



GLEN B. GAINER, JR.
STATE AUDITOR

STATE OF WEST VIRGINIA
OFFICE OF STATE AUDITOR
CHARLESTON 25305

July 20, 1983

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE

THIS DATE July 20, 1983
Administrative Law Division

The Honorable A. James Manchin
West Virginia Secretary of State
State Capitol
Charleston, West Virginia

Dear Mr. Manchin:

Pursuant to section 29A-3-15 and section 6-9A-3 the attached procedural rule for the West Virginia Public Employees Insurance Board was promulgated on July 20, 1983. A meeting of the Public Employees Insurance Board, held June 30, 1983, authorized the continuance and signing of a contract for insurance coverage involving protection for several thousand West Virginians.

On July 14, 1983 Commissioner Gretchen Lewis filed for an injunction in the Circuit Court of Kanawha county (Civil Action Number 83-C-3098) praying, among other things that actions taken at the June 30, 1983 meeting be annulled.

Such unforeseen combination of circumstances and the resulting state of endangered health and insurance coverage for West Virginia Public Employees created a pressing need for the attached technical procedural rule to be promulgated on an emergency basis.

Since the existing health coverage contract terminated June 30, 1983 and its renewal authorized by the board at their June 30 meeting has been legally brought into question, the public good demands that the emergency rule be processed and filed in accordance with 29A-3-15.

Sincerely yours,

GLEN B. GAINER, CHAIRMAN
WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE
BOARD

GBGJR:jb

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EMERGENCY PROCEDURAL RULES

THIS DATE July 20, 1983

WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE BOARD
Administrative Law Division

Chapter 6-9A-3
Series III
(1983)

Subject: Rules pertaining to public notice of meetings of
the West Virginia Public Employees Insurance Board.

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EMERGENCY PROCEDURAL RULES

WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE BOARD

THIS DATE July 20, 1983
Administrative Law Division

Chapter 6-9A-3
Series III
(1983)

Subject: Rules pertaining to public notice of meetings of
the West Virginia Public Employees Insurance Board.

Section 1. General

1.01. Scope - Chapter 6, Article 9A, Section 3 of the West Virginia Code of 1931, as amended, mandates that the West Virginia Public Employees Insurance Board shall promulgate rules by which the time and place of all regularly scheduled meetings and the time, place, and purpose of all special meetings are made available in advance, to the public and the news media, except in the event of an emergency requiring immediate official action.

1.02. Authority - These emergency procedural rules are issued under the authority of and are related to Chapter 6, Article 9A, Section 3 of the West Virginia Code of 1931, as amended.

1.03. Filing Date - These emergency procedural rules are promulgated on the twentieth day of July, 1983, and filed on the twentieth day of July, 1983, in the Office of the Secretary of State.

1.04. Effective Date - In accordance with Chapter 29A, Article 3, Section 15 of the West Virginia Code of 1931, as amended, these emergency procedural rules become effective immediately upon filing in the Office of the Secretary of State. These rules will remain in effect for 180 days.

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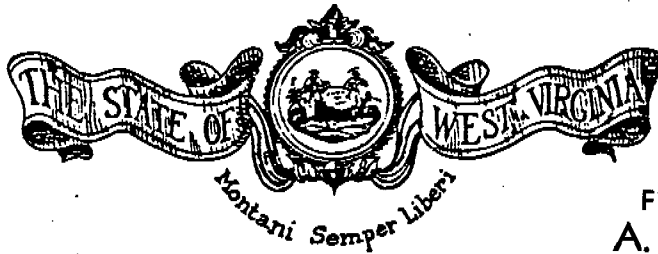
Section 2. Public Notice of Meetings

2.01. Regular Meetings - Regular meetings of the West Virginia Public Employees Insurance Board shall be held at

least twice yearly at the State Auditor's Office, Room W-100, State Capitol, and notice of these regular meetings shall be given to the Secretary of State at least three (3) days in advance to be made available to the public and news media.

2.02. Special Meetings - Notice of the time, place and purpose of all special meetings of the West Virginia Public Employees Insurance Board shall also be given to the Secretary of State at least three (3) days in advance or as soon as practicable, to be made available to the public and news media.

2.03. Exceptions - As provided by statute, the notice provisions of these rules are not required in the event of an emergency requiring immediate official action.



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STATE REGISTER FILING

I, GLEN B. GAINER, JR., CHAIRMAN,
Title or position

WV PUBLIC EMPLOYEES INS. BOARD, hereby submit to record in
Department or division

the State Register on 8½ x 11" paper two (2) copies of

- () proposed rules and regulations concerning topics of matter not covered by existing rules and regulations;
- () proposed rules and regulations superseding rules and regulations already on file;
- () notice of hearing;
- () findings and determinations;
- () rules and regulations;
- (XX) other - specify Emergency procedural rules filed in accordance with §29A-3-15

This filing pertains to

Chapter 6
Article 9A
Series III
Section 3
Page No. _____

- (XX) proposed rules and regulations are required to go to Legislative Rule Making Committee;
- () proposed rules and regulations are excluded from Legislative Rule Making Committee;

July 20, 1983

Date Submitted

Glen B. Gainer, Jr.
Authorized signature of filing