing, and the written request is received by October 2, 2017. Any person who requests a public hearing should identify any substantive issue they intend to raise in a hearing. If properly requested, the hearing will be held on October 17, 2017 at 6:00 p.m. at the address above and the public comment period will be extended until the close of the hearing. A public notice announcing whether a hearing will be held will be posted in the West Virginia State Register on October 6, 2017.

FILED
2017 AUG 24 P 3:41
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

OTHER

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

FILED
2017 AUG 28 P 12:07
OFFICE OF WEST VIRGINIA SECRETARY OF STATE

August 28, 2017

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **August 25, 2017**.

LETTER OF INTENT RECEIVED

August 23, 2017 – United Hospital Center, Inc., Bridgeport, Harrison County, CON File #17-6-11163-H, for the addition of an operating room and related renovations; capital expenditure: $4,120,000.

CERTIFICATE OF NEED APPLICATIONS RECEIVED

August 25, 2017 - West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #17-6-11159-H, for the addition of 32 acute care beds; capital expenditure: $10,500,000.

August 25, 2017 - Cavalier Mobile X-Ray Co., Youngstown, OH, CON File #17-5/6-11160-A, for the acquisition of Mobile Diagnostic Imaging, LLC; capital expenditure: $40,000.

APPLICATIONS FOR EXEMPTION RECEIVED

August 24, 2017 – Lincoln Primary Care Center, Inc. d/b/a Southern West Virginia Health System, Hamlin, Lincoln County, CON File #17-2-11164-X, for the development of the Pioneer Health Center located at Man Middle School in Logan County.

August 24, 2017 – Lincoln Primary Care Center, Inc. d/b/a Southern West Virginia Health System, Hamlin, Lincoln County, CON File #17-2-11165-X, for the development of the Mustang Health Center located at Midway Elementary School in Lincoln County.

August 24, 2017 – Lincoln Primary Care Center, Inc. d/b/a Southern West Virginia Health System, Hamlin, Lincoln County, CON File #17-2-11166-X, for the development of the Ranger Health Center at Ranger Elementary School in Lincoln County.

August 24, 2017 – Marshall Health Care Center, LLC, Cabin Creek, Kanawha County, CON File #17-3/10-11167-X, for the acquisition of the licensed operations of Mound View Health Care located in Moundsville, Marshall County.

August 24, 2017 – Magnolia Holdings, LLC, Cabin Creek, Kanawha County, CON

File #17-3/10-11168-X, for the acquisition of the real property and equipment of Mound View Health Care located in Moundsville, Marshall County.

August 25, 2017 – Recover Together, Inc. d/b/a Groups, New York, NY, CON File #17-9-11169-X, for the development of an office based medication-assisted treatment program in Martinsburg, Berkeley County.

ORDER ISSUED

A status conference will be conducted on **Wednesday, September 13, 2017 at 10:00 a.m.** for the purpose of determining the status of the applications, the need for a hearing, and potentially establishing a Hearing Order including a Prehearing Conference and Administrative Hearing in the following matters:

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.

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.

PROJECT DETERMINED NOT REVIEWABLE

August 22, 2017 – WV Family Support and Rehabilitation Services, Inc., Parkersburg, Wood County, CON File #17-3-11153-X, for the complete relocation of its office in Charleston, Kanawha County, from 1031 Quarrier Street to 1303 Washington Street West; no capital expenditure.

AMENDED DECISION ON REQUEST FOR RULING ON REVIEWABILITY

August 22, 2017 – VOCA Corporation of West Virginia, Inc., Louisville, KY, CON File #17-2-11068-X. A decision was issued April 27, 2017 to RSCR West Virginia, Inc. (RSCR) stating the consolidation of its Huntington Agency and Barboursville Agency offices was not reviewable. An amended decision was requested because the applicant states that RSCR and VOCA are sister corporations known collectively as ResCare WV and the two offices are actually licensed to VOCA. Therefore, the applicant should have been VOCA.

NOTICE

August 21, 2017 – Highland Hospital Association filed documentation relating to its status as a financially distressed hospital.

OTHER

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

Jim Justice, Governor

Division of Justice & Community Services
Department of Military Affairs & Public Safety

Jeff S. Sandy, CFE, CAMS
Cabinet Secretary

W. Richard Staton, Director

OTHER

July 28, 2017

FILED
2017 AUG 25 A 11:52

Ms. Judy Cooper
Director
Administrative Law Division
Secretary of State's Office
Building 1, Capitol Complex
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Ms. Cooper:

Please include the following Notice of Public Review in the next State Register:

The Division of Justice and Community Services is announcing the availability of the FY 2017 West Virginia Justice Assistance Grant Program application and strategy for public review and comment. These grant funds will address drug and violent crime problems facing the West Virginia criminal justice system, as well as the citizens of West Virginia. Copies of the strategy may be obtained from our office, The West Virginia Division of Justice and Community Services, 1124 Smith Street, Ste. 3100 Charleston, West Virginia 25301-1323. Telephone (304) 558-8814.

Should you have any questions, please contact me at (304) 558-8814, extension 53331.

Sincerely,

Tanisha C. Travis
Senior Justice Program Specialist

TCT/amw

1124 Smith Street, Ste. 3100
Charleston, WV 25301-1323
Phone: (304) 558-8814
Fax: (304) 558-0391

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2017 AUG 31 P 3:41

Secretary of State
State Capitol Building
Charleston, WV 25305

Mac Warner
Secretary of State
State of West Virginia

Telephone: (304) 558-6000
Toll Free: 1-866-SOS-VOTE
Fax: (304) 558-0900
www.wvsos.gov

CORRECTION NOTICE

August 31, 2017

The previous Secretary of State expedited services notice dated August 24, 2017 has been corrected to read as follows:

Effective September 7, 2017 the West Virginia Secretary of State's Office will provide expedited services through a separate fee for business filings filed at any of the Secretary of State's business locations, as permitted through the passage of Senate Bill 547, West Virginia Code §59-1-2(k). Those locations are in Charleston at the Business One-Stop location, and at the Secretary of State's Biz Hubs in Clarksburg and Martinsburg. Please note, all expedited service filings will be processed through the current Secretary of State's Office location at the following address until the Business One-Stop location in Charleston is opened:

West Virginia Secretary of State
State Capitol Building
Charleston, WV 25305

A detailed list of the expedited guidelines (revised 8-31-17) and fees are attached to this notice. You may also access the information online at www.wvsos.gov. Select the **Learn More About Expedited Services** link on the home page.

Questions regarding this notice may be sent to Penney Barker, Director, Business and Licensing at pbarker@wvsos.gov.

Attachments (2): Expedite Service Guidelines (revised 8-31-17)
Customer Order Request

MAC WARNER
Secretary of State
State Capitol Building
Charleston, WV 25305
Phone: (304) 558-6000
Website: www.sos.wv.gov

24-hour, 2-hour and 1-hour Expedite Service Guidelines

IMPORTANT: To ensure expedited service, please mark "EXPEDITE" in a conspicuous place at the top of the service request. Please indicate method of delivery.

24-HOUR EXPEDITE SERVICE

The Secretary of State offers a 24-hour expedite service on most business organization filings processed by this office. If you choose to utilize this service, please enclose with your filing the additional expedite fee. Please note that this expedite fee is in addition to the standard fee charged on each filing and/or order. You must mark the document with your **"24-HOUR EXPEDITE"** request. If using a cover letter, note that you are requesting 24-hour expedited service, and include your telephone number and return information. Each filing will be returned by U.S.P.S. regular mail unless other arrangements are made. This office *does not* fax confirmation of a 24-hour expedite.

The fee for 24-hour handling is $25.00 in addition to the usual fee for service. Please consult our fee schedules for the appropriate fee. If you require assistance, please contact this office.

Time Constraints: Under most circumstances, each filing submitted receives same day filing date and may be picked up in the office by the end of the same business day. Filings to be mailed the next business day if received by 2:00 pm of receipt date and no later than the 2nd business day if received after 2:00 pm. Expedite period begins when filing or service request is received in this office in acceptable fileable form.

2-HOUR EXPEDITE SERVICE

The Secretary of State offers a 2-hour expedite service on most filings processed by this office. If you choose to utilize the 2-hour expedite service, please enclose with your filing an additional $250.00 per filing and/or order. Please note that this expedite fee is in addition to the standard fee charged on each filing and/or order. Complete and submit the 2-hour customer order instruction form. If not using our order form, state clearly in your cover letter that you are requesting 2-hour expedited service and include your telephone number and return information. Attach the order form or cover sheet to the *top* of your filing and submit to this office. Each filing will be returned by U.S.P.S. regular mail unless other arrangements are made.

1-HOUR EXPEDITE SERVICE

The Secretary of State offers a 1-hour expedite service on most filings processed by this office. If you choose to utilize the 1-hour expedite service, please enclose with your filing an additional $500.00 per filing and/or order. Please note that this expedite fee is in addition to the standard fee charged on each filing and/or order. Complete and submit the 1-hour customer order instruction form. If not using our order form, state clearly in your cover letter that you are requesting 1-hour expedited service and include your telephone number and return information. Attach the order form or cover sheet to the *top* of your filing and submit to this office. Each filing will be returned by U.S.P.S. regular mail unless other arrangements are made.

1-Hour and 2-Hour Time Constraints: Each filing submitted for either 1-hour or 2-hour expedite receives same day filing date and will be acknowledged by fax or e-mail within expedite service time. Failure to indicate method of acknowledgement (fax or e-mail) or to provide a correct fax number or e-mail address may prevent the Secretary of State from acknowledging the filing of such documents. Filings may be picked up within the expedite service period. Filings to be mailed will be mailed out no later than the next business day following receipt. Expedite period begins when filing or service request is received in this office in fileable form.

The Secretary of State reserves the right to extend the expedite period in times of extreme volume, staff shortages or equipment malfunction. These extensions are few and will rarely extend more than a few hours.

OTHER

West Virginia Secretary of State
State Capitol Building
Charleston, WV 25305

Office Hours: Monday - Friday
8:30 a.m. - 5:00 p.m. EST

Penney Barker, Directorr
Business & Licensing Division
Tel: (304)558-8000
Fax: (304)558-8381
Website: www.wvsos.gov
E-mail: business@wvsos.gov

Customer Order Request

SUBMIT THIS COMPLETED FORM WITH YOUR FILING.

Order Processing* Requested: *** Expedite Processing Requires Additional Fees ***

- ☐ **Standard** processing (Avg. processing turnaround 5-10 business days)
- ☐ **24-HOUR** Expedite** (additional **$25.00** fee included)
- ☐ **2-HOUR** Expedite (additional **$250.00** fee included)
- ☐ **1-HOUR** Expedite (additional **$500.00** fee included)

*"Processing" indicates the filing will be completed and registered in the Secretary of State registration database.
NOTE: **Orders filed in person through any Secretary of State office location requesting the filing be processed will be assessed a 24-HOUR Expedite fee of $25.00 per order.

Name of Entity: _____

Return filing to:
(Return Address) _____

Contact Name: _____ Phone: _____

Return Delivery Options: Email or Fax options do not receive a copy via mail; must be ordered separately.

- ☐ Email to: _____
- ☐ Fax to: _____
- ☐ Hold for Pick Up
- ☐ Mail to Return Address above
- ☐ FedEx: Acct # _____
- ☐ Other (explain below):
- ☐ UPS: Acct # _____

Order Description (include items being ordered and fee breakdown):

*** PLEASE NOTE:** Original paperwork is kept by this office. Include a copy of the original filing if you want a file stamped copy returned to you at no extra charge. **Certified copy requests are an additional $15 per certified copy being requested.**

Total Amount: _____

Payment Method:

- ☐ **Check/Money Order**
- ☐ **Credit Card** *(Call office cashier at 304-558-8000 to provide credit card payment information.)*
- ☐ **Cash** (*Do Not mail cash*)
- ☐ **Pre-paid Acct #:** _____

STATE OF WEST VIRGINIA
Department of Revenue
State Tax Department

Jim Justice
Governor

Dale W. Steager
State Tax Commissioner

OTHER

August 31, 2017

FILED
2017 AUG 31 P 12:02

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Attached are final natural resource property valuation variables for the 2018 Tax Year that have been developed by the State Tax Department for use in appraising oil and gas, managed timberland, coal and other natural resource properties for ad valorem tax purposes.

In accordance with requirements of §§ 110 CSR 1-I, 1-J, and 1-K, tentative variables were made available for public comments on June 30, 2017. The Department received six comments on the tentative valuation variables, which all related to the valuation of oil and gas properties. No adjustments were made for these issues. However, the price for Metallurgical coal was revised based upon information that was unavailable on June 30.

The final valuation variables are being filed for inclusion in the State Register.

Sincerely,

Dale W. Steager
State Tax Commissioner

DWS/ja/j

Attachment

cc: All County Assessors

Property Tax Division
P. O. Box 2389
Charleston, WV 25328 - 2389
Phone 304-558-3940 FAX 304-558-1843