

STATE OF WEST VIRGINIA



FRED E. WRIGHT
INSURANCE COMMISSIONER

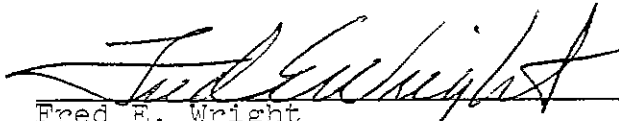
OFFICES OF THE
INSURANCE COMMISSIONER
LEGAL DIVISION
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ARCH A. MOORE, JR.
GOVERNOR

NOTICE OF RULE MODIFICATION

LEGISLATIVE RULE: EXAMINERS' COMPENSATION, QUALIFICATION
AND CLASSIFICATION

The above titled rule has been modified as a result of
comments by the Legislative Rule-Making Review Committee and
the attached modifications have been incorporated into the
above titled rule and filed in the Secretary of State's
office on December 12, 1986.


Fred E. Wright
Insurance Commissioner of
the State of West Virginia

FILED
1986 DEC 12 PM 3:25
SECRETARY OF STATE

"We are an Equal Opportunity Employer"

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1926 DEC 12 PM 3:25

OFFICE OF THE
COMMISSIONER OF STATE

WEST VIRGINIA LEGISLATIVE RULE
INSURANCE COMMISSIONER

CHAPTER 33-2
SERIES XV

EXAMINERS' COMPENSATION,
QUALIFICATION AND CLASSIFICATION

Section 1. General

Section 2. Definitions

Section 3. Examiner Qualification and Classification

Section 4. Guidelines for Computing Compensation

Section 5. Collection Procedures for Examination Expense

WEST VIRGINIA LEGISLATIVE RULE
INSURANCE COMMISSIONER

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1982 DEC 12 PM 3:25

CHAPTER 33-2
SERIES XV

STATE OF WEST VIRGINIA
COMMISSIONER OF INSURANCE

Examiners' Compensation,
Qualification and Classification

Section 1. General

1:01 -- Identification of Rule -- This regulation is a Legislative Rule, as defined by the provisions of Chapter 29A, Article 2, Section 2(d) of the Code of West Virginia of 1931, as amended.

1:02 -- Reference -- This regulation relates to Chapter 33, Article 2, Section 9 of the Code of West Virginia of 1931, as amended.

1:03 -- Authority -- This regulation is promulgated under the authority vested in the Insurance Commissioner by Chapter 33, Article 2, Section 10 of the Code of West Virginia of 1931, as amended.

1:04 -- Purpose -- The purpose of this regulation is to implement the provisions of Chapter 33, Article 2, Section 9 of the West Virginia Code of 1931, as amended, to provide for the compensation, qualification and classification of personnel conducting an examination of either a domestic or foreign insurer in behalf of the Commissioner.

1:05 -- Applicability and Scope -- This regulation shall apply in connection with any examination conducted pursuant to Chapter 33, Article 2, Section 9 of the West Virginia Code of 1931, as amended, by the Commissioner or his representatives, of any insurer, whether domestic or foreign, at such time as the Commissioner deems necessary.

1:06 -- Effective Date -- This regulation shall be come effective upon filing in the Office of the Secretary of State.

1:07 -- Filing Date -- This regulation was filed in the Office of the Secretary of State on April 26, 1982.

1:08 -- Certification -- This regulation is certified authentic by the Insurance Commissioner of West Virginia by Certificate Number 15.

1.1 Scope - This legislative rule establishes standards for the compensation, qualification and classification of persons who conduct examinations of domestic, foreign and alien insurers on behalf of the Insurance Commissioner pursuant to West Virginia Code §33-2-9.

1.2 Authority - West Virginia Code §§ 33-2-9, 33-2-10.

1.3 Filing Date -

1.4 Effective Date -

1.5 Amendment of Former Rule - This legislative rule amends West Virginia Legislative Rule "Insurance Commissioner, Chapter 33-2, Series XV, Examiners Compensation, Qualification and Classification (1982)", filed April 26, 1982.

Section 2. Definitions - As used in this Regulation-legislative rule:

~~2:01~~ 2.1 Commissioner - Shall mean the Insurance Commissioner of the State of West Virginia.

~~2:02~~ 2.2 Examiner - Shall mean any a person deemed qualified and who is an employee of the department of insurance and who is authorized by the Commissioner to visit each insurer, whether domestic or foreign a domestic, foreign or alien insurer and thoroughly examine its financial condition and methods of doing business and ascertain whether it has complied with all the laws and regulations of this State. An examiner may be designated by the Commissioner to be classified as:

~~(A) -- Examiner - I,~~

~~(B) -- Examiner - II, or~~

~~(C) -- Examiner - III.~~

~~2:03~~ 2.3 Examiner Fees - Shall mean an examiner's salary and other expenses incurred in the examination process, excluding travel and living expenses and fringe benefits and other incidental expenses incurred by or on behalf of an examiner in the conduct of an examination.

2.4 Home Base - Shall mean the Charleston, West Virginia Office of the Commissioner.

Section 3. Qualifications of Examiners by Category
Examiner Qualification and Classification

3:01--Examiner I Qualifications-- An Examiner I shall have the following education or experience:

(A)--A bachelor's degree from an accredited four-year college or university with at least fifteen college credits in accounting and a major in either accounting, finance, insurance, statistics, general business administration or economics; or

(B)--Accounting experience for a minimum of three years in the capacity of treasurer, assistant treasurer, controller, assistant controller or auditor for an insurance company's home office or autonomous branch office;

3:02--Examiner II Qualifications-- An Examiner II shall have the following education or experience:

(A)--A bachelor's degree from an accredited four-year college or university with a major in either accounting, finance, insurance, statistics, general business administration or economics and a minimum of fifteen college credits in accounting, plus at least four years of insurance department examination experience; or

(B)--Designation as an Accredited Financial Examiner (AFE) by the Society of Financial Examiners;

3:03--Examiner III Qualifications-- An Examiner III shall have the following education and/or experience:

(A)--A bachelor's degree from an accredited four-year college or university with a major in accounting, finance, insurance, statistics, general business administration or economics and a minimum of fifteen college credits in accounting, plus at least six years of insurance department examination experience; or

(B)--Designation as a Certified Financial Examiner (CFE) by the Society of Financial Examiners; or

(C)--Public or private insurance accounting experience for a minimum of six years and at least fifteen college credits in accounting; or

~~(D) -- Accounting experience for at least ten years in the capacity of treasurer, assistant treasurer, controller, assistant controller or auditor in an insurance company's home office or autonomous branch office; or~~

~~(E) -- An advance college degree in business administration, accounting, finance, insurance, statistics, economics, or other related field or a law degree which may be substituted for three years of the required experience.~~

3.1 Examiner Classification - An examiner shall be classified as either "Insurance Company Examiner", "Supervising Insurance Company Examiner", "Market Conduct Examiner", or "Supervising Market Conduct Examiner" pursuant to the classification plan of the West Virginia Civil Service System or by such other classification plan as the West Virginia Civil Service System shall from time to time adopt.

3.2 Examiner Qualification - An examiner shall have such qualifications as are specified for that particular class of examiner by the West Virginia Civil Service System.

Section 4. Guidelines for Computing Compensation

~~4.01~~ 4.1 Examiner Fees - Salary and other expenses incurred in the examination process, excluding travel and living expenses, shall be charged to the company being examined at a rate which is 173.3 percent of the salary recommended for each class of examiner by the Examiners Handbook of the National Association of Insurance Commissioners or its successor. -- Examiner fees shall be charged to and collected from the insurer being examined. The charge to the insurer shall include the examiner's salary and an appropriate fringe, as determined by the Commissioner, for the examiner's fringe benefits and other incidental expenses incurred by or on behalf of the examiner in the conduct of the examination.

~~4.02~~ 4.2 Computation Period for Examiner Fees - Salary and other expenses incurred in the examination process, excluding travel and living expense, Examiner Fees shall be charged to the company being examined for:

(A) Each day or portion thereof actually worked at the office of the company ~~to be being~~ examined during regular company hours;

(B) Actual time used for travel if on a day other than a weekend or holiday; and

(C) Each day or portion thereof used in preparing the examination report, reviewing the examination report with employees of the Commissioner at Home Base or preparing for hearing on the examination report.

~~The charge for examiner fees shall cease upon termination of the examiner's active participation in the examination.~~

4+03 4.3 Travel - Travel by examiners in connection with the examination process shall not be undertaken unless authorized by the Commissioner. Travel expenses incurred in the examination process shall be charged ~~to the company being examined~~ in the following manner:

(A) If air travel is used, a maximum of one day's travel time shall be authorized and the examiner shall be reimbursed for actual travel expenses incurred.

(B) If an automobile is used, the distance traveled shall not be less than three hundred seventy five miles per day as determined by the Rand McNally road map; provided, that examiners shall be compensated for actual mileage traveled if the distance to an examination or to home base is less than three hundred seventy five miles.

(C) When an examiner travels from an examination of one company directly to an examination of another company, the company to be examined bears the examiner's travel expense.

(D) When an examiner travels to home base immediately following an examination, the company just examined bears the examiner's travel expense to home base. The company to be examined bears the examiner's travel expense from home base to the company.

(E) Examiners shall be compensated for the actual mileage traveled, and such compensation shall be computed at the rate currently mandated by the Governor's Travel Regulations.

4+04 4.4 Authorized Days Per Week - Authorized living expenses shall be charged to the company being examined on a basis of seven days per week for the duration of the on-site examination unless the examiner travels home or away from the

vicinity of the company being examined, or takes annual leave. Living expenses shall not be authorized if the examination takes place in a town ~~in which the examiner maintains a residence within~~ fifty (50) miles (one way) of an examiner's residence, however, in such cases examiners shall be compensated for actual mileage traveled as provided in §4.3(E). Living expenses shall not be authorized unless an examiner actually incurs such expenses.

4:05 4.5 Holidays -

(A) On any State or National holiday or any day that the company has optionally closed for business, ~~if~~ and the examiner is available for work, examiner fees and living expenses shall be charged for that particular day.

(B) On any day declared a holiday by the State of West Virginia but not recognized by the company, living expenses shall be charged, except that if the examiner chooses to work, examiner fees shall also be charged, ~~but no~~ and extra leave time or compensation shall be earned.

4:06 4.6 Unavailability of Examiner - No examiner fees shall be charged for any day on which an examiner is absent due to sickness, annual leave, or any other cause, provided the company is open for the normal transaction of business.

4:07 4.7 Sick Leave - The company being examined shall be charged for the examiner's living expenses for any day on which the examiner is absent due to sickness provided that the examiner remains in the vicinity of the company being examined and does not travel home as a result of the illness. The company shall not be charged for examiners fees, but salary shall be paid from the Examiners' Revolving Fund for accrued time. In cases in which sick leave extends beyond three working days, the reason for such absence shall be verified by a physician's statement.

4:08 4.8 Annual Leave - On any day authorized for use by the examiner for annual leave:

(A) The company shall not be charged for examiner fees, but salary shall be paid from the Examiners' Revolving Fund for accrued time provided that prior approval as specified in Subsection 4:10 4.10 has been received.

(B) The company shall not be charged for examiner fees, but salary shall be paid for accrued time provided that prior approval as specified in Subsection ~~4+10~~ 4.10 has been received.

~~4+09~~ 4.9 Accrued Time - Annual leave and sick leave shall accrue at the rates established by the current West Virginia Civil Service Regulations for State employees.

~~4+10~~ 4.10 Approval - Annual leave may be taken by the examiner only upon written approval by the Commissioner, Deputy Commissioner or the Chief Examiner ~~Director of Financial Conditions~~. Approval must be requested at least as far in advance of the leave as the length of leave requested, i.e., for four days leave, the request must be submitted at least four days in advance. In a case of emergency, the requirement periods for advance request may be waived by the Commissioner.

~~4+11~~ 4.11 Reassignment - Dual travel and living expenses shall not be charged when an examiner has been reassigned within the same vicinity and is, therefore, involved with more than one company on the same day. Such expenses shall be prorated between the companies.

~~4+12~~ 4.12 Optional Per Diem Allowance - In lieu of reimbursement for actual living expenses, examiners may, subject to approval by the Commissioner, receive a the per diem allowance ~~of \$40.00 per day when assigned within the State of their employment and \$50.00 per day when assigned out-of-state~~ recommended by the Financial Condition Examiner's Handbook of the National Association of Insurance Commissioners. The Commissioner may, prior to commencement of the examination, authorize an increase or decrease of these allowances because of local conditions, ~~provided vouchers and other justification for such changes are submitted.~~

~~4+13~~ 4.13 Other Examiners - In the event ~~the Commissioner should deem an immediate examination of a company necessary and the Department's qualified examiners are either unavailable, or do not possess the qualifications or expertise necessary to conduct a particular examination,~~ the Commissioner may utilize other examiners or department personnel which he may deem qualified to perform the work and may charge the company for the salary and other expense incurred therein.

4.14- 4.14 Salary - Subject to the Commissioner's approval, Supervising Insurance Company Examiners and Supervising Market Conduct Examiners shall receive the salary recommended by the Financial Condition Examiner's Handbook of the National Association of Insurance Commissioner's for Supervising Insurance Examiners. Subject to the Commissioner's approval, Insurance Company Examiners and Market Conduct Examiners shall receive the salary recommended by the Financial Condition Examiner's Handbook of the National Association of Insurance Commissioners for Insurance Company Examiners.

4.15 4.15 Continuing Education Expenses -

(A) Examiners shall be compensated for expenses incurred as a consequence of attendance at educational seminars conducted by the Society of Financial Examiners, or its successor organization. Registration fees shall be compensated in full and travel and living expenses shall be compensated in accordance with the Governor's Travel Regulation.

(B) Subject to the Commissioner's prior written approval, examiners may be compensated in the same manner as above for expenses incurred as a consequence of other continuing education activities which the Commissioner deems necessary for maintenance or advancement of the examiner's professional skills.

4.16 4.16 Examination For Certified Financial Examiner Designation - Examiners shall be reimbursed for examination fees incurred as a consequence of examination for designation as a Certified Financial Examiner (CFE); provided, however, that no reimbursement shall be made if an examiner fails to achieve a passing score on the examination. Other expenses incurred in connection with the examination, including travel, lodging and meals, shall not be reimbursed regardless of whether the examiner achieves a passing score on the examination.

Section 5. Collection Procedures for Examination Expense

5.01 5.1 Weekly Report - Each examiner shall prepare an "Examiner's Weekly Expense and Days Worked Report" in conjunction with the examinations of each insurance company. An examiner participating in the examination of a foreign insurance company shall forward the originals of the reports to the Commissioner each week and retain copies for the examiner's own record. The examiner-in-charge of the examination of a domestic insurance company will approve and forward the original copy of each examiner's report to the Commissioner each week and retain one copy of each report for his records.

5+02 5.2 Periodic Billing - Upon verification of the weekly reports, the Commissioner or his designee shall prepare an invoice and bill the company twice per month for charges for days worked, as well as for the expense charges for each examiner. All invoices for expenses and daily work charges are to be billed directly by the Department of Insurance to the company under examination. The company is directed by the invoice to submit its payments directly to the Department of Insurance for both expenses and charges for the days worked and to make checks payable to West Virginia Insurance Commissioner. Upon receipt of the amount due from the company, the Commissioner or his designee shall remit the amount thereof to the Treasurer of the State for deposit in the Examiner's Revolving Fund, pursuant to ~~Chapter 33, Article 3, Section 9 of the Code of West Virginia of 1931, as amended.~~ West Virginia Code §33-2-9.

Payment shall be submitted within thirty (30) calendar days of the date of invoice. A company which wishes to protest any aspect of an invoice shall remit payment under protest within the thirty (30) day period and may request a hearing on the invoice pursuant to West Virginia Code §33-2-13. A company which fails to remit payment within the thirty (30) day period may be subject to disciplinary action by the Commissioner.

TITLE 114
LEGISLATIVE RULES
INSURANCE COMMISSIONER

SERIES 15
EXAMINERS' COMPENSATION
QUALIFICATION AND CLASSIFICATION

Sec. Attached

*New
4 pages changed
to
be put in*

§114-15-1. General.

1.1. Scope. -- The purpose of this regulation is to implement the provisions of section nine, article two, chapter thirty-three of the West Virginia Code of 1931, as amended, to provide for the compensation, qualification and classification of personnel conducting an examination of either a domestic or foreign insurer in behalf of the Commissioner. This regulation shall apply in connection with any examination conducted pursuant to section nine, article two, chapter thirty-three of the West Virginia Code of 1931, as amended, by the Commissioner or his representatives, of any insurer, whether domestic or foreign, at such time as the Commissioner deems necessary.

1.2. Authority. -- W. Va. Code §33-2-10

1.3. Filing Date. -- April 26, 1982

1.4. Effective Date. -- April 26, 1982

§114-15-2. Definitions. -- As used in this regulation:

2.1. "Commissioner" shall mean the Insurance Commissioner of the State of West Virginia.

2.2. "Examiner" shall mean any person deemed qualified and authorized by the Commissioner to visit each insurer, whether domestic or foreign, and thoroughly examine its financial condition and methods of doing business and ascertain whether it has complied with all the laws and regulations of this State. An examiner may be designated by the Commissioner to be classified as:

(a) Examiner I;

(b) Examiner II; or

(c) Examiner III.

2.3. "Examiner Fees" shall mean salary and other

expenses incurred in the examination process, excluding travel and living expenses.

§114-15-3. Qualifications of examiners by category.

3.1. Examiner I qualifications. -- An Examiner I shall have the following education or experience:

(a) A bachelor's degree from an accredited four-year college or university with at least fifteen (15) college credits in accounting and a major in either accounting, finance, insurance, statistics, general business administration or economics; or

(b) Accounting experience for a minimum of three (3) years in the capacity of treasurer, assistant treasurer, controller, assistant controller or auditor for an insurance company's home office or autonomous branch office.

3.2. Examiner II qualifications. -- An Examiner II shall have the following education or experience:

(a) A bachelor's degree from an accredited four-year college or university with a major in either accounting, finance, insurance, statistics, general business administration or economics and a minimum of fifteen (15) college credits in accounting, plus at least four (4) years of insurance department examination experience; or

(b) Designation as an Accredited Financial Examiner (AFE) by the Society of Financial Examiners.

3.3. Examiner III qualifications. -- An Examiner III shall have the following education and/or experience:

(a) A bachelor's degree from an accredited four-year college or university with a major in accounting, finance, insurance, statistics, general business administration or economics and a minimum of fifteen (15) college credits in accounting, plus at least six (6)

years of insurance department examination experience; or

(b) Designation as a Certified Financial Examiner (CFE) by the Society of Financial Examiners; or

(c) Public or private insurance accounting experience for a minimum of six (6) years and at least fifteen (15) college credits in accounting; or

(d) Accounting experience for at least ten (10) years in the capacity of treasurer, assistant treasurer, controller, assistant controller or auditor in an insurance company's home office or autonomous branch office; or

(e) An advanced college degree in business administration, accounting, finance, insurance, statistics, economics, or other related field or a law degree which may be substituted for three (3) years of the required experience.

§114-15-4. Guidelines for computing compensation.

4.1. Examiner fees. -- Salary and other expenses incurred in the examination process, excluding travel and living expenses, shall be charged to the company being examined at a rate which is one hundred seventy-three and three tenths percent (173.3%) of the salary recommended for each class of examiner by the Examiners Handbook of the National Association of Insurance Commissioners or its successor.

4.2. Computation period for Examiner fees. -- Salary and other expenses incurred in the examination process, excluding travel and living expenses, shall be charged to the company being examined for:

(a) Each day or portion thereof actually worked at the office of the company to be examined during regular company hours;

(b) Actual time used for travel if on a day other than a weekend or holiday; and

(c) Each day or portion thereof used in preparing the examination report.

The charge for Examiner fee shall cease upon termination of the Examiner's active participation in the examination.

4.3. Travel. -- Travel by Examiners in connection with the examination process shall not be undertaken unless authorized by the Commissioner. Travel expenses incurred in the examination process shall be charged to the company being examined in the following manner:

(a) If air travel is used, a maximum of one (1) day's travel time shall be authorized and the Examiner shall be reimbursed for actual travel expenses incurred;

(b) If an automobile is used, the distance traveled shall be not less than 375 miles per day as determined by the Rand McNally road map.

Examiners shall be compensated for the actual mileage traveled, and such compensation shall be computed at the rate currently mandated by the Governor's Travel Regulations.

4.4. Authorized days per week. -- Authorized living expenses shall be charged to the company being examined on a basis of seven (7) days per week for the duration of the on-site examination unless the Examiner travels home or away from the vicinity of the company being examined, or takes annual leave. Living expenses shall not be authorized if the examination takes place in a town in which the Examiner maintains a residence.

4.5. Holidays.

(a) On any state or national holiday or any day that the company has optionally closed for business, if the Examiner is available for work, examiner fees and living expenses shall be charged for that particular day.

(b) On any day declared a holiday by the State of West Virginia but not recognized by the company, living expenses shall be charged, except that if the Examiner chooses to work, examiner fees shall also be charged, but no extra leave time or compensation time shall be earned.

4.6. Unavailability of Examiner. -- No examiner fees shall be charged for any day on which an Examiner is absent due to sickness, annual leave, or any other cause: Provided, That the company is open for the normal transaction of business.

4.7. Sick leave. -- The company being examined

shall be charged for the Examiner's living expenses for any day on which the Examiner is absent due to sickness: Provided, That the Examiner remains in the vicinity of the company being examined and does not travel home as a result of the illness. In cases in which sick leave extends beyond three (3) working days, the reason for such absence shall be verified by a physician's statement.

4.8. Annual leave. -- On any day authorized for use by the Examiner for annual leave:

(a) The company shall not be charged and the Examiner shall not be reimbursed for travel or living expenses; and

(b) The company shall not be charged for examiner fees, but salary shall be paid for accrued time: Provided, That prior approval as specified in Section 4.10 of these rules has been received.

4.9. Accrued time. -- Annual leave and sick leave shall accrue at the rates established by the current West Virginia Civil Service Regulations for state employees.

4.10. Approval. -- Annual leave may be taken by the Examiner only upon written approval by the Commissioner or the Director of Financial Conditions. Approval must be requested at least as far in advance of the leave as the length of leave requested, i.e., for four (4) days leave, the request must be submitted at least four (4) days in advance. In a case of emergency, the requirement periods for advance request may be waived by the Commissioner.

4.11. Reassignment. -- Dual travel and living expenses shall not be charged when an Examiner has been reassigned within the same vicinity and is, therefore, involved with more than one company on the same day. Such expenses shall be prorated between the companies.

4.12. Optional per diem allowance. -- In lieu of reimbursement for actual living expenses, Examiners may receive a per diem allowance of forty dollars (\$40.00) per day when assigned within the state of their employment and fifty dollars (\$50.00) per day when assigned out of state. The Commissioner may,

prior to commencement of the examination, authorize an increase or decrease of these allowances because of local conditions, provided vouchers and other justification for such changes are submitted.

4.13. Other Examiners. -- In the event the Commissioner should deem an immediate examination of a company necessary and the department's qualified Examiners are unavailable, the Commissioner may utilize other Examiners or department personnel which he may deem qualified to perform the work, and may charge the company for the salary and other expenses incurred therein.

§114-15-5. Collection procedures for examination expense.

5.1. Weekly report. -- Each Examiner shall prepare an "Examiner's Weekly Expense and Days Worked Report" in conjunction with examinations of each insurance company. An Examiner participating in the examination of a foreign insurance company shall forward the originals of the reports to the Commissioner each week and retain copies for the Examiner's own record. The Examiner-in-charge of the examination of a domestic insurance company will approve and forward the original copy of each Examiner's report to the Commissioner each week and retain one (1) copy of each report for his records.

5.2. Periodic billing. -- Upon verification of the weekly reports, the Commissioner or his designee shall prepare an invoice and bill the company twice per month for charges for days worked, as well as for the expense charges for each Examiner. All invoices for expenses and daily work charges are to be billed directly by the Department of Insurance to the company under examination. The company is directed by the invoice to submit its payments directly to the Department of Insurance for both expenses and charges for the days worked and to make checks payable to the West Virginia Insurance Commissioner. Upon receipt of the amount due from the company, the Commissioner or his designee shall remit the amount thereof to the treasurer of the state for deposit in the Examiner's Revolving Fund, pursuant to section nine, article two, chapter thirty-three of the Code of West Virginia of 1931, as amended.

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

FILED

1986 OCT 10 PM 4:11

STATE OF WEST VIRGINIA
SECRETARY OF STATE



NOTICE OF ACTIONS TAKEN BY LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

October 9, 1986

TO: Ken Hechler, Secretary of State, State Register

TO: Mr. Fred E. Wright
Insurance Commissioner
2100 Washington Street
Charleston, WV 25305

FROM: Legislative Rule-Making Review Committee

PROPOSED RULE: Examiners' Compensation, Qualification and
Classification

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

1. Authorize the agency to promulgate the Legislative Rule as originally filed or as modified by the agency X
2. Authorize the agency to promulgate part of the Legislative rule; a statement of reasons for such recommendation is attached. _____
3. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. _____
4. Recommends that the rule be withdrawn; a statement of reasons for such recommendation is attached. _____

Pursuant to Code 29A-3-11(c), this notice has been filed in the state register and with the agency proposing the rule.

cc: Cheryl L. Davis John M. Collins, Director
 General Counsel Financial Conditions Div.