

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: DIVISION OF NATURAL RESOURCES TITLE NUMBER: 1

RULE TYPE: PROCEDURAL; CITE AUTHORITY 20-1-7 and 6-9A-3

AMENDMENT TO AN EXISTING RULE: YES NO 58-1

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 58 CSR 3A and 182 CSR 2

TITLE OF RULE BEING AMENDED: RULES FOR OPEN GOVERNMENTAL PROCEEDINGS

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON SEPTEMBER 15, 1996 AT 4:30 P.M. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

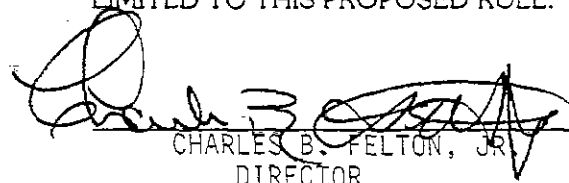
MAJOR W. B. DANIEL

DIVISION OF NATURAL RESOURCES

CAPITOL COMPLEX BLDG. 3, ROOM 837

CHARLESTON WV 25305-0668

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.



CHARLES B. FELTON, JR.
DIRECTOR

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

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TITLE 58
PROCEDURAL RULE
DEPARTMENT BUREAU OF COMMERCE
DIVISION OF NATURAL RESOURCES

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SERIES 1
RULES FOR OPEN GOVERNMENTAL PROCEEDINGS

§58-1-1. General.

- 1.1. Scope. -- Procedural rules relating to open governmental proceedings.
- 1.2. Authority. -- West Virginia Code §§20-1-7 and 6-9A-3.
- 1.3. Filing Date. --
- 1.4. Effective Date. --

§58-1-2. Repeal of Former Regulations.

2.1. This procedural rule repeals "Regulations for Open Governmental Meetings", §58 CSR 3A which was filed on July 30, 1987 and became effective on August 31, 1987 and "Regulations for Open Governmental Meetings", §182 CSR 2 which was filed on July 30, 1987 and became effective on August 31, 1987.

§58-1-3. Definitions.

3.1. "Governing Body" - means the members of any public body having the authority to make decisions for or recommendations to a public body on policy or administration, the membership of which governing body consists of two (2) or more members.

§58-1-4. Governing Bodies Within the Department Division of Natural Resources.

- 4.1. Natural Resources Commission.
- 4.2. Whitewater Commission.
- 4.3. Public Land Corporation.

§58-1-5. Notice of Meetings.

5.1. Regular/Special Meetings. The aforementioned governing bodies of the Division of Natural Resources shall, within at least seven (7) days of each regularly scheduled or special meeting, cause to be published through the division news service a public notice which shall state the time, place, and purpose of such meeting. This public notice shall also be filed for publication with the Secretary of State in such a manner as to allow the notice to appear in the State Register at least five (5) days prior to the date of the meeting.

§58-1-6. Public Attendance.

6.1. Limiting Attendance. The presiding officer of any regularly scheduled or special meeting shall, for safety reasons, have the authority to limit the number of public attendants at such meeting.

6.2. Public Notice. If there is a reason to believe that there may be more public attendants at a regularly scheduled or special meeting than there is room available, the governing body shall include a statement in its public notice advising members of the public who wish to attend the meeting that attendance will be limited to the number specified in the notice.