# WEST VIRGINIA REGISTER

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

Air Quality

Alcohol Beverage Control Comm.

Health and Human Resources

Health Care Authority

Insurance Commission

Lottery Commission

Personnel

Racing Commission

Tax

Workers Compensation

| CHRONOLOGICAL INDEX, VOLUME XXXVIII ISSUE 22 | | | |
|---|---|---|---|
| RULES FILED FOR PUBLIC COMMENT THIS WEEK | | | |
| **AGENCY** | **RULE/TYPE** | **AUTHORITY** | **HEARING/COMMENT PERIOD/LOCATION** |
| Air Quality<br>(45-08) | Ambient Air Quality Standards<br>Legislative | §22-5-4 | Public Hearing:<br>July 6, 2021, 6:00 pm<br>WV Dept. of Environmental Protection<br>601 57th Street SE<br>Charleston, WV 25304<br>Coopers Rock Conference Room<br>(Virtual option also available)<br>Written Comments:<br>July 6, 2021, 6:00 pm<br>Sandra Adkins<br>WV Dept. of Environmental Protection DAQ<br>601 57th Street SE<br>Charleston, WV 25304<br>laura.m.jennings@wv.gov |
| Air Quality<br>(45-16) | Standards of Performance for New Stationary Sources<br>Legislative | §22-5-4 | Public Hearing:<br>July 6, 2021, 6:00 pm<br>WV Dept. of Environmental Protection<br>601 57th Street SE<br>Charleston, WV 25304<br>Coopers Rock Conference Room<br>(Virtual option also available)<br>Written Comments:<br>July 6, 2021, 6:00 pm<br>Sandra Adkins<br>WV Dept. of Environmental Protection DAQ<br>601 57th Street SE<br>Charleston, WV 25304<br>laura.m.jennings@wv.gov |

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| Air Quality<br>(45-18) | Control of Air Pollution from Combustion of Solid Waste<br>Legislative | §22-5-4 | Public Hearing:<br>July 6, 2021, 6:00 pm<br>WV Dept. of Environmental Protection<br>601 57th Street SE<br>Charleston, WV 25304<br>Coopers Rock Conference Room<br>(Virtual option also available)<br>Written Comments:<br>July 6, 2021, 6:00 pm<br>Sandra Adkins<br>WV Dept. of Environmental Protection DAQ<br>601 57th Street SE<br>Charleston, WV 25304<br>laura.m.jennings@wv.gov |
| Air Quality<br>(45-34) | Emission Standards for Hazardous Air Pollutants<br>Legislative | §22-5-4 | Public Hearing:<br>July 6, 2021, 6:00 pm<br>WV Dept. of Environmental Protection<br>601 57th Street SE<br>Charleston, WV 25304<br>Coopers Rock Conference Room<br>(Virtual option also available)<br>Written Comments:<br>July 6, 2021, 6:00 pm<br>Sandra Adkins<br>WV Dept. of Environmental Protection DAQ<br>601 57th Street SE<br>Charleston, WV 25304<br>laura.m.jennings@wv.gov |
| Alcohol Beverage Control Commission<br>(175-02) | Private Club Licensing<br>Legislative | §§60-2-16, 60-2-17, 60-7-10 | Written Comments Only<br>July 1, 2021, 9:00 am<br>Anoop Bhasin, WVABCA General Counsel<br>Anoop Bhasin, WVABCA General Counsel<br>900 Pennsylvania Avenue, 4th Floor<br>Charleston, WV 25302<br>Anoop.k.bhasin@wv.gov |

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| Alcohol Beverage Control Commission – Beer (176-01) | Nonintoxicating Beer Licensing and Operations Procedures<br>Legislative | §11-16-1 et seq. | Written Comments Only<br>July 1, 2021, 9:00 am<br>Anoop Bhasin, WVABCA General Counsel<br>900 Pennsylvania Avenue, 4th Floor<br>Charleston, WV 25302<br>Anoop.k.bhasin@wv.gov |
| Insurance Commission (114-42) | Continuing Education for Individual Insurance Producers and Individual Insurance Adjusters<br>Legislative | §§33-2-10, 33-12-35, 33-12B-12 | Written Comments Only<br>July 1, 2021, 5:00 pm<br>Erin K. Hunter<br>900 Pennsylvania Avenue, 9th Floor<br>Charleston, WV 25302<br>erin.k.hunter@wv.gov |
| Insurance Commission (114-99) | Pharmacy Auditing Entities and Pharmacy Benefit Managers<br>Legislative | §§33-51-8, 33-51-10, 33-2-10 | Written Comments Only<br>July 1, 2021, 5:00 pm<br>Victor Mullins<br>900 Pennsylvania Avenue<br>Charleston, WV 25302<br>victor.a.mullins@wv.gov |
| Insurance Commission (114-102) | Term and Universal Life Insurance Reserve Financing<br>Legislative | §§33-2-10, 33-4-15a(e) | Written Comments Only<br>July 1, 2021, 5:00 pm<br>Victor Mullins<br>900 Pennsylvania Avenue, 8th Floor<br>Charleston, WV 25302<br>victor.a.mullins@wv.gov |
| Insurance Commission (114-103) | Bail Bondsmen in Criminal Cases<br>Legislative | §§33-2-10, 51-10-8(a) and (b) | Written Comments Only<br>July 1, 2021, 5:00 pm<br>Erin K Hunter<br>900 Pennsylvania Avenue<br>Charleston, WV 25302<br>erin.k.hunter@wv.gov |
| Lottery Commission (179-01) | WV Lottery State Lottery Rules<br>Legislative | §§29-22-5, 9(b), 9(c), 17 | Written Comments Only<br>June 29, 2021, 5:00 pm<br>Kim Lamb<br>900 Pennsylvania Avenue<br>Charleston, WV 25302<br>klamb@wvlottery.com |

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| Lottery Commission<br>(179-05) | WV Limited Video Lottery Rule<br>Legislative | §29-22B-402 | Written Comments Only<br>July 1, 2021, 5:00 pm<br>Kim Lamb<br>900 Pennsylvania Avenue<br>Charleston, WV 25302<br>klamb@wvlottery.com |
| Personnel<br>(143-01) | Administrative Rule of the West Virginia Division of Personnel<br>Legislative | §29-6-10 | Written Comments Only<br>June 30, 2021, 4:00 pm<br>Kerri L. Nice<br>1900 Kanawha Blvd. East<br>Building 3, Suite 500<br>Charleston, WV 25305<br>kerri.l.nice@wv.gov |
| Racing Commission<br>(178-01) | Thoroughbred Racing<br>Legislative | §§19-23-2(a), 19-23-3(17), 19-23-6, 19-23-8, 19-23-9, 19-23-13, 19-23-13b, 19-23-15 | Written Comments Only<br>June 28, 2021, 5:00 pm<br>Joe Moore<br>900 Pennsylvania Avenue, Suite 533<br>Charleston, WV 25302<br>joe.k.moore@wv.gov |
| Tax<br>(110-01A) | Valuation of Farmland and Structures Situated Thereon for Ad Valorem Property Tax Purposes<br>Legislative | §11-1C-5(b) | Written Comments Only<br>July 7, 2021, 9:00 am<br>Mark S. Morton<br>PO Box 1005<br>Charleston, WV 25324-1005<br>taxlegal@wv.gov |
| Tax<br>(110-13KK) | WV Tax Credit for Federal Excise Tax Imposed Upon Small Arms and Ammunition Manufacturers<br>Legislative | §§11-10-5, 11-13KK-4(d), 13 | Written Comments Only<br>July 7, 2021, 9:00 am<br>Mark S. Morton<br>PO Box 1005<br>Charleston, WV 25324-1005<br>taxlegal@wv.gov |
| Tax<br>(110-15L) | Exemption for Repair, Remodeling and Maintenance of Aircraft<br>Legislative | §11-15-9t | Written Comments Only<br>July 7, 2021, 9:00 am<br>Mark S. Morton<br>PO Box 1005<br>Charleston, WV 25324-1005<br>taxlegal@wv.gov |

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| Tax<br>(110-15M) | Vendor Absorption or Assumption of Sales and Use Tax<br>Legislative | §§11-10-5, 11-15A-8(b) | Written Comments Only<br>July 7, 2021, 9:00 am<br>Mark S. Morton<br>PO Box 1005<br>Charleston, WV 25324-1005<br>taxlegal@wv.gov |
| Tax<br>(110-16A) | On-Line Bingo and Raffles<br>Legislative | §29A-1-1, et seq. | Written Comments Only<br>July 7, 2021, 9:00 am<br>Mark S. Morton<br>PO Box 1005<br>Charleston, WV 25324-1005<br>taxlegal@wv.gov |
| Tax<br>(110-24) | Corporation Net Income Tax<br>Legislative | §§29A-3-1, et seq., 11-10-5 | Written Comments Only<br>July 7, 2021, 9:00 am<br>Mark S. Morton<br>PO Box 1005<br>Charleston, WV 25324-1005<br>taxlegal@wv.gov |

| NEW EMERGENCY RULES FILED THIS WEEK | | | | |
|---|---|---|---|---|
| **AGENCY** | **RULE/TYPE** | **AUTHORITY** | **EFFECTIVE DATE** | **DATE NOTICE OF HEARING** |
| Tax<br>(1110-15F, Amendment) | Sales Tax Holiday | §§11-15-9s(c), 11-10-5 | ERD by July 15, 2021 | June 11, 2021 |
| Tax<br>(110-15L) | Exemption for Repair, Remodeling, and Maintenance of Aircraft | §11-15-9t | ERD by July 14, 2021 | July 7, 2021 |

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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 | 2 | ARCHITECTS |
| TITLE | 3 | BARBERS AND COSMETOLOGISTS |
| TITLE | 4 | CHIROPRACTIC EXAMINERS |
| TITLE | 5 | DENTISTRY |
| TITLE | 6 | FUNERAL SERVICE EXAMINERS |
| TITLE | 7 | PROFESSIONAL ENGINEERS |
| TITLE | 10 | LICENSED PRACTICAL NURSES |
| TITLE | 11 | MEDICINE |
| TITLE | 14 | OPTOMETRY |
| TITLE | 15 | PHARMACY |
| TITLE | 16 | PHYSICAL THERAPY |
| TITLE | 17 | PSYCHOLOGISTS |
| TITLE | 19 | REGISTERED PROFESSIONAL NURSES |
| TITLE | 20 | SANITARIANS |
| TITLE | 22 | FORESTRY |
| TITLE | 24 | OSTEOPATHIC MEDICINE |
| TITLE | 25 | SOCIAL WORK EXAMINERS |
| TITLE | 26 | VETERINARY MEDICINE |
| TITLE | 27 | COUNSELING |
| TITLE | 29 | SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY |
| TITLE | 30 | RESPIRATORY CARE |
| TITLE | 31 | DIETITIANS |
| TITLE | 32 | ACUPUNCTURE |
| TITLE | 33 | WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT. |
| TITLE | 35 | OIL AND GAS |
| TITLE | 36 | COAL MINE HEALTH AND SAFETY |
| TITLE | 38 | MINING AND RECLAMATION |
| TITLE | 42 | LABOR |
| TITLE | 45 | AIR QUALITY |
| TITLE | 47 | WATER RESOURCES, DIV. OF WATER AND WASTE MGMT. |
| TITLE | 56 | MINERS' HEALTH, SAFETY AND TRAINING |
| TITLE | 58 | NATURAL RESOURCES |
| TITLE | 60 | ENVIRONMENTAL PROTECTION – SECRETARY'S OFFICE |
| TITLE | 61 | AGRICULTURE |
| TITLE | 64 | HEALTH |
| TITLE | 65 | HEALTH CARE AUTHORITY |
| TITLE | 69 | HEALTH AND HUMAN RESOURCES |
| TITLE | 76 | SENIOR SERVICES |
| TITLE | 78 | HUMAN SERVICES |
| TITLE | 81 | STATE POLICE |
| TITLE | 87 | FIRE COMMISSION |
| TITLE | 89 | PUBLIC DEFENDER SERVICES |
| TITLE | 90 | CORRECTIONS |
| TITLE | 91 | MOTOR VEHICLES |
| TITLE | 94 | REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY |
| TITLE | 110 | TAX DEPARTMENT |
| TITLE | 112 | TREASURER |
| TITLE | 114 | INSURANCE COMMISSION |
| TITLE | 126 | EDUCATION |
| TITLE | 127 | SECONDARY SCHOOLS ACTIVITIES COMMISSION |
| TITLE | 133 | HIGHER EDUCATION POLICY COMMISSION |
| TITLE | 135 | COMMUNITY AND TECHNICAL COLLEGE EDUCATION |
| TITLE | 143 | PERSONNEL |
| TITLE | 144 | TOURISM |
| TITLE | 145 | DEVELOPMENT OFFICE |
| TITLE | 146 | STATE ELECTION COMMISSION |
| TITLE | 148 | ADMINISTRATION |
| TITLE | 149 | CRIME, DELINQUENCY AND CORRECTIONS |
| TITLE | 150 | PUBLIC SERVICE COMMISSION |
| TITLE | 153 | SECRETARY OF STATE |
| TITLE | 155 | AUDITOR |
| TITLE | 157 | HIGWAYS |
| TITLE | 164 | SCHOOL BUILDING 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 COMMISSION |
| TITLE | 190 | REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD |

RULE MONITOR

| AGENCY/SERIES NUMBER | RULE | NOTICE | HEARING | EMER RULE | AGENCY APPROVED | LRMRC/LOCEA ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| Air Quality (45-08) | Ambient Air Quality Standards Legislative | 6/2/2021 | 7/6/2021 | | | | | | |
| Air Quality (45-16) | Standards of Performance for New Stationary Sources Legislative | 6/2/2021 | 7/6/2021 | | | | | | |
| Air Quality (45-18) | Control of Air Pollution from Combustion of Solid Waste Legislative | 6/2/2021 | 7/6/2021 | | | | | | |
| Air Quality (45-34) | Emission Standards for Hazardous Air Pollutants Legislative | 6/2/2021 | 7/6/2021 | | | | | | |
| Alcohol Beverage Control Comm. (175-02) | Private Club Licensing Legislative | 6/1/2021 | 7/1/2021 | | | | | | |
| Alcohol Beverage Control Comm. – Beer (176-01) | Nonintoxicating Beer Licensing and Operations Procedures Legislative | 6/1/2021 | 7/1/2021 | | | | | | |
| Coal Mine Health and Safety (36-44) | Rule Governing Mine Rescue Requirements for the Office of Miners' Health, Safety and Training Legislative Exempt | 5/3/2021 | 6/17/2021 | | | | | | |
| Community & Technical College Ed (135-01) | Strengthening Career and Technical Education for the 21st Century Act (Perkins V) Funding Formula for WV Council for Comm. & Tech. College Ed. and WV State Bd. Of Education Procedural | 4/28/2021 | 5/28/2021 | | | | | | |
| Community & Technical College Ed (135-59) | Awarding Undergraduate College Credit for Prior Learning, Advanced Placement Credit, and College-Level Examination Program Procedural | 4/28/2021 | 5/28/2021 | | | | | | |
| Education (126-007) | Regulations for Adult Diversion and Transition Programs (Policy 1471) Legislative Exempt | 2/10/2021 | 3/15/2021 | | | | | 4/15/2021 | 7/1/2021 |
| Education (126-013C) | Non-public School Accreditation (Policy 2330) Legislative Exempt | 5/13/2021 | 6/14/2021 | | | | | | |

RULE MONITOR

| AGENCY/SERIES NUMBER | RULE | NOTICE | HEARING | EMER RULE | AGENCY APPROVED | LRMRC/LOCEA ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| Education (126-025A) | Standards for Basic and Specialized Health Care Procedures (Policy 2422.7) Legislative Exempt | 3/11/2021 | 4/12/2021 | | | | | 5/13/2021 | 7/1/2021 |
| Education (126-030) | Transformative System of Support for Early Literacy (Policy 2512) Legislative Exempt | 4/15/2021 | 5/17/2021 | | | | | | |
| Education (126-069) | Regulations for Juvenile Diversion and Transition Programs (Policy 2800) Legislative Exempt | 4/15/2021 | 5/17/2021 | | | | | | |
| Education (126-084) | Student Driver Eligibility Certificate (Policy 4150) Legislative Exempt | 3/11/2021 | 4/12/2021 | | | | | 5/13/2021 | 7/1/2021 |
| Education (126-143) | County Superintendent Performance Evaluations (Policy 5309) Legislative Exempt | 3/11/2021 | 4/12/2021 | | | | | | |
| Education (126-146) | Service Personnel Classification, Competency Testing, and Professional Learning (5314) Legislative Exempt | 5/13/2021 | 6/14/2021 | | | | | | |
| Emergency Management (170-04) | SIRN Emergency Purchasing Procedure Procedural | 1/29/2021 | 3/1/2021 | | | | | | |
| Emergency Management (170-05) | Purchases During States of Emergency Procedural | 1/29/2021 | 3/1/2021 | | | | | | |
| Ethics Commission (158-06) | Use of Office for Private Gain, Including Nepotism Legislative | 3/22/2021 | 4/22/2021 | | 5/12/2021 | | | | |
| Fire Commission (87-10) | Volunteer Fire Department Equipment and Training Grant Funding Disbursement Legislative | 4/12/2021 | 5/31/2021 | 3/30/2021 Effective 5/11/2021 | | | | | |
| Fire Marshal (103-06) | Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code Legislative | 6/22/2020 | 7/22/2020 | | 8/13/2020 | Approved 11/16/2020 | Bundled SB156 | 5/12/2021 | 7/1/2021 |
| Health (64-12) | Hospital Licensure Legislative | 7/1/2020 | 7/31/2020 | | 8/21/2020 | Approved 12/9/2020 | Bundled HB2427 | 4/29/2021 | 7/1/2021 |

RULE MONITOR

| AGENCY/SERIES NUMBER | RULE | NOTICE | HEARING | EMER RULE | AGENCY APPROVED | LRMRC/LOCEA ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| Health (64-12) | Hospital Licensure Legislative | | | 5/20/2021 ERD by 7/1/2021 | | | | | |
| Health (64-13) | Nursing Home Licensure Legislative | 7/1/2020 | 7/31/2020 | | 8/25/2020 | Modified & Approved 12/9/2020 Filed 12/16/2020 | Bundled HB2427 | 4/29/2021 | 7/1/2021 |
| Health (64-45) | Lead Abatement Licensing Legislative | 7/2/2020 | 8/3/2020 | | 8/21/2020 | Modified & Approved 11/17/2020 Filed 12/10/2020 | Bundled HB2427 | 4/30/2021 | 7/1/2021 |
| Health (64-48) | Emergency Medical Services Legislative | 9/4/2020 | 10/5/2020 | 9/4/2020 Approved 9/30/2020 Amendment 10/1/2020 Approved 10/1/2020 Amendment 1/13/2021 Approved 1/13/2021 | 11/20/2020 | Modified & Approved 12/9/2020 Filed 1/4/2021 | Bundled HB2427 | 4/30/2021 | 7/1/2021 |
| Health (64-60) | Delegation of Medication Administration and Health Maintenance Tasks to Approved Medication Assistive Personnel Legislative | 7/1/2020 | 7/31/2020 | | 8/21/2020 | Modified & Approved 12/9/2020 Filed 12/16/2020 | Bundled HB2427 | 4/29/2021 | 7/1/2021 |
| Health (64-115) | Diabetes Self-Management Education Legislative | 7/2/2020 | 8/3/2020 | | 8/26/2020 | Modified & Approved 11/17/2020 Filed 11/20/2020 | Bundled HB2427 | 4/30/2021 | 7/1/2021 |
| Higher Education Policy Comm. (133-59) | Awarding Undergraduate College Credit for Prior Learning, Advanced Placement Credit, and College-Level Examination Program Procedural | 4/30/2021 | 6/1/2021 | | | | | | |
| Higher Education Policy Comm. (133-63) | Mental Health Loan Repayment Program Legislative | 6/26/2020 | 7/27/2020 | 6/26/2020 Effective 6/26/2020 | 7/29/2020 | Approved 3/12/2021 | HB3299 | | |
| Higher Education Policy Comm. (133-64) | Administrative Exemption Legislative | 11/20/2020 | 12/21/2020 | | 3/11/2021 | Modified & Approved 3/12/2021 | HB3299 | | |

RULE MONITOR

| AGENCY/SERIES NUMBER | RULE | NOTICE | HEARING | EMER RULE | AGENCY APPROVED | LRMRC/LOCEA ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| Highways (157-05) | Traffic and Safety Rules Legislative | 7/28/2020 | 8/28/2020 | | 8/28/2020 | Approved 11/17/2020 | Bundled HB2400 | | |
| Human Services (78-02) | Child Placing Agencies Licensure Legislative | 7/1/2020 | 7/31/2020 | | 8/25/2020 | Modified & Approved 12/9/2020 Filed 12/16/2020 | Bundled HB2427 | 5/11/2021 | 7/1/2021 |
| Human Services (78-03) | Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults and Vulnerable and Transitioning Youth Group Homes and Programs in WV Legislative | 7/1/2020 | 7/31/2020 | | 8/25/2020 | Modified & Approved 12/9/2020 Filed 12/15/2020 | Bundled HB2427 | 4/30/2021 | 7/1/2021 |
| Human Services (78-27) | Procedure to Contest the Substantiation of Child Abuse or Neglect Legislative | 7/1/2020 | 7/31/2020 | | 8/26/2020 | Modified & Approved 12/9/2020 Filed 12/15/2020 | Bundled HB2427 | 4/30/2021 | 7/1/2021 |
| Insurance Comm. (114-02A) | Fingerprinting Requirements for Applicants for Insurance Producer License and Insurance Adjuster License Legislative | 6/18/2020 | 7/24/2020 | | 7/27/2020 | Modified & Approved 9/25/2020 Filed 9/30/2020 | Bundled SB160 | 4/12/2021 | 7/1/2021 |
| Insurance Comm. (114-25) | Insurance Adjusters Legislative | 6/18/2020 | 7/24/2020 | | 7/27/2020 | Modified & Approved 9/25/2020 Filed 9/30/2020 | Bundled SB160 | 4/12/2021 | 7/1/2021 |
| Insurance Comm. (114-40) | Credit for Reinsurance Legislative | 6/18/2020 | 7/24/2020 | | 7/27/2020 | Modified & Approved 9/25/2020 Filed 9/30/2020 | Bundled SB160 | 4/12/2021 | 7/1/2021 |
| Insurance Comm. (114-42) | Continuing Education for Individual Insurance Producers and Individual Insurance Adjusters Legislative | 6/18/2020 | 7/24/2020 | | 7/27/2020 | Approved 9/25/2020 | Bundled SB160 | 4/12/2021 | 7/1/2021 |
| Insurance Comm. (114-42) | Continuing Education for Individual Insurance Producers and Individual Insurance Adjusters Legislative | 5/28/2021 | 7/1/2021 | | | | | | |
| Insurance Comm. (114-99) | Pharmacy Auditing Entities and Pharmacy Benefit Managers Legislative | 6/1/2021 | 7/1/2021 | | | | | | |

RULE MONITOR

| AGENCY/SERIES NUMBER | RULE | NOTICE | HEARING | EMER RULE | AGENCY APPROVED | LRMRC/LOCEA ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| Insurance Comm. (114-102) | Term and Universal Life Insurance Reserve Financing Legislative | 5/28/2021 | 7/1/2021 | | | | | | |
| Insurance Comm. (114-103) | Bail Bondsmen in Criminal Cases Legislative | 6/1/2021 | 7/1/2021 | | | | | | |
| Labor (42-03) | Steam Boiler Inspection Legislative | 7/16/2020 | 8/17/2020 | | 8/24/2020 | Modified w/Certain Amendments & Approved 12/9/2020 | Bundled SB216 | 4/27/2021 | 6/9/2021 |
| Lottery Comm. (179-01) | WV Lottery State Lottery Rules Legislative | 5/28/2021 | 6/29/2021 | | | | | | |
| Lottery Comm. (179-05) | WV Limited Video Lottery Rule Legislative | 6/1/2021 | 7/1/2021 | | | | | | |
| Medical Imaging & Radiatioin Therapy Tech Bd of Exam (18-06) | Practice of Radiologic Technology Interpretive | 5/21/2021 | 6/30/2021 | | | | | | |
| Miners Health Safety and Training (56-03) | Rule Governing the Safety of Those Employed in and Around Surface Mines in WV Legislative | 5/7/2021 | 6/7/2021 | 5/7/2021 ERD by 6/18/2021 | | | | | |
| Miners Health Safety and Training (56-11, repeal) | Rule Governing First-Aid Training of Shaft and Slope Employees Legislative | 5/7/2021 | 6/7/2021 | | | | | | |
| Miner Training Education and Certification (48-01) | Standards for Certification of Underground Belt Examiners for Underground Coal Mines Legislative Exempt | 5/3/2021 | 6/17/2021 | | | | | | |
| Miner Training Education and Certification (48-02) | Safety Training Program for Prospective Underground Coal Miners Legislative Exempt | 5/3/2021 | 6/17/2021 | | | | | | |
| Miner Training Education and Certification (48-03) | Safety Training Programs for Prospective Surface Coal Miners Legislative Exempt | 5/3/2021 | 6/17/2021 | | | | | | |
| Miner Training Education and Certification (48-04) | Initial Training Program for Prospective Mine Rescue Team Members and Additional Mine Rescue Requirements Legislative Exempt | 5/3/2021 | 6/17/2021 | | | | | | |

RULE MONITOR

| AGENCY/SERIES NUMBER | RULE | NOTICE | HEARING | EMER RULE | AGENCY APPROVED | LRMRC/LOCEA ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| Motor Vehicles (91-25) | Special Purpose Vehicles Legislative | 7/1/2020 | 7/31/2020 | | 8/7/2020 | Modified & Approved 11/16/2020 Filed 11/17/2020 | Bundled HB2400 | 5/7/2021 | 6/14/2021 |
| Natural Resources (58-46) | Defining the Terms Used in All Hunting and Trapping Legislative | 7/29/2020 | 8/28/2020 | | 8/28/2020 | Approved 9/25/2020 | Bundled SB216 | 4/15/2021 | 7/1/2021 |
| Natural Resources (58-50) | Deer Hunting Rule Legislative | 7/29/2020 | 8/28/2020 | | 8/28/2020 | Modified & Approved 9/25/2020 Filed 9/29/2020 | Bundled SB216 | 4/15/2021 | 7/1/2021 |
| Natural Resources (58-56) | Special Migratory Game Bird Hunting Legislative | 7/29/2020 | 8/28/2020 | | 8/28/2020 | Approved 9/25/2020 | Bundled SB216 | 4/15/2021 | 7/1/2021 |
| Natural Resources (58-58) | Special Waterfowl Hunting Legislative | 7/29/2020 | 8/28/2020 | | 8/28/2020 | Approved 9/25/2020 | Bundled SB216 | 4/15/2021 | 7/1/2021 |
| Personnel (143-01) | Administrative Rule of the WV Division of Personnel Legislative | 5/28/2021 | 6/30/2021 | | | | | | |
| Pharmacy (15-01) | Licensure and Practice of Pharmacy Legislative | 4/30/2020 | 5/31/2020 | 4/30/2020 Approved 4/30/2020 Amendment 8/26/2020 Effective 10/7/2020 | 6/5/2020 | | | | |
| Pharmacy (15-01) | Licensure and Practice of Pharmacy Legislative | 7/22/2020 | 8/21/2020 | | 8/26/2020 | Approved 11/16/2020 | Bundled SB182 | 5/11/2021 | 6/11/2021 |
| Pharmacy (15-02) | Uniform Controlled Substances Act Legislative | 4/30/2020 | 5/31/2020 | 4/1/2020 Approved 4/1/2020 | 6/5/2020 | | | | |
| Pharmacy (15-02) | Uniform Controlled Substances Act Legislative | 7/22/2020 | 8/21/2020 | | 8/26/2020 | Modified & Approved 11/16/2020 Filed 12/2/2020 | Bundled SB182 | 5/11/2021 | 6/11/2021 |
| Pharmacy (15-03) | Continuing Education for Licensure of Pharmacists Legislative | 7/22/2020 | 8/21/2020 | | 8/26/2020 | Modified & Approved 11/16/2020 Filed 12/2/2020 | Bundled SB182 | 5/11/2021 | 6/11/2021 |

## RULE MONITOR

| AGENCY/SERIES NUMBER | RULE | NOTICE | HEARING | EMER RULE | AGENCY APPROVED | LRMRC/LOCEA ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| Pharmacy (15-05) | Licensure of Wholesale Drug Distributors, Third Party Logistics Providers, and Manufacturers Legislative | 7/22/2020 | 8/21/2020 | | 8/26/2020 | Modified & Approved 11/16/2020 Filed 12/2/2020 | Bundled SB182 | 5/11/2021 | 6/11/2021 |
| Pharmacy (15-08) | Controlled Substances Monitoring Program Legislative | 7/22/2020 | 8/21/2020 | | 8/26/2020 | Modified & Approved 11/16/2020 Filed 12/2/2020 | Bundled SB182 | 5/11/2021 | 6/11/2021 |
| Pharmacy (15-12) | Immunizations Administered by Pharmacist and Pharmacy Interns Legislative | 5/1/2020 7/22/2020 | 6/2/2020 8/21/2020 | 4/20/2020 Approved 4/20/2020 | 6/5/2020 9/4/2020 | Modified & Approved 11/16/2020 Filed 12/2/2020 | Bundled SB182 | 5/11/2021 | 6/11/2021 |
| Professional Surveyors (23-01) | Examination and Licensing of Professional Surveyors in WV Legislative | 7/13/2020 | 8/14/2020 | | 8/24/2020 | Modified & Approved 11/16/2020 Filed 11/19/2020 | Bundled SB182 | | |
| Public Service Commission (150-02) | Rules for the Construction and Filing of Tariffs Legislative Exempt | 8/4/2020 | 10/5/2020 Extended to 6/15/2021 | | | | | | |
| Public Service Commission (150-05) | Rules for the Government of Sewer Utilities Legislative Exempt | 11/10/2020 | 1/11/2021 Extended to 1/18/2021 | | | | | | |
| Public Service Commission (150-07) | Rules for the Government of Water Utilities Legislative Exempt | 11/10/2020 | 1/11/2021 Extended to 1/18/2021 | | | | | | |
| Public Service Commission (150-09) | Rules Governing Motor Carriers, Private Commercial Carriers, and the Filing of Evidence of Insurance and Financial Responsibility by Motor Carriers Legislative Exempt | 8/4/2020 | 10/5/2020 Extended to 6/15/2021 | | | | | | |
| Public Service Commission (150-16) | Rules Governing the Transportation of Natural Gas Legislative Exempt | 10/7/2020 | 11/16/2020 | | | | | 4/15/2021 | 6/14/2021 |
| Racing Commission (178-01) | Thoroughbred Racing Legislative | 6/18/2020 | 7/20/2020 | | 8/21/2020 | Modified & Approved 12/9/2020 | Bundled SB160 | 4/29/2021 | 7/28/2021 |

RULE MONITOR

| AGENCY/SERIES NUMBER | RULE | NOTICE | HEARING | EMER RULE | AGENCY APPROVED | LRMRC/LOCEA ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| Racing Commission (178-01) | Thoroughbred Racing Legislative | 5/28/2021 | 6/28/2021 | | | | | | |
| Real Estate Commission (174-01) | Licensing Real Estate Brokers, Associate Brokers, and Salespersons and the Conduct of Brokerage Business Legislative | 7/21/2020 | 8/20/2020 | | 8/24/2020 | Modified & Approved 12/9/2020 Filed 12/11/2020 | Bundled SB182 | 4/19/2021 | 7/1/2021 |
| Risk and Insurance Management (115-01) | Mine Subsidence Insurance Legislative | 7/9/2020 | 8/8/2020 | | 8/18/2020 | Approved 11/17/2020 | Bundled SB126 | 5/4/2021 | 8/1/2021 |
| Secondary School Activities Comm. (127-02) | Athletics, Provisioins Governing Eligibility Legislative Exempt | 5/13/2021 | 6/14/2021 | | | | | | |
| Secondary School Activities Comm. (127-03) | Provisions Governing Contests Legislative Exempt | 5/13/2021 | 6/14/2021 | | | | | | |
| Secretary of State (153-07) | Submission of Other Documents to Solicit Contributions for Charitable Organizations Interpretive | 12/7/2020 | 1/8/2021 | | | | | 5/21/2021 | 6/20/2021 |
| Secretary of State (153-53) | Election Processes and Absentee Eligibility During State of Emergency | | | 3/20/2020 Effective 3/20/2020 | | | | | |
| Speech Language Pathology and Audiology (29-01) | Licensure of Speech-Pathology and Audiology Legislative | 4/28/2021 | 6/4/2021 | 4/27/2021 ERD by 6/8/2021 | | | | | |
| State Emergency Response Comm. (55-01) | Emergency Planning and Community Right to Know Legislative | 7/13/2020 | 8/12/2020 | | 8/28/2020 | Approved 11/16/2020 | Bundled SB156 | 5/12/2021 | 7/1/2021 |
| State Emergency Response Comm. (55-02) | Emergency Planning Grant Program Legislative | 7/13/2020 | 8/12/2020 | | 8/28/2020 | Approved 11/16/2020 | Bundled SB156 | 5/12/2021 | 7/1/2021 |
| State Emergency Response Comm. (55-03) | Requests for Information Pursuant to the Community Right to Know Act Procedural | 5/12/2021 | 6/11/2021 | | | | | | |
| Tax (110-01A) | Valuation of Farmland and Structures Situated Thereon for Ad Valorem Property Tax Purposes Legislative | 6/3/2021 | 7/7/2021 | | | | | | |

## RULE MONITOR

| AGENCY/SERIES NUMBER | RULE | NOTICE | HEARING | EMER RULE | AGENCY APPROVED | LRMRC/LOCEA ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|---|---|---|---|---|---|---|---|
| Tax (110-13KK) | WV Tax Credit for Federal Excise Tax Imposed Upon Small Arms and Ammunition Manufacturers Legislative | 6/4/2021 | 7/7/2021 | | | | | | |
| Tax (110-15F) | Sales Tax Holiday Legislative | 5/11/2021 | 6/11/2021 | 5/7/2021 Amendment 6/3/2021 ERD by 7/15/2021 | | | | | |
| Tax (110-15L) | Exemption for Repair, Remodeling, and Maintenance of Aircraft Legislative | 6/2/2021 | 7/7/2021 | 6/2/2021 ERD by 7/14/2021 | | | | | |
| Tax (110-15M) | Vendor Absorption or Assumption of Sales and Use Tax Legislative | 6/3/2021 | 7/7/2021 | | | | | | |
| Tax (110-16A) | On-Line Bingo and Raffles Legislative | 6/3/2021 | 7/7/2021 | | | | | | |
| Tax (110-24) | Corporation Net Income Tax Legislative | 6/2/2021 | 7/7/2021 | | | | | | |
| Underground Facilities Damage Prevention Bd. (214-02) | Rules of Procedure for Complaints and Contested Cases Before the WV Underground Facilities Damage Prevention Board Procedural | 4/21/2021 | 5/21/2021 | | | | | | |
| Waste Mgmt., Div. of Water & Waste Mgmt. (33-20) | Hazardous Waste Management System Legislative | 7/8/2020 | 8/11/2020 | | 8/25/2020 | Approved 9/25/2020 | Bundled HB2382 | 4/19/2021 | 7/1/2021 |
| Water Resources Division of Water and Waste Management (47-02B) | Assessment Methodology for the Biological Component of the Narrative Criteria in Wadeable Streams Procedural | 2/9/2021 | 3/11/2021 Written Comments Extended To 3/26/2021 | | | | | | |
| Workers Compensation (85-17) | Electronic Submittal of Invoices and Receipt of Payments Legislative Exempt | 4/1/2021 | 5/20/2021 | | | | | 5/28/2021 | 7/1/2021 |

| LEGISLATIVE RULES FILED PER THE SUNSET PROVISION W. Va. Code §29A-3-19 and 29A-3A-20 | | | | | | | |
|---|---|---|---|---|---|---|---|
| **AGENCY/SERIES NUMBER** | **RULE/SUNSET DATE** | **REQUEST** | **AGENCY APPROVED** | **LRMRC/LOCEA ACTION** | **LEGIS** | **FINAL FILE** | **EFFECTIVE** |
| Auditor<br>155-08 | Procedure for Local Levying Bodies to Apply for Permission to Extend Time to Meet as Levying Body<br>7/1/2022 | 5/13/2021 | | | | | |
| Community & Technical College Education<br>135-35 | Correspondence, Business, Occupational, and Trade Schools<br>7/19/2022 | 4/5/2021 | 4/27/2021 | | | | |
| Community & Technical College Education<br>135-52 | Annual Reauthorization of Degree-Granting Institutions<br>7/19/2022 | 4/6/2021 | 4/27/2021 | | | | |
| Dangerous Wild Animal Board<br>74-01 | Dangerous Wild Animals<br>6/5/2022 | 4/5/2021 | 4/5/2021 | | | | |
| Health<br>64-103 | Expedited Paratner Therapy<br>6/1/2022 | 5/10/2021 | 5/10/2021 | | | | |
| Health and Human Resources<br>69-11 | Medication-Assisted treatment – Opioid Treatment Programs<br>6/1/2022 | 5/10/2021 | 5/10/2021 | | | | |
| Higher Education Policy Commission<br>133-48 | Research Trust Fund<br>8/5/2022 | 5/5/2021 | 5/5/2021 | | | | |
| Higher Education Policy Commission<br>133-52 | Annual Reauthorization of Degree-Granting Institutions<br>8/5/2022 | 5/5/2021 | 5/5/2021 | | | | |
| Insurance Commission<br>114-98 | Adoption of Valuation Manual<br>5/19/2022 | 3/31/2021 | 3/31/2021 | | | | |
| Public Service Commission<br>(150-37) | Telephone Conduit Occupancy<br>8/1/2022 | 5/6/2021 | | | | | |
| Racing Commission<br>178-05 | Pari-Mutuel Wagering<br>8/1/2022 | 4/26/2021 | 4/30/2021 | | | | |
| Registererd Professional Nurses<br>19-08 | Limited Prescriptive Authority for Nurses in Advanced Practice<br>5/15/2022 | 3/17/2021 | 5/10/2021 | | | | |
| Risk and Insurance Management<br>115-07 | Patient Injury Compensation Fund<br>5/1/2022 | 4/21/2021 | | | | | |
| Secretary of State<br>153-03 | Voter Registration at the Division of Motor Vehicles<br>5/23/2022 | 5/10/2021 | 5/10/2021 | | | | |
| Secretary of State<br>153-05 | Voter Registration List Maintenance by the Secretary of State<br>5/23/2022 | 5/10/2021 | 5/10/2021 | | | | |

| LEGISLATIVE RULES FILED PER THE SUNSET PROVISION W. Va. Code §29A-3-19 and 29A-3A-20 | | | | | | | |
|---|---|---|---|---|---|---|---|
| **AGENCY/SERIES NUMBER** | **RULE/SUNSET DATE** | **REQUEST** | **AGENCY APPROVED** | **LRMRC/LOCEA ACTION** | **LEGIS** | **FINAL FILE** | **EFFECTIVE** |
| Treasurer 112-04 | Procedures for Deposit of Monies with the State Treasurer's Office by State Agencies 6/1/2022 | 5/5/2021 | 5/6/2021 | | | | |
| Treasurer 112-06 | Selection of State Depositories for Disbursement Accounts through Competitive Bidding 6/1/2022 | 5/6/2021 | 5/6/2021 | | | | |
| Treasurer 112-07 | Selection of State Depositories for Receipt Accounts 6/1/2022 | 5/7/2021 | 5/7/2021 | | | | |
| Treasurer 112-08 | Procedures for Processing Payments from the State Treasury 6/1/2022 | 5/7/2021 | 5/7/2021 | | | | |

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
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6/2/2021 11:02:25 AM
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## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality

TITLE-SERIES: 45-08

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Ambient Air Quality Standards

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/06/2021 6:00 PM

LOCATION OF PUBLIC HEARING:

WV Department of Environmental Protection; 601 57th Street SE; Charleston, WV 25304; Coopers Rock Conference Room; (Virtual option also available)

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2021 6:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Sandra Adkins

ADDRESS: WV Department of Environmental Protection; 601 57th Street SE

Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: Yes

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

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## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality

TITLE-SERIES: 45-16

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Standards of Performance for New Stationary Sources

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/06/2021 6:00 PM

LOCATION OF PUBLIC HEARING:

WV Department of Environmental Protection; 601 57th Street SE; Charleston, WV 25304; Coopers Rock Conference Room; (Virtual option also available)

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2021 6:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Sandra Adkins

ADDRESS: WV Department of Environmental Protection, DAQ; 601 57th Street SE

Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: Yes

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## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality

TITLE-SERIES: 45-18

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Control of Air Pollution from Combustion of Solid Waste

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/06/2021 6:00 PM

LOCATION OF PUBLIC HEARING:

WV Department of Environmental Protection; 601 57th Street SE; Charleston, WV 25304; Coopers Rock Conference Room; (Virtual option also available)

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2021 6:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Sandra Adkins

ADDRESS: WV Department of Environmental Protection, DAQ; 601 57th Street SE

Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: Yes

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## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Air Quality

TITLE-SERIES: 45-34

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Emission Standards for Hazardous Air Pollutants

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/06/2021 6:00 PM

LOCATION OF PUBLIC HEARING:

WV Department of Environmental Protection; 601 57th Street SE; Charleston, WV 25304; Coopers Rock Conference Room; (Virtual option also available)

DATE WRITTEN COMMENT PERIOD ENDS: 07/06/2021 6:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Sandra Adkins

ADDRESS: WV Department of Environmental Protection, DAQ; 601 57th Street SE

Charleston, WV 25304

EMAIL: laura.m.jennings@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: Yes

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## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Alcohol Beverage Control Commission TITLE-SERIES: 175-02

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

RULE NAME: Private Club Licensing

CITE STATUTORY AUTHORITY: W. Va. Code §60-2-16, §60-2-17, and §60-7-10

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/01/2021 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Anoop Bhasin, WVABCA General Counsel

ADDRESS: 900 Pennsylvania Avenue, 4th Floor

Charleston, WV 25302

EMAIL: anoop.k.bhasin@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

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## NOTICE OF TECHNICAL AMENDMENT

AGENCY: Alcohol Beverage Control Commission TITLE-SERIES: 175-10

RULE TYPE: Legislative

RULE NAME: Distilleries, Mini-Distilleries, and Micro-Distilleries

CITE STATUTORY AUTHORITY: W.Va. Code §60-1-5, §60-1-5b, §60-1-5d, §60-2-11, §60-2-15, §60-2-16, §60-4-2, §60-4-3, §60-4-3a, §60-4-15, §60-6-1, and §60-6-2

LIST WITH DETAIL EACH SPECIFIC CHANGE MADE TO THE RULE AND WHERE IT CAN BE FOUND:

Per SB 517, extending sunset date to August 1.

FILING DATE: 06/01/2021 EFFECTIVE DATE: 04/15/2021

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

**Yes**

**Allen R Prunty -- 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.**

**WEST VIRGINIA SECRETARY OF STATE**
**MAC WARNER**
**ADMINISTRATIVE LAW DIVISION**

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## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Alcohol Beverage Control CommissionBeer TITLE-SERIES: 176-01

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

RULE NAME: Nonintoxicating Beer Licensing and Operations Procures

CITE STATUTORY AUTHORITY: W. Va. Code §11-16-1 et seq.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/01/2021 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Anoop Bhasin, WVABCA General Counsel

ADDRESS: 900 Pennsylvania Avenue, 4th Floor

Charleston, WV 25302

EMAIL: anoop.k.bhasin@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

**West Virginia**
**Secretary of State**
**Mac Warner**
**Administrative Law Division**

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## Changes to Social Services Manual

Agency: Department of Health and Human Resources

Bureau: Bureau for Children and Families

Rule: 78 - 5

Change Rule: CAS-CPS-4-21

Revision to Existing Manual: ☒ Yes ☐ No

Summary of Changes:
Changes in Ongoing Assessment and Case Planning to align with federal Family First Prevention Services Act as seen in Sections 5, 6, 7 and 8. Effective May 28, 2021.

Two Copies Enclosed:
Please file one and return a stamped copy to:

Amanda Spencer, LSW
Health and Human Resource Specialist, Senior
350 Capitol Street, Room 691
Charleston, WV 25301-3704

# WEST VIRGINIA
## SECRETARY OF STATE
### MAC WARNER
### ADMINISTRATIVE LAW DIVISION

INCOME MAINTENANCE MANUAL CHANGE FORM

Please Stamp Filing Date

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2021 JUN -3 P 1:19

OFFICE WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

**NOTICE OF FILING CHANGES TO PUBLIC ASSISTANCE MANUAL WITH THE SECRETARY OF STATE**

| | | | |
|---|---|---|---|
| **AGENCY:** | **West Virginia Department of Health and Human Resources** | **BUREAU:** | **Children & Families** |
| **TITLE OF MANUAL TO WHICH POLICY IS BEING FILED:** | **Income Maintenance Manual** | | |
| **STATE RULE:** | **FEDERAL RULE:** | **EFFECTIVE DATE:** | **6/1/2020** |
| **CHANGE NUMBER:** | **Updated New Income Maintenance Manual 805** | | |
| **CHAPTERS/SECTIONS EFFECTED:** | **1, 3, 5, 6, 10, 17, 18, 19 & AFG** | | |

**SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS**

| | |
|---|---|
| **REASON FOR MANUAL CHANGE:** | Update language from the 2018 Farm Bill for ABAWD, along with changes associated to West Virginia state code that says all 55 counties must be Issuance Limited by October 1, 2022. New policy and form change to the interim contact form, PRC-2. The word voucher is being updated to benefit for SCA. |

**THIS IS PART OF AN EXISTING LEGISLATIVE RULE**

The above policy is hereby filed as an incorporated portion of an existing legislative rule.

Monica Hamm

Authorized Signature

**CONTACT:**
Office of the Secretary
West Virginia Department of Health and Human Resources
State Capitol Complex, Building 3, Room 206
Charleston, West Virginia 25305
304.558.7899 Telephone

Revision 07/07

**WEST VIRGINIA SECRETARY OF STATE**
**MAC WARNER**
**ADMINISTRATIVE LAW DIVISION**

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5/28/2021 11:37:14 AM
Office of West Virginia Secretary Of State

**NOTICE OF PUBLIC COMMENT PERIOD**

AGENCY: Insurance Commission TITLE-SERIES: 114-42

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

RULE NAME: CONTINUING EDUCATION FOR INDIVIDUAL INSURANCE PRODUCERS AND INDIVIDUAL INSURANCE ADJUSTERS

CITE STATUTORY AUTHORITY: W. Va. Code §§33-2-10, 33-12-35 and 33-12B-12.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/01/2021 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Erin K Hunter

ADDRESS: 900 Pennsylvania Avenue

9th Floor

EMAIL: erin.k.hunter@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

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LEGISLATIVE

## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Insurance Commission TITLE-SERIES: 114-99

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

RULE NAME: PHARMACY AUDITING ENTITIES AND PHARMACY BENEFIT MANAGERS

CITE STATUTORY AUTHORITY: W. Va. Code §§33-51-8, 33-51-10 and 33-2-10.

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/01/2021 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Victor Mullins

ADDRESS: 900 Pennsylvania Ave

Charleston, WV 25302

EMAIL: victor.a.mullins@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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5/28/2021 11:34:04 AM
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## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Insurance Commission TITLE-SERIES: 114-102

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

RULE NAME: TERM AND UNIVERSAL LIFE INSURANCE RESERVE FINANCING

CITE STATUTORY AUTHORITY: W. Va. Code §§33-2-10 and 33-4-15a(e).

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/01/2021 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Victor Mullins

ADDRESS: 900 Pennsylvania Ave.

8th Floor

EMAIL: victor.a.mullins@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

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6/1/2021 2:41:15 PM
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LEGISLATIVE

## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Insurance Commission TITLE-SERIES: 114-103

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

RULE NAME: BAIL BONDSMEN IN CRIMINAL CASES

CITE STATUTORY AUTHORITY: W. Va. Code §§33-2-10 and 51-10-8(a) and (b).

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/01/2021 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Erin K Hunter

ADDRESS: 900 Pennsylvania Ave

Charleston, WV 25302

EMAIL: erin.k.hunter@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
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5/28/2021 3:35:29 PM
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## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Lottery Commission TITLE-SERIES: 179-01

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

RULE NAME: West Virginia Lottery State Lottery Rules

CITE STATUTORY AUTHORITY: W. Va. Code 29-22-5, 9(b), 9(c), 17

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/29/2021 5 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Kim Lamb

ADDRESS: 900 Pennsylvania Avenue

Charleston, WV 25302

EMAIL: klamb@wvlottery.com

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

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ADMINISTRATIVE LAW DIVISION

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6/1/2021 2:53:21 PM
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Secretary Of State

LEGISLATIVE

## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Lottery Commission

TITLE-SERIES: 179-05

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: West Virginia Limited Video Lottery Rule

CITE STATUTORY AUTHORITY: W. Va. Code 29-22B-402

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/01/2021 5 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Kim Lamb

ADDRESS: 900 Pennsylvania Avenue

Charleston, WV 25302

EMAIL: klamb@wvlottery.com

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
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5/28/2021 1:54:05 PM
Office of West Virginia
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## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Personnel

TITLE-SERIES: 143-01

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: Administrative Rule of the West Virginia Division of Personnel 143CSR1

CITE STATUTORY AUTHORITY: West Virginia Code 29-6-10

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/30/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Kerri L Nice

ADDRESS: 1900 Kanawha Blvd. E. Building 3, Suite 500

Charleston, WV 25305

EMAIL: kerri.l.nice@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

**WEST VIRGINIA SECRETARY OF STATE**
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**ADMINISTRATIVE LAW DIVISION**

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5/26/2021 11:27:33 AM
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LEGISLATIVE

## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Racing Commission TITLE-SERIES: 178-01

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

RULE NAME: Thoroughbred Racing

CITE STATUTORY AUTHORITY: W. Va. Code §§19-23-2(a), 19-23-3(17), 19-23-6, 19-23-8, 19-23-9, 19-23-13, 19-23-13b and 19-23-15

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/28/2021 5:00 pm

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Joe Moore

ADDRESS: 900 Pennsylvania Avenue, Suite 533

Charleston, WV 25302

EMAIL: joe.k.moore@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: Yes

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

**WEST VIRGINIA SECRETARY OF STATE**
**MAC WARNER**
**ADMINISTRATIVE LAW DIVISION**

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6/3/2021 12:38:56 PM
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## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Tax TITLE-SERIES: 110-01A

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

RULE NAME: VALUATION OF FARMLAND AND STRUCTURES SITUATED THEREON FOR AD VALOREM PROPERTY TAX PURPOSES

CITE STATUTORY AUTHORITY: W. Va. Code §11-1C-5(b)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/07/2021 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: MARK S. MORTON

ADDRESS: P.O. BOX 1005

CHARLESTON, WV 25324-1005

EMAIL: taxlegal@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

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LEGISLATIVE

## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Tax TITLE-SERIES: 110-13KK

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

RULE NAME: WEST VIRGINIA TAX CREDIT FOR FEDERAL EXCISE TAX IMPOSED UPON SMALL ARMS AND AMMUNITION MANUFACTURERS

CITE STATUTORY AUTHORITY: W. Va. Code §11-10-5 and W. Va. Code §§11-13KK-4(d), 13

COMMENTS LIMITED TO:

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DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/07/2021 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: MARK S. MORTON

ADDRESS: P.O. BOX 1005

CHARLESTON, WV 25324-1005

EMAIL: taxlegal@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: Yes

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

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6/2/2021 3:53:02 PM
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## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Tax TITLE-SERIES: 110-15L

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

RULE NAME: EXEMPTION FOR REPAIR, REMODELING, AND MAINTENANCE OF AIRCRAFT

CITE STATUTORY AUTHORITY: W. Va. Code §11 15-9t

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/07/2021 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: MARK S. MORTON

ADDRESS: P.O. BOX 1005

CHARLESTON, WV 25324-1005

EMAIL: taxlegal@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

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ADMINISTRATIVE LAW DIVISION

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LEGISLATIVE

## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Tax

TITLE-SERIES: 110-15M

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: VENDOR ABSORPTION OR ASSUMPTION OF SALES AND USE TAX

CITE STATUTORY AUTHORITY: W. Va. Code §11-10-5, and §11-15A-8(b)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/07/2021 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: MARK S. MORTON

ADDRESS: P.O. BOX 1005

CHARLESTON, WV 25324-1005

EMAIL: taxlegal@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

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ADMINISTRATIVE LAW DIVISION

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6/3/2021 12:30:34 PM
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## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Tax

TITLE-SERIES: 110-16A

RULE TYPE: Legislative

Amendment to Existing Rule: No

Repeal of existing rule: No

RULE NAME: ON-LINE BINGO AND RAFFLES

CITE STATUTORY AUTHORITY: W. Va. Code § 29A-1-1, et seq

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/07/2021 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: MARK S. MORTON

ADDRESS: P.O. BOX 1005

CHARLESTON, WV 25324-1005

EMAIL: taxlegal@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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6/2/2021 2:21:48 PM

Office of West Virginia Secretary Of State

LEGISLATIVE

## NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Tax

TITLE-SERIES: 110-24

RULE TYPE: Legislative

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: CORPORATION NET INCOME TAX

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3-1, et seq., 11-10-5

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/07/2021 9:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: MARK S. MORTON

ADDRESS: P.O. BOX 1005

CHARLESTON, WV 25324-1005

EMAIL: taxlegal@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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5/28/2021 12:54 PM

Office of West Virginia Secretary Of State

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

AGENCY: Workers Compensation

TITLE-SERIES: 85-17

RULE TYPE: Legislative Exempt

Amendment to Existing Rule: Yes

Repeal of existing rule: No

RULE NAME: ELECTRONIC PAYMENTS

CITE STATUTORY AUTHORITY: W. Va. Code §§23-1-1(e), 23-2C-5, 23-2C-8 and 23-3-5.

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

July 1, 2021

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

**Yes**

**Allen R Prunty -- 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.**

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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6/3/2021 12:34:52 PM
Office of West Virginia
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EMERGENCY

## NOTICE OF AN EMERGENCY AMENDMENT TO AN EMERGENCY RULE

AGENCY: Tax TITLE-SERIES: 110-15F

RULE TYPE: Legislative Amendment to Existing Rule: No

RULE NAME: SALES TAX HOLIDAY

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §§11-15-9s(c) and 11-10-5

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

No time limit

DATE EMERGENCY RULE WAS ORIGINALLY FILED: 05/07/2021

DATE(S) OF PREVIOUS EMERGENCY AMENDMENT(S)

NONE

PRIMARY CONTACT:

NAME: MARK S MORTON
ADDRESS: PO Box 1005
CHARLESTON, WV 25324-1005
EMAIL: taxlegal@wv.gov
PHONE NUMBER: 304-558-5330

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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6/2/2021 3:10:58 PM
Office of West Virginia
Secretary Of State

## NOTICE OF AN EMERGENCY RULE

AGENCY: Tax TITLE-SERIES: 110-15L

RULE TYPE: Legislative Amendment to Existing Rule: No

RULE NAME: EXEMPTION FOR REPAIR, REMODELING, AND MAINTENANCE OF AIRCRAFT

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §11 15-9t

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

No time limit

PRIMARY CONTACT:

NAME: MARK S MORTON
ADDRESS: PO Box 1005
CHARLESTON, WV 25324-1005
EMAIL: taxlegal@wv.gov
PHONE NUMBER: 304-558-5330

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

# June Legislative Interim Schedule

## June 06-08, 2021

## State Capitol

### Sunday, June 06, 2021

| | | |
|---|---|---|
| 1:00 PM — 2:00 PM | Agriculture and Rural Development | Senate Judiciary |
| 1:00 PM — 2:00 PM | Equal Pay Commission - CANCELLED. | House Judiciary |
| 2:00 PM — 3:00 PM | Legislative Oversight Commission on Workforce Investment for Economic Development - JOINT | House Gov. Org. |
| 2:00 PM — 3:00 PM | Joint Commission on Economic Development - JOINT MEETING | House Gov. Org. |
| 3:00 PM — 4:00 PM | Commission on Special Investigations | Senate Finance |
| 5:00 PM — 7:00 PM | Joint Legislative Oversight Commission on Dept of Transportation Accountability - JOINT | Senate Judiciary |
| 5:00 PM — 7:00 PM | Select Committee on Infrastructure - JOINT MEETING | Senate Judiciary |

### Monday, June 07, 2021

| | | |
|---|---|---|
| 8:00 AM — 10:00 AM | Parks, Recreation and Natural Resources Subcommittee | Senate Judiciary |
| 9:00 AM — 10:00 AM | Joint Standing Committee on Pensions and Retirement | House Judiciary |
| 10:00 AM — 11:00 AM | Joint Standing Committee on the Judiciary | House Gov. Org. |
| 10:00 AM — 12:00 PM | Joint Standing Committee on Finance | House Chamber |
| 12:00 PM — 2:00 PM | Joint Committee on Volunteer Fire Departments and Emergency Medical Services | House Gov. Org. |
| 2:00 PM — 3:00 PM | Commission on Interstate Cooperation | House Judiciary |
| 3:00 PM — 4:00 PM | Post Audits Subcommittee | Senate Finance |
| 3:00 PM — 4:00 PM | Select Committee on Veterans' Affairs | Senate Judiciary |
| 4:00 PM — 6:00 PM | Joint Committee on Health | House Chamber |

### Tuesday, June 08, 2021

| | | |
|---|---|---|
| 9:00 AM — 10:00 AM | Joint Legislative Oversight Commission on State Water Resources | House Judiciary |
| 9:00 AM — 10:00 AM | Joint Committee on Children and Families | Senate Judiciary |
| 10:00 AM — 11:00 AM | Joint Committee on Government and Finance | Senate Finance |
| 10:00 AM — 11:00 AM | Select Committee on PEIA, Seniors and Long Term Care | Senate Judiciary |
| 11:00 AM — 12:00 PM | Legislative Oversight Committee on Regional Jail and Correctional Facility Authority | Senate Finance |
| 11:00 AM — 12:00 PM | Joint Committee on Technology | Senate Judiciary |
| 12:00 PM — 2:00 PM | Legislative Oversight Commission on Health and Human Resources Accountability | House Gov. Org. |
| 2:00 PM — 3:00 PM | Forest Management Review Commission | House Gov. Org. |
| 2:00 PM — 4:00 PM | Legislative Oversight Commission on Education Accountability | Senate Finance |
| 4:00 PM — 6:00 PM | Joint Standing Committee on Education | House Chamber |
| 4:00 PM — 6:00 PM | Joint Committee on Government Operations - JOINT MEETING | House Gov. Org. |
| 4:00 PM — 6:00 PM | Joint Standing Committee on Government Organization - JOINT MEETING | House Gov. Org. |

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2021 JUN -2 P 1:31
OFFICE WEST VIRGINIA
SECRETARY OF STATE

Posted in the following offices;
Senate President, House Speaker,
Senate Clerk, House Clerk,
Legislative Services and
Secretary of State's office.
6/1/21 FNS

# Orders Report

| Docket Number | Agency | Respondent | Date Rendered |
| --- | --- | --- | --- |

None Received This Week

| WEST VIRGINIA ETHICS COMMISSION ADVISORY OPINIONS | |
|---|---|
| **NO.** | **OPINION SOUGHT** |
| 2021-09 | A City Chief of Police asks whether the City's Police Officers or Police Department may keep gift cards, valued over $25, given to them by a citizen as an appreciation gift for their service. |
| 2021-10 | A County Commissioner asks whether she may be employed as the executive director of the Convention and Visitor's Bureau located in her County. |
| 2021-11 | A City asks whether businesses owned by City Council members or City employees are eligible to receive small business grants awarded by the City. |
| 2021-12 | Municipal officials ask whether they must recuse themselves from participating in matters involving an emergency services organization to which the municipality makes annual appropriations when the officials are uncompensated members and stockholders of the organization, and, in one case, an officer and board member. |
| 2021-13 | A County Board of Education Member asks whether she may be employed as a teacher by a private, nonprofit school which contracts with the BOE to provide educational and behavioral health services to students in the County School System. |
| 2021-14 | A County Commission asks whether a Commissioner may vote to modify the County's Comprehensive Plan that governs the zoning of property in which the Commissioner has an ownership interest. |

# Public Notice

OTHER

west virginia dep department of environmental protection



# Public Notice

## West Virginia Department of Environmental Protection
## Division of Air Quality

**Comment Period Opens:** June 4, 2021
**Comment Period Closes:** July 6, 2021

**Publication:** Charleston Newspapers and West Virginia State Register
**Publication Date:** June 4, 2021

**Type of Notice:** Public Comment Period and Public Hearing

**Location:** Statewide

**Proposed Activity:** DAQ 2022 Legislative Rules
**Project Description:** The DAQ proposed 2022 legislative rules include:

FILED
2021 JUN -1 A 8:32
OFFICE WEST VIRGINIA
SECRETARY OF STATE

45CSR8 (Ambient Air Quality Standards)
45CSR16 (Standards of Performance for New Stationary Sources)
45CSR18 (Control of Air Pollution from Combustion of Solid Waste)
45CSR34 (Emission Standards for Hazardous Air Pollutants)

Upon authorization and promulgation of the final rules, 45CSR16 and 45CSR34 will be submitted to the United States Environmental Protection Agency (EPA) to fulfill federal obligations under the Clean Air Act (CAA), including delegations and authorizations. Upon authorization and promulgation, 45CSR8 will be submitted to EPA for approval as a revision to the State Implementation Plan (SIP) pursuant to the federal CAA. Upon authorization and promulgation, 45CSR18, will be submitted to EPA for approval as a revision to the CAA §111(d)/129 State Plan to fulfill federal obligations.

The proposed rules are available at:
- the Secretary of State's website at http://apps.sos.wv.gov/adlaw/csr/,
- the DEP website at http://www.dep.wv.gov/pio/Pages/Rules.aspx, or
- the DAQ website at https://dep.wv.gov/daq/publicnoticeandcomment/Pages/default.aspx.

*"Promoting a healthy environment"*



- If you do not have internet capability, please contact DAQ for alternatives.

**Point of Contact:** Laura Jennings (laura.m.jennings@wv.gov or 304-926-0475)

Written comments may be submitted at any time during the public comment as instructed below. Comments must be received by the conclusion of the public hearing on July 6. The DEP is holding the public hearing in-person with an option to participate virtually. Instructions for participating and providing oral comments virtually are provided below. Both oral and written comments will be made part of the rulemaking record. Comments received after the conclusion of the public comment period will not be accepted.

Written Comments:
- E-mail written comments to Laura.M.Jennings@wv.gov with "Proposed DAQ 2022 Rule Comments" in the subject line, or
- Mail hard copy comments to the attention of Sandra Adkins at the WV Department of Environmental Protection, Division of Air Quality, 601 57th Street SE, Charleston, WV 25304.

Public Hearing: July 6, 2021 at 6:00 p.m.
The purpose of the public hearing is to receive comments concerning the proposed DAQ 2022 legislative rules identified above. Comments will be responded to in writing later as part of the rulemaking process. A separate hearing will be held for each of the proposed rules. The hearings will be held sequentially and will commence immediately following the conclusion of the hearing for the previous proposed rule.

To participate in-person, the location is inside the Coopers Rock Conference Room that is located at the rear of the building. Parking is available. The address is:

DEP Charleston headquarters
601 57th Street S.E.
Charleston, WV 25304

To participate online or by telephone, registration is required by 5:00 p.m. on Tuesday, July 6, 2021. To register, please complete the participant registration form at https://apps.dep.wv.gov/daq-register/attend. To register to speak, please indicate "yes" you want to provide oral comments on the record when you register with the previously provided link. A confirmation e-mail will be sent with information on how to join the public hearing. If you do not have internet access and want to register, please contact Sandie Adkins or Stephanie Hammonds at (304) 926-0475. Registration for the online hearing is required to fulfill the state's obligation under federal air quality regulations to include a list of participants.

If you wish to speak at the public hearing, verbal testimony is limited to 5 minutes for each witness. If participating virtually, video demonstrations and screen sharing by witnesses is not permitted.

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
WV Health Care Authority

FILED
2021 MAY 28 P 12: 01
OFFICE WEST VIRGINIA SECRETARY OF STATE

OTHER

Bill J. Crouch
Cabinet Secretary

Barbara Skeen
Interim Executive Director

In Re:

PERSONAL TOUCH HOME CARE OF W. VA., INC.
CON File No. 21-6-12046-Z

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**NOTICE OF CANCELLATION OF PREHEARING CONFERENCE AND ADMINISTRATIVE HEARING**

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**PLEASE TAKE NOTICE** that pursuant to Chapter 16, Article 2D, and to Chapter 29A, Article 5, of the West Virginia Code of 1931, as amended, that Barbara Skeen, Interim Executive Director of the West Virginia Health Care Authority, wishes to announce that West Virginia HomeCare, LLC dba Care Partners Home Health and Tender Loving Care Health Care Services of West Virginia, LLC dba Amedisys Home Health Care has withdrawn their request for a hearing in the above-captioned matter.

As such, **the PREHEARING CONFERENCE** scheduled for **July 6, 2021, at 10:00 a.m. and the ADMINISTRATIVE HEARING** scheduled for **July 15, 2021, at 9:00 a.m.**, in the Large Conference Room of the West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia has been **CANCELLED**.

This application concerns the provision of home health services in Marion County, West Virginia.

If you have any questions concerning this matter, please contact Barbara Skeen, Director of Certificate of Need, at (304) 558-7000.

Date: May 20, 2021

Barbara Skeen
Barbara Skeen, Interim Executive Director



WEST VIRGINIA
HEALTH CARE AUTHORITY

MAY 26 2021
FILED
2021 MAY 28 P 12: 04
OFFICE WEST VIRGINIA SECRETARY OF STATE

In Re: PERSONAL TOUCH HOME CARE OF W. VA., INC.
CON File # 21-6-12046-Z

**ORDER**

On May 11, 2021, West Virginia HomeCare, LLC dba Care Partners Home Health and Tender Loving Care Health Care Services of West Virginia, LLC dba Amedisys Home Health, withdrew their request for a hearing in the above-referenced matter. Accordingly, the pre-hearing scheduled for July 6, 2021, and hearing scheduled for July 15, 2021, are hereby cancelled and the administrative hearing is DISMISSED from the active docket of the West Virginia Health Care Authority.

Entered this 20th day of May, 2021.

B. Allen Campbell
B. Allen Campbell
Senior Assistant Attorney General
Counsel for the WV Health Care Authority

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
WV Health Care Authority

Bill J. Crouch
Cabinet Secretary

Barbara Skeen
Interim Executive Director

FILED
2021 JUN -1 P 3:19
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SECRETARY OF STATE

OTHER

# *NOTICE OF REVIEW*

FOR IMMEDIATE RELEASE

**June 1, 2021**

**NEWS ITEM**

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

May 28, 2021 – Humana Inc., Louisville, Kentucky, CON File #21-1/2/3/4/5/6-12089-A, for the acquisition of approximately 60% of the ownership interests in Kentucky Homecare Parent Inc.; capital expenditure: $54,150,000.

May 28, 2021 – Encompass Health Rehabilitation Hospital of Parkersburg, Birmingham, Alabama, CON File #21-5-12091-B, for the addition of ten rehabilitation beds; capital expenditure: $18,800,000.

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 **May 28, 2021**.

On or before **June 28, 2021**, 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 during the course of the review, a notice of 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 **July 2, 2021**. After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the applications.





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 **July 27, 2021**.

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 Skeen, Director, Certificate of Need, Health Care Authority, 100 Dee Drive, Charleston, West Virginia, 25311-1600. 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.

6/1/21
Date

Barbara Skeen
**Barbara Skeen, Director, Certificate of Need**
Health Care Authority

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

FILED
2021 JUN -1 P 1:33
OFFICE WEST VIRGINIA
SECRETARY OF STATE
OTHER

June 1, 2021

## ***LEGAL NOTICE***

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **May 28, 2021**.

### CERTIFICATE OF NEED APPLICATIONS RECEIVED

May 24, 2021 – Humana Inc., Louisville, Kentucky, CON File #21-1/2/3/4/5/6-12089-A, for the acquisition of approximately 60% of the ownership interests in Kentucky Homecare Parent Inc.; capital expenditure: $54,150,000.

May 28, 2021 – Encompass Health Rehabilitation Hospital of Parkersburg, Birmingham, Alabama, CON File #21-5-12091-B, for the addition of ten rehabilitation beds; capital expenditure: $18,800,000.

### PROJECT EXEMPT FROM REVIEW

May 26, 2021 – Preston Memorial Hospital Corporation, Kingwood, Preston County, CON File #21-6-12098-X, for the development of a medication assisted treatment program at the hospital, which is located at 150 Memorial Drive, Kingwood, Preston County.

### CERTIFICATE OF NEED APPROVAL ISSUED

May 28, 2021 - Personal Touch Home Care of W. Va., Inc., Hurricane, Putnam County, CON File #21-6-12046-Z, for the provision of home health services is Marion County; capital expenditure: $45,000.

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