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This week's publication includes documents submitted by the following agencies:

Agriculture

Education

Health Care Authority

Insurance Commission

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Secretary of State

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NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK

<u>AGENCY</u>	<u>RULE/TYPE</u>	<u>AUTHORITY</u>	<u>HEARING/COMMENT PERIOD/LOCATION</u>
Education (126-41)	Safe and Acceptable Use of the Internet by Students and Educators (Policy 2466) Legislative Exempt	§29A-3B-1	Written Comments Only December 11, 2017, 4:00 pm Lori White, Assistant Director WVDE Office of Technology Integration & Support Capitol Building 6, Room 625 1900 Kanawha Boulevard East Charleston, WV 25305
Education (126-42)	Assuring the Quality of Education: Regulations for Education Programs (Policy 2510) Legislative Exempt	§29A-3B-1	Written Comments Only December 11, 2017, 4:00 pm Dr. Lou Maynus, Assistant State Superintendent WVDE Div. of Teaching and Learning Capitol Building 6, Room 603 1900 Kanawha Boulevard East Charleston, WV 25305

NEW EMERGENCY RULES FILED THIS WEEK

<u>AGENCY</u>	<u>RULE/TYPE</u>	<u>AUTHORITY</u>	<u>EFFECTIVE DATE</u>	<u>DATE NOTICE FOR HEARING</u>
Agriculture (61-8B)	Schedule of Charges for Inspection Services Fruit	§§19-2-5, 19-1-4(R)	ERD by December 26, 2017	December 1, 2017



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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

<u>TITLE NUMBER</u>	<u>NAME OF AGENCY</u>
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
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	WORKERS-COMPENSATION 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 HIGHWAYS
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 180	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD
TITLE 181	FAMILY PROTECTION SERVICES BOARD
TITLE 194	MASSAGE THERAPY LICENSURE BOARD
TITLE 189	EXPLOSIVES & BLASTING
TITLE 204	HATFIELD-MCCOY REGIONAL RECREATION AUTHORITY

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LEMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy, WV (1-01)	Board Rules and Rules of Bd. Of Professional Conduct Legislative	6/23/2017	7/23/2017		7/28/2017	Modified & Approved 8/20/2017 Filed 9/29/2017			
Administration (14B-03)	State Owned Vehicles Legislative	6/26/2017	7/26/2017		7/26/2017				
Administration (14B-5)	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		7/19/2017	Modified & Approved 8/28/2017 Filed 9/18/2017			
Agriculture (61-9B)	Schedule of Changes for Inspection Services Fruit Legislative	11/1/2017	12/1/2017	11/13/2017 ERD by 12/26/2017					
Agriculture (61-11)	Public Markets Legislative	6/27/2017	7/27/2017		7/27/2017				
Agriculture (61-11B)	Auctions Legislative	6/26/2017	7/26/2017		7/26/2017				
Agriculture (61-14A)	Noxious Weeds Legislative	6/22/2017	7/22/2017 Hearing 11/3/2017		7/28/2017				
Agriculture (61-16)	Inspection of Meat and Poultry Legislative	6/15/2017	7/16/2017		7/17/2017	Modified & Approved 8/28/2017 Filed 9/18/2017			
Agriculture (61-23D)	Inspection of Nontraditional Domesticated Animals Legislative	6/15/2017	7/16/2017		7/17/2017	Modified & Approved 8/20/2017 Filed 9/29/2017			
Air Quality (45-8)	Ambient Air Quality Standards Legislative	6/6/2017	7/11/2017		7/21/2017	Approved 8/29/2017			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LSMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/8/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-16)	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			
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	6/8/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Athletic Commission (117-1)	WV State Athletic Commission Legislative	6/16/2017	7/16/2017		7/27/2017	Modified & Approved 9/20/2017 Filed 10/3/2017			
Athletic Commission (117-2)	Regulation of Mixed Martial Arts Legislative	6/16/2017	7/16/2017		7/27/2017	Modified & Approved 9/20/2017 Filed 10/3/2017			
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	6/9/2017	7/17/2017		7/24/2017				
Education (126-25A)	Standards for Basic and Specialized Health Care Procedures (2422.7) Legislative Example!	8/10/2017	8/11/2017					10/12/2017	11/13/2017

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LSMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-28)	West Virginia's Universal Access to a Quality Early Education System (2525) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2016
Education (126-41)	Safe and Acceptable Use of the Internet by Students and Educators (2466) Legislative Exempt	11/9/2017	12/11/2017						
Education (126-42)	Assuring the Quality of Education: Regulations for Education Programs (2510) Legislative Exempt	11/9/2017	12/11/2017						
Education (126-44G)	WV College and Career Readiness Standards for World Languages (2520.7) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2016
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					10/12/2017	7/1/2016
Education (126-44O)	WV Pre-K Standards (Ages 3-5) (2520.15) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2019
Education (126-44P)	WV Alternate Academic Achievement Standards (2520.16) Legislative Exempt	8/10/2017	9/11/2017					10/12/2017	7/1/2018
Education (126-73)	School Calendar (3234) Legislative Exempt	9/7/2017	10/10/2017					11/9/2017	12/11/2017
Education (126-81)	Attendance (4110) Legislative Exempt	7/13/2017	8/14/2017					10/12/2017	11/13/2017
Education (126-86)	Standards for School Nutrition (Policy 4321.1) Legislative Exempt	6/15/2017	7/17/2017					8/10/2017	12/2016
Education (126-92)	WV School Bus Transportation Policy and Procedures Manual (4336) Legislative Exempt	8/10/2017	9/11/2017						
Education (126-009)	Expected Behavior in Safe and Supportive Schools (4373) Legislative Exempt	7/13/2017	8/14/2017					10/12/2017	11/13/2017
Education (126-114)	Approval of Educational Personnel Preparation Programs (5100) Legislative Exempt	7/13/2017	8/14/2017					10/12/2017	11/13/2017

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-136)	Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Safety Classification (5202) Legislative Exempt	7/13/2017 8/7/2017	8/14/2017 10/10/2017					11/9/2017	12/11/2017
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	Modified & Approved 10/18/2017 Filed 10/25/2017			
Health (64-12)	Hospital Licensure Legislative	6/27/2017	7/27/2017		7/28/2017	Modified & Approved 10/18/2017 Filed 10/25/2017			
Health (64-17)	Food Establishments Legislative	6/27/2017	7/27/2017		7/28/2017	Modified & Approved 10/18/2017 Filed 10/25/2017			
Health (64-48)	Emergency Medical Services Legislative	6/27/2017	7/27/2017		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 (64-108)	Local Board of Health Plans of Combination Procedure	9/11/2017	10/11/2017					10/24/2017	11/25/2017
Health and Human Resources (85-10)	WV Clearance for Access, Registry and Employment Screening Legislative	6/26/2017	7/26/2017		7/27/2017	Approved 8/29/2017			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LMRCACTION	LEGIS	FINAL FILE	EFFECTIVE
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 Effective 9/21/2017 Amendment 10/25/2017 ERD by 12/6/2017	7/28/2017	Modified & Approved 10/18/2017 Filed 10/25/2017			
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 Effective 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	Modified & Approved 10/18/2017 Filed 10/25/2017			
Hearing Aid Dealers (69-01)	WV Board of Hearing Aid Dealers Legislative	6/23/2017	7/24/2017	7/26/2017	7/26/2017	Approved 8/28/2017			
Highways (157-2)	Disposal, Lease and Management of Real Property and Appurtenant Structures and Rehabilitation Assistance Legislative	6/22/2017	7/24/2017	7/28/2017	7/28/2017				
Highways (107-12)	Employment Procedures Legislative	11/2/2017	12/2/2017	11/1/2017 ERD by 12/13/2017		Modified & Approved 9/20/2017 Filed 10/4/2017			
Human Services (78-01)	Child Care Licensing Legislative	6/26/2017	7/26/2017	7/27/2017	7/27/2017	Modified & Approved 9/20/2017 Filed 10/4/2017			
Human Services (78-02)	Child Placing Agencies Licensing Legislative	6/26/2017	7/26/2017	7/27/2017	7/27/2017	Modified & Approved 9/20/2017			
Human Services (78-18)	Family Child Care Facility Licensing Requirements Legislative	6/27/2017	7/26/2017	7/28/2017	7/28/2017	Modified & Approved 9/20/2017 Filed 10/4/2017			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC STATE	LSMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Human Services (78-19)	Family Child Care Home Registration Requirements Legislative	6/26/2017	7/26/2017		7/27/2017	Modified & Approved 9/20/2017			
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	Approved 9/20/2017			
Human Services (78-25)	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 7/26/2017 Effective 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	Approved 9/20/2017			
Labor (42-12)	Bedding and Upholstered Furniture Legislative	6/15/2017	7/17/2017		7/27/2017	Approved 9/20/2017			
Labor (42-17)	Amusement Rides and Amusement Attractions Safety Act Legislative	6/15/2017	7/17/2017		7/27/2017	Approved 9/20/2017			
Labor (42-21)	Elevator Safety Act Legislative	6/21/2017	7/22/2017		7/27/2017	Approved with Amendments			
Labor (42-33)	Employer Wage Bonds Legislative	6/15/2017	7/17/2017		7/27/2017	Approved 9/20/2017			
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	Approved 9/20/2017			
Labor (42-38)	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	Approved 9/20/2017			
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				

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Lottery Commission (179-1)	State Lottery Rules Legislative	6/19/2017	7/21/2017		7/28/2017				
Medicine (11-6)	Continuing Education for Physicians and Podiatrists Legislative	6/21/2017	7/21/2017		7/26/2017	Approved 8/29/2017			
Medicine (11-018)	Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	7/11/2017	8/10/2017	9/11/2017 Approved 10/20/2017	8/29/2017				
Miners' Health, Safety and Training (96-23)	Operating Diesel Equipment in Underground Mines in WV Legislative	6/22/2017	7/24/2017	6/23/2017 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 (58-49)	General Hunting Legislative	6/23/2017	7/24/2017		7/28/2017				
Natural Resources (58-56)	Natural Migratory Bird Hunting Legislative	6/23/2017	7/24/2017		7/28/2017				
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			
Osteopathic Medicine (24-2)	Osteopathic Physician Assistants Legislative	9/12/2017	10/12/2017	11/6/2017 ERD by 12/18/2017	10/17/2017				
Pharmacy (15-1)	Licensure and Practice of Pharmacy Legislative	6/22/2017	7/24/2017		7/28/2017	Approved 9/20/2017			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC- ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-2)	Uniform Controlled Substances Act Legislative	5/11/2017	6/12/2017		7/28/2017	Approved & Modified 9/20/2017 Filed 11/6/2017			
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 5/19/2017	7/28/2017	Approved & Modified 9/20/2017 Filed 11/7/2017			
Pharmacy (15-10)	Pharmacist Recovery Networks Legislative	5/12/2017	6/12/2017		7/28/2017	Approved & Modified 9/20/2017 Filed 11/7/2017			
Pharmacy (15-12)	Immunizations Administered by Pharmacists and Pharmacy Interns Legislative	6/22/2017	7/24/2017		7/28/2017	Approved & Modified 9/20/2017 Filed 11/6/2017			
Pharmacy (15-14)	Centralized Prescription Processing Legislative	6/15/2017	7/17/2017		7/28/2017				
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		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				
Public Service Commission (159-3)	Government of Electric Utilities Legislative Exempt	11/8/2017	12/11/2017						
Public Service Commission (159-4)	Government of Gas Utilities and Gas Pipeline Safety Legislative Exempt	11/8/2017	12/11/2017						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LEWRCA-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Rising Commission (178-1)	Thoroughbred Racing Legislative	6/16/2017	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	7/28/2017		7/27/2017				
Secretary of State (153-1)	Electronic Filing and Formatting of Rules Procedural	8/25/2017	9/29/2017					10/11/2017	11/11/2017
Secretary of State (153-3)	Authorized Use of the Great Seal of the State of WV Interpretive	10/23/2017	11/22/2017						
Secretary of State (153-16)	Procedures for Conveying 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				
THE ABOVE RULE HAS BEEN WITHDRAWN 11/15/2017									
Secretary of State (153-39)	Vote by Mail Pilot Project Phase 2: Voting by Mail - Rural 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	8/9/2016						
State Police (81-14)	WV See Offender Registration Act Procedural	7/20/2017	8/22/2017						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SECSTATE	LMRNC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-10F)	Payment of Taxes by Electronic Funds Transfer Legislative	6/16/2017	7/17/2017		7/27/2017	Approved 8/29/2017 Filed 8/29/2017			
Tax (110-130D)	Farm-To-Food Bank Tax Credit Legislative	6/16/2017	7/17/2017		7/27/2017	Modified & Approved 8/29/2017 Filed 8/11/2017			
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 Filed 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 Euthanasts Technicians Legislative	6/12/2017	7/13/2017		7/18/2017	Approved & Modified 9/20/2017			
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				

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OFFICE OF THE
WEST VIRGINIA SECRETARY OF STATE

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 **124-**

RULE NAME **Safe and Acceptable Use of the Internet by Students and Educators (Policy 2460)** 041

CITE AUTHORITY **W. Va. Code §20A-2-21, et seq.; W. Va. Board of Education v. Broken, 188 W. Va. 491, 179 S.E.2d**

419 (1984)

COMMENTS LIMITED TO

Written

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS

Monday, December 11, 2017 4:00 PM

WRITTEN COMMENTS MAY BE MAILED TO

Leon White, Assistant Director

WVDE Office of Technology, Integration & Support

Capitol Building 6, Room 625

1900 Kanawha Boulevard, East

Charleston, West Virginia 25305

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

Yes

Mary C. Tucker-Will - By my signature, I certify that I am the person authorized to file legislative rules, in

accordance with West Virginia Code §20A-2-11 and §20A-2-2.

11141-5er141: 124-041

Rule ID: 14108

Document: 10001

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11141-5er141: 124-041

Rule ID: 14108

Document: 10001

11/9/2017 4:38:56 PM

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 **124-**

RULE NAME **Assessing the Quality of Education: Regulations for Education Programs (Policy 2410)** 042

CITE AUTHORITY **W. Va. Code §20A-2-21, et seq.; W. Va. Board of Education v. Broken, 188 W. Va. 491, 174 S.E.2d**

419 (1984)

COMMENTS LIMITED TO

Written

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS

Monday, December 11, 2017 4:00 PM

WRITTEN COMMENTS MAY BE MAILED TO

Dr. Len Myrum, Assistant State Superintendent

WVDE Division of Teaching and Learning

Capitol Building 6, Room 603

1900 Kanawha Boulevard, East

Charleston, West Virginia 25305

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

Yes

Mary C. Tucker-Will - By my signature, I certify that I am the person authorized to file legislative rules, in

accordance with West Virginia Code §20A-3-11 and §20A-3-2.

11141-5er141: 124-042

Rule ID: 14109

Document: 10000

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11141-5er141: 124-042

Rule ID: 14109

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LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL RULE

AGENCY: Education TITLE SERIES: 128-073
 RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeat of existing rule: No
 RULE NAME: School Calendar (Policy 222A)
 W. Va. Code §222A-2B-1, et seq.; W. Va. Board of Education v. Hechtler,
 190 W. Va. 467, 378 S.E.2d 839 (1988)

This rule is filed with the Secretary of State. This rule becomes effective on the following date:
 December 11, 2017

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL RULE

AGENCY: Education TITLE SERIES: 126-126
 RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeat of existing rule: No
 RULE NAME: Minimum Requirements for the Licensure of
 Professional/Paraprofessional Personnel and
 Advanced Salary Classifications (Policy 5202)
 CITE STATUTORY AUTHORITY: W. Va. Code §20A-3B-1, et seq.; W. Va. Board of Education v. Hechtler,
 190 W. Va. 467, 378 S.E.2d 839 (1988)

This rule is filed with the Secretary of State. This rule becomes effective on the following date:
 December 11, 2017



Office of the Secretary of State
 State Capitol
 Charleston, West Virginia 25305

Mac Warner
 Secretary of State
 State of West Virginia
 www.wv.gov

LEGISLATIVE

Telephone: (304) 753-6000
 Toll Free: 1-800-555-3100
 Fax: (304) 753-6000
 www.wv.gov

November 14, 2017

July Cooper
 Director - Administrative Law Division
 Office of the Secretary of State
 1000 Y. S. Smith Building
 1800 Y. S. Smith Blvd. E.
 Charleston, WV 25305

Re: *Private Investigator Licensing Rule*
 §3 C.S.R. 34

Dear Mrs. Cooper:

I am writing to you concerning the above-referenced rule. This rule is pending review before the Legislative Rule-Making Review Committee. In preparing for rule-making review, our office combined with concerned stakeholders to identify concerns with the rule. Specifically, we addressed the rule's definition of "public address" and the rule's definition of "public address" that may exceed the statutory authority. After consultation, we believe that proposing a bill to modify the statute is more appropriate to alleviate the concerns. As per my conversation with you today, please consider this letter as the formal request to withdraw from consideration Title 15, Series 34 of the Code of State Rules.

Should you have any questions, please do not hesitate to contact myself, or Kimberly Moore in the Investigations Division.

Sincerely,


 Stephen R. Connolly
 Chief Legal Counsel

cc: Jared Wyrick, Director - Legislative Rule-Making Review
 Kim Mason, Investigative Analysis

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EMERGENCY

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

FORM 7 - NOTICE OF AN EMERGENCY RULE (Page 1)

AGENCY **Agriculture**
 RULE TYPE **Legislative**
 RULE NAME **Amendment to Existing Rule Schedule of Charges for Inspection Services Fee**
 CITE AUTHORITY **19-2-2,§18-1-10**

AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **01-018**

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY SECRETARY OF STATE OR 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

This amendment was originally filed on 6/15/17. Agency approved filed on 7/19/17. The rule was withdrawn on 9/18/17 due to USDA need more time to study the fee increase. USDA has now decided to move forward with the fee increase from \$52/hr to \$186/hr with an effective date of 10/1/17. If WDA does not follow the fee structure set forth in the cooperative Agreement with USDA we will be in violation and will not be able to perform the Audits for Profit Inspection Services.

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

Yes
 Norman Bailey - By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A.3-1 and §39A.3-2.



Title-Series: 01-018



Rule ID: 16603



Document: 16603

Orders Report

Docket Number	Agency	Respondent	Date Rendered
17-10-11199-X	Health Care Authority	Webster County HomeCare, LLC	11/8/2017
17-2/3/4/5/6/7-11202-X	Health Care Authority	Solutions Positive Behavior Strategies, LLC	11/8/2017
17-AP-PRLC-02019	Insurance Commission	Rebecca Bragg	11/8/2017
17-AP-PLTER-02018	Insurance Commission	Carlyce Renee John	11/8/2017
17-AP-PLTER-02013	Insurance Commission	Joseph Perrier	11/8/2017
17-AP-PLTER-02010	Insurance Commission	Markaye Blake	11/8/2017
15-96-W; 16-19-H	Medicine, West Virginia Board Of	Mitchell Simon Finkel, MD	11/13/2017
N/A	Medicine, West Virginia Board Of	Scott Walker Findley, MD	11/11/2017
N/A	Medicine, West Virginia Board Of	Charles Paul Honsinger, III, MD	11/13/2017



OTHER

Notice of Review
Page 2
November 16, 2017

The Decision on the projects referenced above will be issued by the Authority after it has reviewed the contents of the case files of the projects, including the application, additional information submitted to the Authority during the review, and the record of any Authority public hearing if there is no request for public hearing. The Decisions will be issued on or before January 18, 2018.

A press release will be issued after the decisions are made. Anyone wishing to be directly notified of the Decisions should submit a written request to Barbara Socon, Director, Certificate of Need, Health Care Authority, 100 Dea Drive, Charleston, West Virginia, 25311-1000. Further information on any project referenced in this news release may be obtained by contacting the Certificate of Need office at telephone number (304) 558-7000.

11/16/17
Date

Barbara Socon
Barbara Socon, Director, Certificate of Need
Health Care Authority

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SECRETARY OF STATE

NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

November 16, 2017

NEWS ITEM

The Health Care Authority (Authority), pursuant to the Certificate of Need program, has declared complete and accepted for review the expedited applications referenced below:

November 3, 2017 - Kayla Butcher and Dianne Springer, Ripley, Jackson County, COX File #17-5-11200-A, for the acquisition of Ohio Valley Sleep Diagnostics, LLC; capital expenditure: \$50,000.

November 9, 2017 - Hornblow Care, LLC, Bellington, Barbour County, COX File #17-67-11207-PC, for the provision of personal care services in Preston, Harrison, Marion and Upshur counties; capital expenditure: \$1,500.

November 15, 2017 - Potomac Valley Hospital, Kearner, Mineral County, COX File #17-8-11212-P, for the development of an ambulatory health care facility in Mineral County through the acquisition of a physician practice; capital expenditure: \$237,000.

An application that has been declared complete is one in which there is sufficient information for the Authority to make an informed decision. It does not mean that the approval of the application is warranted.

The review cycle begins on November 16, 2017.

On or before December 16, 2017, any affected person has the right to request that the Authority hold a public hearing on the projects as part of the review. If a public hearing is conducted, the Authority will schedule a date for a public hearing, specifying the date, time and location of the hearing, will be issued to affected persons.

If no public hearing is requested, the file closing date will be December 20, 2017. After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the applications.