



WEST VIRGINIA LEGISLATURE  
 LEGISLATIVE RULE-MAKING REVIEW COMMITTEE 1988 FEB 3 10 3 73  
 Room M-438, State Capitol  
 Charleston, West Virginia 25305  
 (304) 340-3286

Senator Larry A. Tucker, Co-Chairman  
 Delegate Thomas A. Knight, Co-Chairman

February 1, 1988

M. E. Mowery, Counsel  
 Debra A. Graham, Associate  
 Marie Nickerson, Receptionist

NOTICE OF ACTIONS TAKEN BY LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Ken Hechler, Secretary of State, State Register

TO: Mr. Roger T. Hall, Administrator  
 WV Department of Energy  
 1615 Washington Street, E.  
 Charleston, WV 25311

FROM: Legislative Rule-Making Review Committee

PROPOSED RULE: Rules and Regulations Governing Request for Information

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

1. Authorize the agency to promulgate the Legislative Rule
  - (a) as originally filed
  - (b) as modified by the agency
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 <sup>Procedural</sup> Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached.
4. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached.
5. Recommends that the rule be withdrawn; a statement of reasons for such recommendation is attached.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.

AMENDMENT TO DEPARTMENT OF ENERGY

Rules and Regulations Governing Request for Information

On page two, subsection 3.1, by striking subdivision (d) and renumbering the remaining subdivisions, and

On page three, section 6, by striking all of subsection 6.1 and inserting in lieu thereof, the following:

"6.1 The department shall not charge fixed rate fees for reproduction of documents, records, and files but shall in each case charge the actual cost of such reproduction and shall document such costs at the time of charging such fees: Provided, That where total costs are less than five dollars, no fee shall be charged."

REASON FOR RECOMMENDATION:

A person requesting information should not have to supply the reasons therefor. Also, the fees are excessive.