



KEN HECHLER  
Secretary of State

MARY P. RATLIFF  
Deputy Secretary of State

BARBARA STARCHER  
Deputy Secretary of State

RICHARD S. STEPHENSON  
Deputy Secretary of State

Telephone: (304) 345-4000  
Corporations: 342-8000

FILED

1985 APR 24 AM 9 19

STATE OF WEST VIRGINIA  
SECRETARY OF STATE

Charleston 25305

WILLIAM H. HARRINGTON  
Chief of Staff

RICH O. HARTMAN  
Director, Administrative Law

DONALD R. WILKES  
Director, Corporations

VIRGINIA SKEEN  
Special Assistant

(Plus all the volunteer  
help we can get)

NOTICE OF AGENCY ADOPTION

RULE TITLE: Filing of Rules, Orders, Opinions, Meeting Notices and Other Documents in the Secretary of State's Office for Inclusion in the State Register

RULE TYPE: Procedural

The attached rule constitutes the official rule adopted by the \_\_\_\_\_  
Secretary of State

on April 24, 1985 and filed with the  
Secretary of State.

Ken Hechler

FILED

FISCAL NOTE FOR PROPOSED RULES

1985 APR 24 AM 9:19

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

Rule Title: Filing of Rules, Orders, Opinions, Meeting Notices and Other Documents  
in the Secretary of State's Office for Inclusion in the State Register.

Type of Rule:        Legislative        Interpretive \*\*\*\*\* Procedural

Agency Secretary of State Address State Capitol

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Personal Services					
Current Expense					
Repairs and Alterations					
Equipment					
Other					

2. Explanation of above estimates.

There will be no additional cost

3. Objectives of these rules:

To establish a uniform method for agencies to go by, making  
the Administrative Law Division more professional in operation,

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

no impact

B. Economic Impact on Political Subdivisions; Specific Industries;  
Specific groups of citizens.

no impact

C. Economic Impact on Citizens/Public at Large.

no impact

Date April 23, 1985

Signature of Agency Head or Authorized Representative

Koop Benny

Asst., Director

Admin Law Div.



KEN HECHLER  
Secretary of State

MARY P. RATLIFF  
Deputy Secretary of State

BARBARA STARCHER  
Deputy Secretary of State

RICHARD S. STEPHENSON  
Deputy Secretary of State

Telephone: (304) 345-4000  
Corporations: 342-8000

WILLIAM H. HARRINGTON  
Chief of Staff

RICH O. HARTMAN  
Director, Administrative Law

DONALD R. WILKES  
Director, Corporations

VIRGINIA SKEEN  
Special Assistant

(Plus all the volunteer  
help we can get)

STATE OF WEST VIRGINIA

SECRETARY OF STATE

Charleston 25305

April 23, 1985

Public hearing on this rule was held on April 1, 1985, 9:00am in the People's Office. No one was in attendance. Comments were received in writing from Dr. Clark Hansbarger, then Director of the Department of Health. Comments were incorporated.

KEN HECHLER  
Secretary of State

MARY P. RATLIFF  
Deputy Secretary of State

BARBARA STARCHER  
Deputy Secretary of State

RICHARD S. STEPHENSON  
Deputy Secretary of State

Telephone: (304) 345-4000  
Corporations: 342-8000



STATE OF WEST VIRGINIA

SECRETARY OF STATE

Charleston 25305

WILLIAM H. HARRINGTON  
Chief of Staff

RICH O. HARTMAN  
Director, Administrative Law

DONALD R. WILKES  
Director, Corporations

VIRGINIA SKEEN  
Special Assistant

(Plus all the volunteer  
help we can get)

PROMULGATION HISTORY ABSTRACT

Date Filed for Public Hearing: February 26, 1985

Date of Public Hearing: April 1, 1985

Date Filed Agency Adopted Rule: April 24, 1985

Date Effective: May 24, 1985

FILED

1985 APR 24 AM 9:19

WEST VIRGINIA PROCEDURAL RULE  
SECRETARY OF STATE  
CHAPTER 29A-2  
SERIES I

OFFICE OF THE SECRETARY OF STATE

Title: Filing of Rules, Orders, Opinions, Meeting Notices and Other Documents in the Secretary of State's Office for Inclusion in the State Register

Section 1. General

2. Quantity
3. Time Requirements
4. Notices Format

Appendix A - G

FILED

1985 APR 24 AM 9 19

WEST VIRGINIA PROCEDURAL RULES  
SECRETARY OF STATE  
CHAPTER 29A-2  
SERIES I

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

Title: Filing of Rules, Orders, Opinions, Meeting Notices and Other Documents in the Secretary of State's Office for Inclusion in the State Register.

---

Section 1. General

1.1 Scope - These procedural rules establish the quantity and time requirements related to filing documents in the Secretary of State's Office for inclusion in the State Register.

1.2 Authority - W.Va. Code 29A-2-6

1.3 Filing Date - April 24, 1985

1.4 Effective Date - May 24, 1985

Section 2. Quantity

2.1 This office requires only one clean copy when filing all proposed rules and documents related to such filings, all orders, all opinions and all meeting notices under the Open Government Proceedings Act (Chapter 6-9A).

2.2 When final filing any rule this office requires one original set of the rule with notice of final filing and one copy set of the rule with notice of final filing.

2.3 If an agency wishes a stamped copy of any document filed, for its record, the agency must send an additional copy with a request that one be stamped and returned to the agency.

Section 3. Time Requirements

The weekly State Register is printed on Thursday, mailed on Friday and received by its subscribers on Monday. All filings, in order to appear in the next week's issue of the weekly State Register, must be filed in this office no later than 5:00 p.m. on the Wednesday preceding.

Section 4. Notices Format

The following notices are required to be filed into the State Register. The following formats, on agency letterhead shall be followed:

4.1 Notice of Public Hearing or Comment Period or Proposed Rule Making.

Code 29A-3-5 requires an agency to solicit public comment on proposed rules. This may be accomplished by the agency conducting a public hearing on the proposed rule or by establishing a comment period during which time written comments are to be mailed or delivered to the agency. At the end of the comment period the agency may or may not hold an actual hearing. When filing a notice for public hearing, the notice format in Appendix A shall be followed. If multiple public hearings are to be held in different locations repeat the times, dates and locations as needed. When the agency desires to only schedule a comment period the notice format in Appendix B shall be followed. If the agency wishes to add additional information regarding the hearing, this is to be added to the bottom of the notice, followed by the signature of the director. Use additional non-letterhead paper if needed.

4.2 Notice of Agency Approval and Submission to the Legislative Rule-Making Review Committee.

This notice is for legislative rules only. Refer to Appendix C.

4.3 Notice of Rule Modification.

Notice shall be attached to modifications approved by the agency to meet the comments or objections of the Legislative Rule-Making Review Committee. Refer to Appendix D.

4.4 Notice of Agency Adoption.

This is for procedural rules, interpretive rules and/or rules of those agencies whose activities are exempt from the Administrative Procedures Act except for the requirement to file in the State Register. This constitutes the final filing for these types of rules. Refer to Appendix E.

4.5 Notice of Final Filing of Legislative Rule.

All legislative rules authorized by the legislature shall be final filed within sixty (60) days of the effective date of the Bill of Authorization. The agency shall establish within Section 1 the effective date of the rule. The effective date shall not exceed ninety (90) days from the date the legislative rule is final filed in the State Register. Refer to Appendix F.

4.6 Notice of Emergency Rule

This notice shall be attached to any legislative rule filed as an emergency rule. Refer to Appendix G.

APPENDIX A

NOTICE OF PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE

PUBLIC HEARING

AGENCY: \_\_\_\_\_

RULE TYPE: \_\_\_\_\_

RULE TITLE: \_\_\_\_\_

\_\_\_\_\_

A PUBLIC HEARING ON THE ABOVE PROPOSED RULE WILL BE HELD AT \_\_\_\_\_ (time)

ON \_\_\_\_\_ (date) AT \_\_\_\_\_ (location)

\_\_\_\_\_

COMMENTS ARE LIMITED TO: ORAL \_\_\_\_\_ WRITTEN \_\_\_\_\_ BOTH \_\_\_\_\_

COMMENTS MAY ALSO BE MAILED TO: \_\_\_\_\_ (address)

\_\_\_\_\_

THE DEPARTMENT REQUESTS THAT PERSONS WISHING TO MAKE COMMENTS AT THE HEARING MAKE AN EFFORT TO SUBMIT WRITTEN COMMENTS IN ORDER TO FACILITATE A REVIEW OF THESE COMMENTS.

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

\_\_\_\_\_  
(Signature of the Director)

APPENDIX B

NOTICE OF PUBLIC HEARING OR COMMENT PERIOD ON PROPOSED RULE

COMMENT PERIOD

AGENCY: \_\_\_\_\_

RULE TYPE: \_\_\_\_\_

RULE TITLE: \_\_\_\_\_

\_\_\_\_\_

A COMMENT PERIOD ON THE ABOVE PROPOSED RULE HAS BEEN SCHEDULED AND WILL  
END ON \_\_\_\_\_ (date) AT \_\_\_\_\_ (time) . WRITTEN COMMENTS ARE TO BE  
MAILED TO THE FOLLOWING ADDRESS: \_\_\_\_\_

\_\_\_\_\_

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

(Signature of Director)

APPENDIX C

NOTICE OF AGENCY APPROVAL

LEGISLATIVE RULE: \_\_\_\_\_ (title) \_\_\_\_\_

\_\_\_\_\_

The attached legislative rule constitutes the official rule approved by  
the \_\_\_\_\_ (agency) \_\_\_\_\_  
on \_\_\_\_\_ (date) day of \_\_\_\_\_ (month) \_\_\_\_\_, 198 \_\_\_\_\_ and filed pursuant to law  
with the West Virginia Secretary of State and the Legislative Rule-  
Making Review Committee.

\_\_\_\_\_  
(Signature of Director)

APPENDIX D

NOTICE OF RULE MODIFICATION

LEGISLATIVE RULE: \_\_\_\_\_ (title) \_\_\_\_\_

\_\_\_\_\_

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 \_\_\_\_\_ (date) \_\_\_\_\_.

\_\_\_\_\_  
(Signature of Director)

APPENDIX E

NOTICE OF AGENCY ADOPTION

RULE TITLE: \_\_\_\_\_  
\_\_\_\_\_

RULE TYPE: \_\_\_\_\_

The attached rule constitutes the official rule adopted by the \_\_\_\_\_  
\_\_\_\_\_ (Agency)

on \_\_\_\_\_ (date) \_\_\_\_\_ and filed with the  
Secretary of State.

\_\_\_\_\_  
(Signature of Director)

APPENDIX F

NOTICE OF FINAL FILING - LEGISLATIVE RULE

LEGISLATIVE RULE: \_\_\_\_\_

\_\_\_\_\_

The attached legislative rule is hereby final filed with the Secretary

of State by \_\_\_\_\_ (agency)

as authorized by \_\_\_\_\_ (Senate or House Bill) Section \_\_\_\_\_

\_\_\_\_\_  
(Signature of Director)

APPENDIX G

NOTICE OF EMERGENCY RULE

RULE TITLE: \_\_\_\_\_

\_\_\_\_\_  
The attached rule is filed as an Emergency Rule. The facts and  
circumstances constituting the emergency are as follows:

\_\_\_\_\_  
(Signature of Director)

KEN HECHLER  
Secretary of State

MARY P. RATLIFF  
Deputy Secretary of State

BARBARA STARCHER  
Deputy Secretary of State

RICHARD S. STEPHENSON  
Deputy Secretary of State

Telephone: (304) 345-4000  
Corporations. 342-3000

WILLIAM H. HARRINGTON  
Chief of Staff

RICH O. HARTMAN  
Director, Administrative Law

DONALD R. WILKES  
Director, Corporations

VIRGINIA SKEEN  
Special Assistant

(Plus all the volunteer  
help we can get)

STATE OF WEST VIRGINIA

SECRETARY OF STATE

Charleston 25305

PROMULGATION HISTORY ABSTRACT

Date Filed for Public Hearing: February 26, 1985

Date of Public Hearing: April 1, 1985

Date Filed Agency Adopted Rule: April 24, 1985

Date Effective: May 24, 1985

KEN HECHLER  
Secretary of State

MARY P. RATLIFF  
Deputy Secretary of State

BARBARA STARCHER  
Deputy Secretary of State

RICHARD S. STEPHENSON  
Deputy Secretary of State

Telephone: (304) 345-4000  
Corporations: 342-8000

WILLIAM H. HARRINGTON  
Chief of Staff

RICH O. HARTMAN  
Director, Administrative Law

DONALD R. WILKES  
Director, Corporations

VIRGINIA SKEEN  
Special Assistant

(Plus all the volunteer  
help we can get)

## STATE OF WEST VIRGINIA

### SECRETARY OF STATE

Charleston 25305

April 23, 1985

Public hearing on this rule was held on April 1, 1985, 9:00am in the People's Office. No one was in attendance. Comments were received in writing from Dr. Clark Hansbarger, then Director of the Department of Health. Comments were incorporated.