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

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Grievances Report

Health Care Authority

Higher Education Policy Commission

Labor

Real Estate Appraiser Licensing and Certification Board

Registered Professional Nurses

Tax

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NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Fire Marshal (103-5)	Electricians Licensing Rules Legislative	§29-3B	Written Comments Only January 20, 2018, 4:00 pm Kenneth Tyree State Fire Marshal 1201 Quarrier Street Charleston, WV 25301
Labor (42-37)	Jobs Act Procedures Procedural	§21-1C-5(e)	Written Comments Only January 22, 2018, 4:30 pm Mitchell E. Woodrum, Commissioner 1900 Kanawha Blvd. E., Capitol Complex Building 3, Room 200 Charleston, WV 25305
Tax (110-41)	Railroad Diesel Locomotive Refundable Exemption from the Variable Rate Component of the Motor Fuel Excise Tax Procedural	§11-10-5	Written Comments Only January 26, 2017, 5:00 pm Mark S. Morton, Esq., General Counsel PO Box 1005 Charleston, WV 25324-1005

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

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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

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

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

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

TITLE NUMBER		NAME OF AGENCY
TITLE	1	ACCOUNTANCY
TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	8	HEARING AID DEALERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	20	SANITARIANS
TITLE	24	OSTEOPATHY
TITLE	25	SOCIAL WORK EXAMINERS
TITLE	26	VETERINARY MEDICINE
TITLE	27	COUNSELING
TITLE	29	SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY
TITLE	31	DIETITIANS
TITLE	33	OFFICE OF WASTE MANAGEMENT (FORMERLY PART OF TITLE 47)
TITLE	35	OFFICE OF OIL AND GAS
TITLE	36	COAL MINE HEALTH & SAFETY
TITLE	38	MINING & RECLAMATION
TITLE	42	LABOR
TITLE	45	OFFICE OF AIR QUALITY
TITLE	47	OFFICE OF WATER RESOURCES
TITLE	48	MINES TRAINING EDUCATION & CERTIFICATION
TITLE	56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE	58	NATURAL RESOURCES
TITLE	60	ENVIRONMENTAL PROTECTION, SECRETARY'S OFFICE
TITLE	61	AGRICULTURE
TITLE	63	CONSERVATION AGENCY
TITLE	64	HEALTH
TITLE	65	HEALTH CARE AUTHORITY
TITLE	69	HEALTH & HUMAN RESOURCES
TITLE	76	SENIOR SERVICES
TITLE	78	HUMAN SERVICES
TITLE	81	STATE POLICE
TITLE	82	CULTURE AND HISTORY
TITLE	85	WORKERSCOMPENSATION BY THE INSURANCE COMMISSION
TITLE	86	VETERANS AFFAIRS
TITLE	87	FIRE COMMISSION
TITLE	90	CORRECTIONS
TITLE	91	MOTOR VEHICLES
TITLE	94	REGIONAL JAIL & CORRECTIONAL FACILITY AUTHORITY
TITLE	96	WORKFORCE WEST VIRGINIA
TITLE	110	TAX DEPARTMENT
TITLE	112	TREASURER
TITLE	113	HEALTH INSURANCE PLAN
TITLE	114	INSURANCE
TITLE	126	EDUCATION
TITLE	127	SECONDARY SCHOOLS ACTIVITIES COMM.
TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY & TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
TITLE	144	TOURISM
TITLE	146	STATE ELECTION COMMISSION
TITLE	148	ADMINISTRATION
TITLE	149	CRIME, DELINQUENCY AND CORRECTION
TITLE	150	PUBLIC SERVICE COMMISSION
TITLE	153	SECRETARY OF STATE
TITLE	157	DIVISION OF HIGWAYS
TITLE	158	ETHICS COMMISSION
TITLE	162	CONSOLIDATED PUBLIC RETIREMENT BOARD
TITLE	164	SCHOOL BUILDING AUTHORITY
TITLE	172	STATE RAIL AUTHORITY
TITLE	174	REAL ESTATE COMMISSION
TITLE	175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE	176	ALCOHOL BEVERAGE CONTROL COMMISSION – BEER
TITLE	177	ATHLETIC COMMISSION
TITLE	178	RACING COMMISSION
TITLE	179	LOTTERY
TITLE	184	PARKWAYS ECONOMIC DEV. & TOURISM AUTHORITY
TITLE	190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD
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TITLE	199	EXPLOSIVES & BLASTING
TITLE	204	HATFIELD-MCCOY REGIONAL RECREATION AUTHORITY

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Accountancy, WV Bd. Of (1-01)	Board Rules and Rules of Professional Conduct Legislative	6/23/2017	7/23/2017		7/28/2017	Modified & Approved 9/20/2017 Filed 9/29/2017			
Administration (148-03)	State Owned Vehicles Legislative	6/26/2017	7/26/2017		7/26/2017	Modified & Approved 12/1/2017 Filed 12/11/2017			
Administration (148-6)	Parking Legislative	6/21/2017	7/21/2017		7/25/2017	Approved 8/29/2017			
Agriculture (61-01)	Animal Disease Control Legislative	6/28/2017	7/28/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/19/2017			
Agriculture (61-2)	West Virginia Apiary Law Legislative	6/15/2017	7/16/2017		7/18/2017	Modified & Approved 8/29/2017 Filed 9/18/2017			
Agriculture (61-8B)	Schedule of Charges for Inspection Services Fruit Legislative	11/1/2017	12/1/2017	11/13/2017 Effective 12/26/2017	12/1/2017	Modified & Approved 12/2/2017 Filed 12/18/2017			
Agriculture (61-11B)	Auctioneers Legislative	6/26/2017	7/26/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/19/2017			
Agriculture (61-14A)	Noxious Weeds Legislative	6/22/2017	7/22/2017 Hearing 11/3/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/19/2017			
Agriculture (61-16)	Inspection of Meat and Poultry Legislative	6/15/2017	7/16/2017		7/17/2017	Modified & Approved 8/29/2017 Filed 9/18/2017			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculutre (61-23D)	Inspection of Nontraditional, Domesticated Animals Legislative	6/15/2017	7/16/2017		7/17/2017	Modified & Approved 9/20/2017 Filed 9/29/2017			
Agriculture (61-36)	Farm to Food Bank Tax Credit Legislative	12/18/2017	1/18/2018	12/18/2017 ERD by 1/29/2018					
Air Quality (45-8)	Ambient Air Quality Standards Legislative	6/6/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/6/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/7/2017	7/11/2017		7/21/2017	Modified & Approved 8/29/2017 Filed 8/24/2017			
Air Quality (45-23)	Control of Air Pollution from Municipal Solid Waste Landfills Legislative	6/7/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	6/6/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/6/2017	7/11/2017		7/21/2017	Approved 8/29/2017			
Athletic Commission (177-1)	WV State Athletic Commission Legislative	6/16/2017	7/16/2017		7/27/2017	Modified & Approved 9/20/2017 Filed 10/3/2017			
Athletic Commission (177-2)	Regulation of Mixed Martial Arts Legislative	6/16/2017	7/16/2017		7/27/2017	Modified & Approved 9/20/2017 Filed 10/3/2017			
Board of Review (84-1)	Procedural Rule Board of Review Procedural	12/12/2017	1/16/2018						
Comm. & Tech. College Education (135-12)	Capital Project Management Legislative	12/11/2017	1/16/2018						

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Comm. & Tech. College Education (135-55)	Human Resources Administration Legislative	12/8/2017	1/10/2018						
Crime Delinquency and Correction (149-2)	Law Enforcement Training and Certification Standards Legislative	6/21/2017	7/24/2017		7/26/2017	Modified & Approved 12/2/2017 Filed 12/13/2017			
Crime Delinquency and Correction (149-03)	Protocol for Law Enforcement Response to Domestic Violence Legislative	6/28/2017	7/28/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/14/2017			
Culture and History (82-6)	Archives and History Library Services and Fee Guidelines Procedural	8/24/2017	10/2/2017						
Dietitians (31-1)	Licensure and Renewal Requirements Legislative	6/8/2017	7/17/2017		7/24/2017	Modified & Approved 12/3/2017 Filed 12/4/2017			
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	7/1/2018
Education (126-41)	Safe and Acceptable Use of the Internet by Students and Educators (2460) 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	7/1/2018
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	7/1/2018
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

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
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 (126-86)	Standards for School Nutrition (Policy 4321.1) Legislative Exempt	6/15/2017	7/17/2017					8/10/2017	1/2/2018
Education (126-92)	WV School Bus Transportation Policy and Procedures Manual (4336) Legislative Exempt	8/10/2017	9/11/2017					12/6/2017	1/8/2018
Environmental Protection – Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	6/5/2017	7/6/2017		7/11/2017	Approved 12/1/2017			
Fire Commission (87-2)	Electrician Licensing Rules Legislative	6/16/2017	7/17/2017		7/25/2017	Modified & Approved 12/2/2017 Filed 12/13/2017			
Fire Commission (87-3)	Hazardous Substance Emergency Response Training Programs Legislative	6/19/2017	7/19/2017		7/25/2017	Modified & Approved 12/2/2017 Filed 12/13/2017			
Fire Marshal (103-5)	Electricians Licensing Rules Legislative	12/21/2017	1/20/2018						
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 8/29/2017 Filed 8/30/2017			
Health (64-17)	Food Establishments Legislative	6/27/2017	7/27/2017		7/28/2017	Modified & Approved 10/18/2017 Filed 10/25/2017			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-48)	Emergency Medical Services Legislative	6/27/2017	7/27/2017		7/28/2017	Modified & Approved 12/1/2017 Filed 12/11/2017			
Health and Human Resources (69-10)	WV Clearance for Access: Registry and Employment Screening Legislative	6/26/2017	7/26/2017		7/27/2017	Approved 8/29/2017			
Health and Human Resources (69-13)	Development of Methodologies to Examine Needs for Substance Use Disorder Treatment Facilities within the State Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017 Amendment 7/28/2017 Effective 9/21/2017 Amendment 10/25/2017 Effective 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 Amendment 12/11/2017 ERD by 1/22/2018	7/28/2017	Modified & Approved 12/1/2017 Filed 12/11/2017			
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 (8-01)	WV Board of Hearing Aid Dealers Legislative	6/23/2017	7/24/2017		7/26/2017	Approved 8/29/2017			
Higher Education Policy Comm. (133-12)	Capitol Project Management Legislative	11/20/2017	12/20/2017						
Higher Education Policy Comm. (133-22)	Grade Point Average for Associate and Baccalaureate Degrees Procedural	11/20/2017	12/20/2017					12/21/2017	1/21/2018

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Higher Education Policy Comm. (133-32)	Tuition and Fee Policy Legislative	11/20/2017	12/20/2017						
Higher Education Policy Comm. (133-33)	Anatomical Board Interpretive	11/20/2017	12/20/2017					12/21/2017	1/21/2018
Higher Education Policy Comm. (133-55)	Human Resources Administration Legislative	11/21/2017	12/21/2017						
Highways (157-2)	Disposal, Lease and Management of Real Property and Appurtenant Structures and Relocation Assistance Legislative	6/22/2017	7/24/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/13/2017			
Highways (157-12)	Employment Procedures Legislative	11/2/2017	12/2/2017	11/1/2017 Effective 12/13/2017					
Human Services (78-01)	Child Care Licensing Legislative	6/26/2017	7/26/2017		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	Modified & Approved 9/20/2017 Filed 10/4/2017			
Human Services (78-18)	Family Child Care Facility Licensing Requirements Legislative	6/27/2017	7/26/2017		7/28/2017	Modified & Approved 9/20/2017 Filed 10/4/2017			
Human Services (78-19)	Family Child Care Home Registration Requirements Legislative	6/26/2017	7/26/2017		7/27/2017	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	Modified & Approved 12/1/2017 Filed 12/11/2017			
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			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Human Services (78-26)	Drug Screening of Applicants for Cash Assistance Under the Temporary Assistance for Needy Families Program (TANF) Legislative	6/27/2017	7/27/2017	6/27/2017 Approved 7/20/2017 Amendment 7/28/2017 Effective 9/8/2017 Amendment 12/11/2017 ERD by 1/22/2018	7/28/2017	Modified & Approved 12/1/2017 Filed 12/11/2017			
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 9/21/2017			
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 (42-36)	Registration of Weighing and Measuring Devices Used by Businesses in Commercial Transactions Legislative	6/15/2017	7/17/2017	6/16/2017 Approved 7/20/2017 Amendment 12/8/2017 ERD by 1/19/2018	7/27/2017	Approved 9/20/2017 Modified & Approved 12/1/2017 Filed 12/8/2017			
Labor (42-37)	Jobs Act Procedures Procedural	12/21/2017	1/22/2018						
Lottery Commission (179-1)	State Lottery Rules Legislative	6/19/2017	7/21/2017		7/28/2017	Modified & Approved 12/1/2017 Filed 12/11/2017			
Medicine (11-6)	Continuing Education for Physicians and Podiatrists Legislative	6/21/2017	7/21/2017		7/26/2017	Approved 8/29/2017			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Medicine (11-01B)	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	Modified & Approved 12/3/2017 Filed 12/6/2017			
Miners' Health, Safety and Training (56-23)	Operating Diesel Equipment in Underground Mines in WV Legislative	6/22/2017	7/24/2017	6/22/2017 Approved 7/20/2017	7/27/2017	Approved 12/2/2017			
Mining and Reclamation (38-02)	West Virginia Surface Mining Reclamation Legislative	6/6/2017	7/18/2017		7/27/2017	Modified & Approved 12/1/2017 Filed 12/5/2017			
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	Modified & Approved 12/2/2017 Filed 12/18/2017			
Natural Resources (58-49)	General Hunting Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 12/2/2017			
Natural Resources (58-56)	Special Migratory Bird Hunting Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 12/2/2017			
Natural Resources (58-64)	Miscellaneous Permits and Licenses Legislative	6/23/2017	7/24/2017		7/28/2017	Approved 12/2/2017			
Natural Resources (58-69)	Wildlife Disease Management Legislative	6/28/2017	7/28/2017		7/28/2017	Modified w/certain amendments & Approved 12/2/2017 Filed 12/11/2017			
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 Effective 12/18/2017	10/17/2017	Modified & Approved 12/3/2017 Filed 12/6/2017			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-1)	Licensure and Practice of Pharmacy Legislative	6/22/2017	7/24/2017		7/28/2017	Approved 9/20/2017			
Pharmacy (15-2)	Uniform Controlled Substances Act Legislative	5/11/2017	6/12/2017		7/28/2017	Modified & Approved 9/20/2017 Filed 11/6/2017			
Pharmacy (15-7)	Registration of Pharmacy Technicians Legislative	5/12/2017	6/12/2017		7/28/2017	Modified & Approved 12/3/2017 Filed 12/18/2017			
Pharmacy (15-8)	Controlled Substances Monitoring Program Legislative	6/15/2017	7/17/2017	6/15/2017 Approved 9/19/2017	7/28/2017	Modified & Approved 9/20/2017 Filed 11/7/2017			
Pharmacy (15-10)	Pharmacist Recovery Networks Legislative	5/12/2017	6/12/2017		7/28/2017	Modified & Approved 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	Modified & Approved 9/20/2017 Filed 11/6/2017			
Pharmacy (15-14)	Centralized Prescription Processing Legislative	6/15/2017	7/17/2017		7/28/2017	Modified & Approved 12/3/2017 Filed 12/18/2017			
Psychologists (17-01)	Fees Legislative	6/28/2017	7/28/2017		7/28/2017	Modified & Approved 12/1/2017 Filed 12/13/2017			
Psychologists (17-02)	Organization and Procedures of the Board of Examiners of Psychologists Procedural	6/28/2017	7/28/2017					12/14/2017	1/31/2018
Psychologists (17-03)	Requirements for Licensure as a Psychologist and/or a School Psychologist Legislative	6/28/2017	7/28/2017		7/28/2017	Approved 12/1/2017			

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AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Psychologists (17-06)	Code of Ethics Legislative	6/28/2017	7/28/2017		7/28/2017	Approved 12/1/2017			
Public Service Commission (150-3)	Government of Electric Utilities Legislative Exempt	11/8/2017	12/11/2017						
Public Service Commission (150-4)	Government of Gas Utilities and Gas Pipeline Safety Legislative Exempt	11/8/2017	12/11/2017						
Racing Commission (178-1)	Thoroughbred Racing Legislative	6/19/2017	7/19/2017		7/27/2017	Approved w/certain amendments 12/1/2017			
Real Estate Appraiser Licensing & Cert. Bd. (190-2)	Requirements for Licensure and Certification Legislative	6/14/2017	7/17/2017		7/28/2017	Approved 12/1/2017			
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	Modified & Approved 12/1/2017 Filed 12/6/2017			
Real Estate Commission (174-02)	Schedule of Fees Legislative	6/26/2017	7/26/2017		7/27/2017	Approved 12/1/2017			
Real Estate Commission (174-03)	Requirements for Real Estate Courses, Course Providers and Instructors Legislative	6/26/2017	7/26/2017		7/27/2017	Modifed w/ certain amendments & Approved 12/1/2017 Filed 12/6/2017			
Secretary of State (153-18)	Procedures for Canvassing Elections Legislative	6/28/2017	7/28/2017		7/28/2017	Modified & Approved 12/2/2017 Filed 12/12/2017			
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	Modified & Approved 12/2/2017 Filed 12/12/2017			
Secretary of State (153-39)	Vote by Mail Pilot Project Phase 2: Voting by Mail – Repeal Legislative	6/27/2017	7/27/2017		7/28/2017	Approved 8/29/2017			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Senior Services (76-3)	WV State Plan for Aging Programs Interpretive	7/7/2016	8/8/2016						
State Police (81-14)	WV Sex Offender Registration Act Procedural	7/20/2017	8/22/2017						
Tax (110-10F)	Payment of Taxes by Electronic Funds Transfer Legislative	6/16/2017	7/17/2017		7/27/2017	Approved 8/29/2017			
Tax (110-13DD)	Farm-To-Food Bank Tax Credit Legislative	6/16/2017	7/17/2017		7/27/2017	Modified & Approved 8/29/2017 Filed 9/1/2017			
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 9/8/2017			
Tax (110-41)	Railroad Diesel Locomotive Refundable Exemption from the Variable Rate Component of the Motor Fuel Excise Tax Procedural	12/26/2017	1/26/2018						
Tax (110-42)	Personnel Rule for the Tax Division Legislative	12/6/2017	1/5/2018	12/6/2017 ERD by 1/17/2018					
Veterinary Medicine (26-1)	Organization and Operation and Licensing of Veterinarians Legislative	6/12/2017	7/13/2017		7/18/2017	Modified & Approved 8/29/2017 Filed 8/29/2017			
Veterinary Medicine (26-5)	Certified Animal Euthanasia Technicians Legislative	6/12/2017	7/13/2017		7/18/2017	Approved & Modified 9/20/2017 Filed 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			

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Waste Mgmt., Div. of Water & Waste Mgmt (33-20)	Hazardous Waste Management System Legislative	6/5/2017	7/6/2017		7/21/2017	Approved 12/1/2017			
Waste Mgmt., Div. of Water & Waste Mgmt (33-30)	Underground Storage Tanks Legislative	6/5/2017	7/6/2017		7/25/2017	Modified & Approved 12/1/2017 Filed 12/4/2017			

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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OFFICE OF WEST VIRGINIA SECRETARY OF STATE

LEGISLATIVE

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

AGENCY **Fire Marshal**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **No** TITLE-SERIES **103-5**
RULE NAME **Electricians Licensing Rules**

CITE AUTHORITY **29-3B**

COMMENTS LIMITED TO
Written

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS
Saturday, January 20, 2018 4:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
Kenneth Tyree
State Fire Marhsal
1201 Quarrier Street
Charleston, WV 25301

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

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

Title-Series: 103-5 Rule Id: 16701 Document: 50137

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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INTERPRETIVE

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

AGENCY: Higher Education Policy Commission TITLE-SERIES: 133-33

RULE TYPE: Interpretive Amendment to Existing Rule: Yes Repeal of existing rule: Yes

RULE NAME: Anatomical Board

CITE STATUTORY AUTHORITY: 18B-1-6

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

January 21, 2018

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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12/21/2017 12:49 PM

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

AGENCY: Higher Education Policy Commission TITLE-SERIES: 133-22

RULE TYPE: Procedural Amendment to Existing Rule: Yes Repeal of existing rule: Yes

RULE NAME: Grade Point Average for Associate and Baccalaureate Degrees

CITE STATUTORY AUTHORITY: 18B-1-6

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

January 21, 2018

PROCEDURAL

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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OFFICE OF WEST VIRGINIA SECRETARY OF STATE

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

AGENCY **Labor**

RULE TYPE **Procedural** AMENDMENT TO EXISTING RULE **No** TITLE-SERIES **42-37**

RULE NAME **Jobs Act Procedures**

CITE AUTHORITY **W. Va. Code §21-1C-5(e)**

COMMENTS LIMITED TO
Written

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS
Monday, January 22, 2018 4:30 PM

WRITTEN COMMENTS MAY BE MAILED TO
Mitchell E. Woodrum, Commissioner
1900 Kanawha Boulevard East, Capitol Complex
Building 3, Room 200
Charleston, WV 25305

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

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

Title-Series: 42-37 Rule Id: 16703 Document: 50138

WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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12/26/2017 2:17:08 PM

OFFICE OF WEST VIRGINIA SECRETARY OF STATE

PROCEDURAL

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

AGENCY **Tax**

RULE TYPE **Procedural** AMENDMENT TO EXISTING RULE **No** TITLE-SERIES **110-41**

RULE NAME **Railroad Diesel Locomotive Refundable Exemption from the Variable Rate Component of the Motor Fuel Excise Tax**

CITE AUTHORITY **W. Va. Code §11-10-5**

COMMENTS LIMITED TO
Written

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS
Friday, January 26, 2018 5:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
Mark S. Morton, Esq., General Counsel
P.O. Box 1005
Charleston, WV 25324-1005

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

Title-Series: 110-41 Rule Id: 16655 Document: 50139

Orders Report

Docket Number	Agency	Respondent	Date Rendered
[redacted]	**Health Care Authority**	Berkeley Medical Center	12/21/2017
[redacted]	**Health Care Authority**	Cabell Huntington Hospital Inc	12/22/2017
[redacted]	**Health Care Authority**	Charleston Area Medical Center	12/21/2017
[redacted]	**Health Care Authority**	Charleston Area Medical Center Inc	12/20/2017
[redacted]	**Health Care Authority**	Charleston Area Medical Center Inc	12/20/2017
[redacted]	**Health Care Authority**	Charleston Area Medical Center Inc	12/20/2017
[redacted]	**Health Care Authority**	Charleston Area Medical Center Inc	12/20/2017
[redacted]	**Health Care Authority**	Daily Companions Inc	12/20/2017
[redacted]	**Health Care Authority**	South Charleston Center LLC	12/21/2017
[redacted]	**Health Care Authority**	Vine Properties LLC	12/21/2017
[redacted]	**Health Care Authority**	West Virginia University Hospitals Inc	12/21/2017
[redacted]	**Health Care Authority**	West Virginia University Hospitals Inc	12/20/2017
[redacted]	**Health Care Authority**	West Virginia University Hospitals Inc	12/21/2017
[redacted]	**Registered Professional Nurses, West Virginia Board Of Examiners For**	Sherry Canaday	12/21/2017
[redacted]	**Registered Professional Nurses, West Virginia Board Of Examiners For**	Margaret C McBride	12/21/2017

Grievances Report

Docket Number	Grievants Name	Respondents Name	Date Decision
2017-1094-BooED	**April Estep**	Boone County Board Of Education	12/1/2017
2018-0335-BOE	**Caleb Canton**	Board Of Education	12/1/2017
		Institutional Education Programs	12/1/2017
2017-1796-MAPS	**Becky L. Wood**	Juvenile Services	12/6/2017
		Lorrie Yeager Jr. Juvenile Center	12/6/2017
2016-1061-DHHR	**Gayla Adkins**	Health And Human Resources	12/6/2017
		Children And Families	12/6/2017
2017-0472-BSC	**Daniel L. Frost**	Bluefield State College	12/7/2017
2018-0185-MAPS	**Tommy Dingess**	Homeland Security and Emergency Management	12/11/2017
2017-1007-BSC	**Shelia Hallman-Warner**	Bluefield State College	12/12/2017
2017-2488-CONS	**AAron L. White**	Corrections	12/13/2017
		Mount Olive Correctional Complex	12/13/2017
2017-0986-CONS	**Oshel Carnell, et al.**	Kanawha County Board Of Education	12/14/2017
2018-0287-SU	**William Conklin**	Shepherd University	12/15/2017

12/26/2017 10:46:55 AM

STATE OF WEST VIRGINIA

At CHARLESTON

EXECUTIVE ORDER NO. 10-17

By the Governor

EXECUTIVE ORDER

WHEREAS, drug use and abuse impacts the nation and the world.

WHEREAS, nationally, the Center for Integrated Behavioral Health Policy, a research center based at The George Washington University Medical Center, states that substance use problems are among the most common and costly health conditions affecting Americans today, with over 21 million adults meeting the diagnostic criteria for alcohol abuse or dependence, illicit drug abuse or dependence, or prescription pain medication abuse or dependence; and

WHEREAS, the people of West Virginia are affected by these same costly physical and behavioral health conditions; and

WHEREAS, Governor Earl Ray Tomblin created the Governor's Advisory Council on Substance Abuse (GACSA) by Executive Order 5-11 on September 6, 2011, to provide guidance and recommend priorities addressing substance use and abuse in West Virginia; and

WHEREAS, GACSA has acted both diligently and thoughtfully since being established; and

WHEREAS, through its efforts the State has realized progress both in policy action, system-wide capacity improvements and service delivery, including a decrease in the overall misuse of prescription drugs; and

WHEREAS, GACSA's efforts have demonstrated that the following 5 tenets are necessary to engage and obtain community voice and to achieve and sustain success:

- Making data informed decisions.
- Collecting input from all levels (local, regional, state) and formalizing advising structures.
- Identifying key partners and potential collaborations.
- Building workforce capacity and program infrastructure.
- Changing the environment through policy and community action; and

WHEREAS, while progress has certainly characterized the GACSA's efforts over the preceding six years, much remains to be done; and

WHEREAS, in an effort to build on the work of GACSA, legislation was introduced during the 2017 Regular Legislative Session to create an Office of Drug Control Policy (ODCP); and

WHEREAS, on April 8, 2017, the Legislature passed House Bill 2620, the West Virginia Drug Control Policy Act, establishing the ODCP within the Department of Health and Human Resources, under the direction of the Secretary and supervision of the State Health Officer; and

WHEREAS, the ODCP is charged with creating a state drug control policy; facilitating the exchange of data and issues across state government; establishing and maintaining a central repository of information related to the opioid drug crisis; and creating a plan to expand the number of treatment beds throughout the state; and

WHEREAS, the ODCP will continue the efforts of the GACSA by:

- Identifying existing resources and prevention activities in each community that advocate or implement emerging best practice and evidence-based programs for the full substance use disorder continuum of drug and alcohol abuse education and prevention, including smoking cessation or prevention, early intervention, treatment and recovery;

- Encouraging coordination among public and private, state and local agencies, organizations and service providers, while also monitoring related programs;
- Acting as the referral source of information, using existing information clearinghouse resources within the Department for Health and Human Resources, relating to emerging best practice and evidence-based substance use disorder prevention, cessation, treatment and recovery programs, and youth tobacco access, smoking cessation and prevention;
- Applying for grant opportunities for existing programs;
- Establishing a mechanism to coordinate the distribution of funds to support local programs that could encourage substance use prevention, early intervention, treatment and recovery through efficient, effective and research-based strategies;
- Overseeing a school-based initiative that links schools with community-based agencies and health departments to implement school-based antidrug and anti-tobacco programs;
- Reviewing both the Drug Enforcement Agency and West Virginia's scheduling of controlled substances, and recommending changes that should be made based on data analysis; and
- Developing recommendations to improve communication between health care providers and their patients about the risks and benefits of opioid therapy for acute pain, improve the safety and effectiveness of pain treatment and reduce the risks associated with long-term opioid therapy, including opioid use disorder and overdose; and

WHEREAS, in order to assist the work of the ODCP, it is important that the office receive input from a wide-range persons and entities currently engaged in the State's ongoing efforts to combat substance use disorder.

NOW, THEREFORE I, JIM JUSTICE, pursuant to the authority vested in the Governor of West Virginia, do hereby ORDER that:

1. Executive Order No. 5-11 establishing the Governor's Advisory Council on Substance Abuse is hereby rescinded and the Governor's Advisory Council on Substance

EXECUTIVE ORDER

Use Disorder Policy ("the Council") shall act as an advisory body to the ODCP and the ODCP Director.

2. Members of the Advisory Council shall be persons who have education, experience or special interests regarding substance use disorder prevention, early intervention, treatment and recovery, as follows:

(a) The Secretary of the West Virginia Department of Health and Human Resources or his or her designee;

(b) The Secretary of the West Virginia Department of Military Affairs and Public Safety or his or her designee;

(c) The Administrative Director for the West Virginia Supreme Court of Appeals or his or her designee;

(d) The State Superintendent of Schools or his or her designee;

(e) The Executive Director of WorkForce West Virginia or his or her designee;

(f) The State Health Officer or his or her designee;

(g) The Commissioner of the Bureau for Behavioral Health and Health Care Facilities or his or her designee;

(h) The Commissioner of the Bureau for Medical Services or his or her designee;

(i) A United States Drug Enforcement Agency Special Agent;

(j) Nine (9) members who shall serve at the will and pleasure of the Governor and shall appointed by the Governor, as follows:

(1) A representative experienced in behavioral medicine and psychiatry;

(2) A representative from the faith-based community;

(3) A representative from the West Virginia Behavioral Health Providers Association;

(4) A representative with experience as a director of an inpatient residential long-term treatment facility;

(5) A representative with experience as a medical director for a neonatal intensive care unit;

(6) A representative who is a licensed physician with a specialty in child and adolescent psychiatry;

(7) A citizen member with a preference given to people in recovery from a substance use disorder;

(8) A representative from the West Virginia State Medical Association; and

(9) A representative from the West Virginia Controlled Substances Monitoring Program Database Review Committee.

(k) Such additional members as the Governor, at his or her discretion, may from time to time appoint.

3. A chairperson of the Advisory Council shall be designated by the Governor.

4. Meetings shall be held at the call of Advisory Council chairperson or the ODCP Director.

5. Members of the Advisory Council shall serve without compensation, but are entitled to reimbursement for per diem and travel expenses incurred in the performance of his or her duties paid at the same per diem rate as members of the Legislature.

6. The Advisory Council may establish its own by-laws and be divided into sub-councils in accordance with its bylaws. The council shall study, plan and make recommendations on the prevention, treatment and rehabilitation for persons affected by alcohol and substance use disorder.

7. No member of the Advisory Council may participate in or seek to influence a decision or vote of the Advisory Council if the member would be directly involved with the matter or if he would derive income from it. A violation of the prohibition contained herein shall be grounds for a person to be removed as a member of the Advisory Council by Governor.

8. The Advisory Council shall collaborate with the ODCP in developing and administering a state plan on alcohol and substance use disorder. The Advisory Council shall be an advisory body to the ODCP and shall do the following:

(a) Recommend and coordinate the creation, dissemination, and implementation of a statewide drug control policy that includes alcohol and substance use disorder prevention, cessation, treatment and recovery programs, and youth tobacco access, smoking cessation and prevention;

(b) Facilitate planning for a balanced continuum of alcohol and substance use disorder prevention, treatment, and justice services;

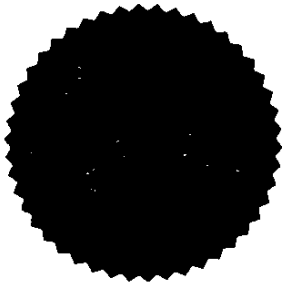
(c) Promote collaboration and mutually beneficial public and private partnerships;

(d) Analyze and provide an objective assessment of all proposed legislation concerning alcohol, tobacco, and other drug issues; and

(e) Make recommendations to the ODCP, Governor, Legislature, and Supreme Court of Appeals.

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

EXECUTIVE ORDER



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

GOVERNOR

By the Governor

SECRETARY OF STATE

STATE OF WEST VIRGINIA

At CHARLESTON

EXECUTIVE ORDER NO. 11-17

By the Governor

EXECUTIVE ORDER

WHEREAS, our state is at a crisis in dealing with the housing of individuals, adult and juvenile, both awaiting trial, and having been adjudicated; and

WHEREAS, our Correctional Officers numbers are less than what is safely recommended to operate the State's juvenile and adult detention and correctional facilities; and

WHEREAS, it is recognized that without proper supervision of this State's incarcerated individuals there is a danger to the citizens of the State, a danger to the public, a danger to the Correctional Officers and administrative staff, and a danger to the incarcerated individuals themselves; and

WHEREAS, it is understood that, with the shortage of Correctional Officers, employees of Division of Corrections, Regional Jail and Correctional Authority, and Division of Juvenile Services are necessary and required for overtime shifts, and are subject to having annual leave denied or cancelled in order to ensure that the facilities are appropriately staffed, and to ensure the safe, secure, and orderly operations of this States' juvenile and adult detention and correctional facilities; and

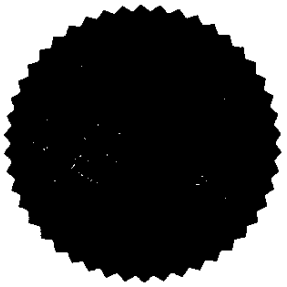
WHEREAS, the State recognizes that these employees are subject to unused annual leave expiring at the end of this calendar year, and that they have not been able or permitted to use the annual leave that they have accrued, to no fault of their own; and

WHEREAS, it is imperative to properly staff and control this State's juvenile and adult detention and correctional facilities and until there is proper legislation and staffing to achieve a safe environment within our juvenile and adult detention and correctional facilities, this situation will continue to exist.

NOW, THEREFORE, I, JIM JUSTICE, by the authority vested in me as the Governor of the State of West Virginia, do hereby **ORDER** that:

1. Notwithstanding West Virginia CSR § 143-1-14.3.a, and any other statute or Rule to the contrary, and pursuant to West Virginia Code § 15-5-6 (c)(7) and (8), all Correctional Officers, employees of Division of Corrections, Regional Jail and Correctional Authority, and Division of Juvenile Services, necessary to the safe and secure operation of the facilities, who are unable to use annual leave due to the emergency situation, and are subject to losing said annual leave, shall have all unused annual leave carry forward to and through calendar year 2018. Said leave shall not expire until the end of calendar year 2018.

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



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

GOVERNOR

By the Governor

SECRETARY OF STATE

STATE OF WEST VIRGINIA

At CHARLESTON

EXECUTIVE ORDER NO. 12-17

By the Governor

EXECUTIVE ORDER

WHEREAS, our state is at a crisis in dealing with the housing of individuals, adult and juvenile, both awaiting trial, and having been adjudicated; and

WHEREAS, our Correctional Officers numbers are less than what is safely recommended to operate the State's juvenile and adult detention and correctional facilities; and

WHEREAS, it is recognized that without proper supervision of this State's incarcerated individuals there is a danger to the citizens of the State, a danger to the public, a danger to the Correctional Officers and administrative staff, and a danger to the incarcerated individuals themselves; and

WHEREAS, it is understood that, with the shortage of Correctional Officers, the more tasks assigned to each Correctional Officer staff, the fewer numbers of Correctional Officers available for direct contact with inmates and residents, and to ensure the safe, secure, and orderly operations of this States' juvenile and adult detention and correctional facilities; and

WHEREAS, the State recognizes that excessive amounts of overtime are not conducive to safe working practices and environments; and

WHEREAS, the Secretary of Military Affairs and Public Safety and the Division of Personnel have worked to find a solution that helps provide the needed workforce; and

WHEREAS, it is imperative to properly staff and control this State's juvenile and adult detention and correctional facilities and until there is proper legislation and staffing to achieve a safe environment within our juvenile and adult detention and correctional facilities, a State of Emergency exists.

NOW, THEREFORE, I, JIM JUSTICE, by the authority vested in me as the Governor of the State of West Virginia, do hereby **ORDER** that:

1. A State of Emergency exists in West Virginia as it pertains to the staffing level of our juvenile and adult detention and correctional facilities; and

2. The Secretary of Military Affairs and Public Safety is hereby empowered to develop and oversee the use of all of his Divisions, to include the West Virginia National Guard, in order to maximize the staffing at this State's juvenile and adult detention and correctional facilities until legislative and operational remedies can be developed and implemented.

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

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

GOVERNOR

By the Governor

SECRETARY OF STATE

STATE OF WEST VIRGINIA

At CHARLESTON

EXECUTIVE ORDER NO. 13-17

By the Governor

EXECUTIVE ORDER

WHEREAS, Section 54D of the Internal Revenue Code of 1986, as amended authorizes state and local governments to issue Qualified Energy Conservation Bonds to finance energy efficiency improvements as defined in Section 54D(f) of the Code; and Section 54D(f)(1)(A)(ii) identifies a "green community program" as a qualified conservation purpose which is an eligible use of QECB funds; and

WHEREAS, the West Virginia Office of Energy (WVOE) is responsible for the development and implementation of state energy efficiency programs; and

WHEREAS, saving energy in public buildings benefits all West Virginia communities; and

WHEREAS, QECB's can be a significant resource to the state of West Virginia to reduce energy consumption and implement West Virginia green schools and community programs; and

WHEREAS, Section 54D of the Code imposes a national qualified energy conservation bond cap, which limits the issuance of QECB's allocated among the states, and among counties or large municipalities within the states having populations of 100,000 or more, in accordance with Section 54D of the Code and Notice No. 2009-29 published by the Internal Revenue Service on April 20, 2009; and

WHEREAS, West Virginia has been allocated a QECB Bond Volume Cap and is further directed to allocate an applicable portion of their allocations to Large Local Governments within the state; and

WHEREAS, Section 54D (e) (2) (B) of the Code and the Notice provide that any Large Local Government that has received an allocation may reallocate any unused portion of its QECB Volume Cap back to the state, and upon such reallocation the state is authorized to allocate such bonds to eligible projects; and

WHEREAS, the state has been authorized by general and special laws heretofore enacted to issue bonds to finance projects and purposes which constitute qualified conservation purposes; and

WHEREAS, the West Virginia Economic Development Authority (WVEDA) and the West Virginia School Building Authority (WVSBA) are authorized to issue bonds pursuant to Chapter 31, Article 15 of the General Laws to finance projects which constitute qualified energy conservation purposes; and

WHEREAS, it is important that state of West Virginia and its localities have this financing mechanism available to facilitate projects that reduce energy consumption and energy costs and promote energy efficiency in public buildings.

NOW, THEREFORE, I, Jim Justice, Governor pursuant to the authority vested in me as governor of the state of West Virginia, do hereby order:

1. The West Virginia portion of Qualified Energy Conservation Bond Volume Cap, equals the sum of **$18,824,000.00.** In accordance with Section 54D (e) of the Code and the Notice, the STATE shall allocate a portion of such Energy Conservation Bond Volume Cap to each eligible Large Local Government in the STATE, **specifically Kanawha County $1,957,696.00 and Berkeley County $1,054,144.00.** The remaining portion of **$15,812,160.00** shall be allocated to the WVEDA, or to such other qualified issuers in the STATE as WVEDA shall determine for application to Qualified Conservation Purposes.

2. Notwithstanding the foregoing provisions of this order, the governing body of Kanawha and Berkeley counties will have six months from the issuance of this Executive Order to provide written notice of intent to utilize their Locality Suballocation and to provide

documentation identifying specific projects for which the bonds will be used. Further, counties will have eighteen months from the issuance of this Order to utilize their suballocations and to provide evidence thereof. Unused portions will be deemed waived and returned for reallocation to the state for other qualifying projects.

3. Counties may waive any or all of portions of their QECB allocation, back to the state, at any time during the six month period after issuance of this Executive Order. All reallocations of the QECB volume cap by WVEDA shall be consistent with and pursuant to Section 54D of the Code, the Notice and this Executive Order.

4. Each allocation of Qualified Energy Conservation Bond Volume Cap made by WVEDA shall be in writing, shall be made for specific Qualified Conservation Purposes and shall specify the date on or before which the QECB's to which such reallocated bond volume cap pertain shall be issued in order for the allocation to be effective. Allocations may be made subject to those conditions and reporting requirements which WVEDA, upon consultation with WVOE, deems appropriate and consistent with Section 54D of the Code, Notice and this Executive Order.

5. The Executive Director of WVEDA is authorized to make all representations, file all documents and take all other actions in the name and behalf of WVEDA as may be required for compliance with Section 54D of the Code, the Notice and to implement this order. In the event that responsibilities under this Executive Order are assigned to any other issuer of Qualified Energy Conservation Bonds, appropriate procedures for designations shall be made by the Executive Director of the WVEDA. All designations made pursuant to this section shall be evidenced in writing.

6. WVEDA and WVDAF shall make available to the public information as to the amount of the Qualified Energy Conservation Bond Volume Cap allocated to the state and to any Large Local Government that has not yet been applied to Qualified Conservation Purposes and the expiration dates for all reallocations by WVEDA, and shall confirm, upon request, an allocation of the Qualified Energy Conservation Bond Volume Cap to a particular Qualified Conservation Purpose, and the duration thereof.

7. Prior to making any allocations of Qualified Energy Conservation Bond Volume Cap, WVEDA and WVDAF shall adopt guidelines governing the allocation and application of Qualified Energy Conservation Bond Volume Cap by the state, to ensure federal compliance with Section 54D (e) (3) of the Code.

EXECUTIVE ORDER

STATE OF WEST VIRGINIA

At CHARLESTON

EXECUTIVE ORDER NO. 13-17

By the Governor

WHEREAS, Section 54D of the Internal Revenue Code of 1986, as amended authorizes state and local governments to issue Qualified Energy Conservation Bonds to finance energy efficiency improvements as defined in Section 54D(f) of the Code; and Section 54D(f)(1)(A)(ii) identifies a "green community program" as a qualified conservation purpose which is an eligible use of QECB funds; and

WHEREAS, the West Virginia Office of Energy (WVOE) is responsible for the development and implementation of state energy efficiency programs; and

WHEREAS, saving energy in public buildings benefits all West Virginia communities; and

WHEREAS, QECB's can be a significant resource to the state of West Virginia to reduce energy consumption and implement West Virginia green schools and community programs; and

WHEREAS, Section 54D of the Code imposes a national qualified energy conservation bond cap, which limits the issuance of QECB's allocated among the states, and among counties or large municipalities within the states having populations of 100,000 or more, in accordance with Section 54D of the Code and Notice No. 2009-29 published by the Internal Revenue Service on April 20, 2009; and

WHEREAS, West Virginia has been allocated a QECB Bond Volume Cap and is further directed to allocate an applicable portion of their allocations to Large Local Governments within the state; and

WHEREAS, Section 54D (e) (2) (B) of the Code and the Notice provide that any Large Local Government that has received an allocation may reallocate any unused portion of its QECB Volume Cap back to the state, and upon such reallocation the state is authorized to allocate such bonds to eligible projects; and

WHEREAS, the state has been authorized by general and special laws heretofore enacted to issue bonds to finance projects and purposes which constitute qualified conservation purposes; and

WHEREAS, the West Virginia Economic Development Authority (WVEDA) and the West Virginia School Building Authority (WVSBA) are authorized to issue bonds pursuant to Chapter 31, Article 15 of the General Laws to finance projects which constitute qualified energy conservation purposes; and

WHEREAS, it is important that state of West Virginia and its localities have this financing mechanism available to facilitate projects that reduce energy consumption and energy costs and promote energy efficiency in public buildings.

NOW, THEREFORE, I, Jim Justice, Governor pursuant to the authority vested in me as governor of the state of West Virginia, do hereby order:

1. The West Virginia portion of Qualified Energy Conservation Bond Volume Cap, equals the sum of **$18,824,000.00.** In accordance with Section 54D (e) of the Code and the Notice, the STATE shall allocate a portion of such Energy Conservation Bond Volume Cap to each eligible Large Local Government in the STATE, **specifically Kanawha County $1,957,696.00 and Berkeley County $1,054,144.00.** The remaining portion of **$15,812,160.00** shall be allocated to the WVEDA, or to such other qualified issuers in the STATE as WVEDA shall determine for application to Qualified Conservation Purposes.

2. Notwithstanding the foregoing provisions of this order, the governing body of Kanawha and Berkeley counties will have six months from the issuance of this Executive Order to provide written notice of intent to utilize their Locality Suballocation and to provide

EXECUTIVE ORDER

documentation identifying specific projects for which the bonds will be used. Further, counties will have eighteen months from the issuance of this Order to utilize their suballocations and to provide evidence thereof. Unused portions will be deemed waived and returned for reallocation to the state for other qualifying projects.

3. Counties may waive any or all of portions of their QECB allocation, back to the state, at any time during the six month period after issuance of this Executive Order. All reallocations of the QECB volume cap by WVEDA shall be consistent with and pursuant to Section 54D of the Code, the Notice and this Executive Order.

4. Each allocation of Qualified Energy Conservation Bond Volume Cap made by WVEDA shall be in writing, shall be made for specific Qualified Conservation Purposes and shall specify the date on or before which the QECB's to which such reallocated bond volume cap pertain shall be issued in order for the allocation to be effective. Allocations may be made subject to those conditions and reporting requirements which WVEDA, upon consultation with WVOE, deems appropriate and consistent with Section 54D of the Code, Notice and this Executive Order.

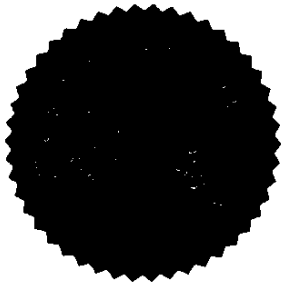
5. The Executive Director of WVEDA is authorized to make all representations, file all documents and take all other actions in the name and behalf of WVEDA as may be required for compliance with Section 54D of the Code, the Notice and to implement this order. In the event that responsibilities under this Executive Order are assigned to any other issuer of Qualified Energy Conservation Bonds, appropriate procedures for designations shall be made by the Executive Director of the WVEDA. All designations made pursuant to this section shall be evidenced in writing.

6. WVEDA and WVDAF shall make available to the public information as to the amount of the Qualified Energy Conservation Bond Volume Cap allocated to the state and to any Large Local Government that has not yet been applied to Qualified Conservation Purposes and the expiration dates for all reallocations by WVEDA, and shall confirm, upon request, an allocation of the Qualified Energy Conservation Bond Volume Cap to a particular Qualified Conservation Purpose, and the duration thereof.

7. Prior to making any allocations of Qualified Energy Conservation Bond Volume Cap, WVEDA and WVDAF shall adopt guidelines governing the allocation and application of Qualified Energy Conservation Bond Volume Cap by the state, to ensure federal compliance with Section 54D (e) (3) of the Code.

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

EXECUTIVE ORDER



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

GOVERNOR

By the Governor

Mac Warner
SECRETARY OF STATE

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

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OTHER

December 26, 2017

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **December 22, 2017**.

LETTERS OF INTENT RECEIVED

December 18, 2017 – United Hospital Center, Inc., Bridgeport, Harrison County, CON File #17-6-11256-P, for the development of an ambulatory health care facility in Marion County through the provision of specialty physician services; capital expenditure: $14,000.

December 19, 2017 – CSI Community Services, Inc., Dunbar, Kanawha County, CON File #17-1/2/3/4/5/7-11257-PC, for the provision of personal care services in Boone, Braxton, Cabell, Clay, Fayette, Jackson, Kanawha, Lincoln, Logan, Mason, Nicholas, Putnam, Raleigh, Roane and Wayne counties; capital expenditure: $1,000.

APPLICATION FOR EXEMPTION RECEIVED

December 18, 2017 – Lincoln County Primary Care Center, Inc. d/b/a Southern West Virginia Health System-Madison, Hamlin, Lincoln County, CON File #17-3-11258-X, for the takeover of the practices of Robert B. Atkins, MD and Ron D. Stollings, MD and will provide family and geriatric health services.

APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW

An application 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.

EXPEDITED APPLICATIONS

December 14, 2017 – Berkeley Medical Center, Martinsburg, Berkeley County, CON File #17-9-11248-P, for the establishment of an ambulatory health care facility in Berkeley County through the relocation of Berkeley Medical Center's sleep laboratory; capital expenditure: $25,000.

December 15, 2017 – Monongalia County General Hospital Company, Morgantown, Monongalia County, CON File #17-6-11208-P, for the establishment, by acquisition of the assets of Alvaro R. Gutierrez Neurology, PLLC and employment of Gutierrez Neurology's sole physician owner, an ambulatory health care facility located at 2199 Cheat Road, Morgantown, Monongalia County; capital expenditure: $125,000.

The review cycle for the above-referenced projects is as follows:

December 15, 2017 – Review cycle begins;

January 16, 2018 – Last date for an affected person to request a public hearing on the project. If a public hearing is requested, notice of date, time and place will be issued to affected persons;

January 19, 2018 – If no public hearing is requested, the file will close and no further information or evidence will be accepted by the Authority for the remainder of the review of the application;

February 13, 2018 – Decision on the project will be issued by the Authority.

PROJECT DETERMINED NOT REVIEWABLE

December 20, 2017 – Daily Companions, Inc., Martinsburg, Berkeley County, CON File #17-9-11224-X, for the relocation of its administrative offices located at 1486 Winchester Avenue, Martinsburg to 3051 Winchester Avenue, Martinsburg; capital expenditure: $12,000.

EXEMPTION APPLICATIONS APPROVED

December 20, 2017 - West Virginia University Hospitals, Morgantown, Monongalia County, CON File #17-6-11240-X, for the construction of a parking garage.

December 21, 2017 - Berkeley Medical Center, Martinsburg, Berkeley County, CON File #17-9-11235-X, for the renovation of existing space within Berkeley Medical Center for the renovation and expansion of Berkeley Medical Center's surgery suites.

December 21, 2017 - West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #17-6-11245-X, for the acquisition of property near the hospital campus.

CERTIFICATE OF NEED APPROVALS ISSUED

December 20, 2017 – Charleston Area Medical Center, Inc., Charleston, Kanawha County, CON File #17-3-11189-P, for the development of an ambulatory health care facility at 467 Main Street, Suite 1, Madison, Boone County, through the transfer of the practice from Integrated Health Care Providers, Inc. to Charleston Area Medical Center; no capital expenditure.

December 20, 2017 – Charleston Area Medical Center, Inc., Charleston, Kanawha County, CON File #17-3-11190-P, for the development of an ambulatory health care facility

at 508 New Hope Road, Suite 107, Princeton, Mercer County, through the transfer of the practice from Integrated Health Care Providers, Inc. to Charleston Area Medical Center; no capital expenditure.

December 20, 2017 - Charleston Area Medical Center, Inc., Charleston, Kanawha County, CON File #17-3-11191-P, for the development of an ambulatory health care facility at 400 Fairview Heights Road, Suite 202, Summersville, Nicholas County, through the transfer of the practice from Integrated Health Care Providers, Inc. to Charleston Area Medical Center; no capital expenditure.

December 20, 2017 - Charleston Area Medical Center, Inc., Charleston, Kanawha County, CON File #17-3-11192-P, for the development of an ambulatory health care facility at 50 Veres Drive, Chapmanville, Logan County, through the transfer of the practice from Integrated Health Care Providers, Inc. to Charleston Area Medical Center; no capital expenditure.

RENEWALS GRANTED

December 21, 2017 - South Charleston Center LLC and Vine Properties LLC, Charleston, Kanawha County, CON File #16-3-10738-NH, for the construction of a 90 bed post-acute care facility on the campus of Thomas Memorial Hospital located in South Charleston, Kanawha County, that will be a replacement facility for current licensed skilled and intermediate nursing facility beds transferred from Eastbrook Center LLC and Saint Francis Hospital, both located in Kanawha County; capital expenditure: $16,500,000.

Renewal granted through December 31, 2018.

December 22, 2017 - Cabell Huntington Hospital, Inc., Huntington, Cabell County, CON File #14-2-10375-A, for the acquisition of the ownership interests of St. Mary's Medical Center, Inc.; capital expenditure: $185,000,000.

Renewal granted through June 30, 2018.

NOTICE OF SUBSTANTIAL COMPLIANCE

The following project has been implemented in substantial compliance with the decision issued in this matter and the case file is now closed.

December 21, 2017 – Charleston Area Medical Center, Charleston, Kanawha County, CON File #17-3-11113-P, for the development of an ambulatory health care facility through the acquisition of the assets of two general surgery practices in Hurricane, Putnam County; capital expenditure: $199,305.

NOTICE OF CONDITIONAL SUBSTANTIAL COMPLIANCE

The following project has been implemented in conditional substantial compliance pending the submission of final cost figures:

December 21, 2017 - West Virginia University Hospitals, Inc., Morgantown, Monongalia County, CON File #12-6-9573-H, for the construction of a ten (10) story tower adjoining Ruby Memorial Hospital and the expansion of the NICU in the WVU Children's Hospital. The proposal includes the addition of 114 beds and includes expansion of medical-surgical beds, NICU and ICU. The emergency department will be relocated to the first floor of the new tower and expanded; capital expenditure: $258,348,000.

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

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West Virginia
Real Estate Appraiser Licensing and Certification Board

Annual Report
Fiscal Years 2016 and 2017

West Virginia Real Estate Appraiser Licensing and Certification Board
405 Capitol Street, Suite 906
Charleston, West Virginia 25301