

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee



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DEPT. OF STATE
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. Edgar N. Henry, PE., Director
WV Water Development Authority
1201 Dunbar Avenue
Dunbar, WV 25064

FROM: Legislative Rule-Making Review Committee

PROPOSED RULE: Regulations governing disbursement of loans
and grants to governmental agencies for the
acquisition or construction of water development
projects

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 Recommends that the rule be withdrawn; a statement of reasons for such recommendation is attached.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.

H. B. 2591

(By Delegate Knight)

(Introduced February 4, 1987; referred to the
Committee on Finance then Judiciary)

A BILL to amend and reenact section twenty (five-c) (six), article two, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to authorizing the West Virginia water development authority to promulgate legislative rules relating to requirements governing disbursement of loans and grants to governmental agencies for the acquisition or construction of water development projects.

Be it enacted by the Legislature of West Virginia:

That section twenty (five-c) (six), article two, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 2. EXECUTIVE AGENCY AUTHORIZATION TO PROMULGATE
LEGISLATIVE RULES.

§64-2-20(5c)(6). Water development authority.

2591

1 (a) The legislative rules filed in the state register on the
2 thirtieth day of August, one thousand nine hundred eighty-four,
3 relating to the water development authority (hardship grant
4 funds) are authorized.

5 (b) The legislative rules filed in the state register on the
6 fourteenth day of August, one thousand nine hundred eighty-six,
7 relating to the water development authority (requirements
8 governing disbursements of loans and grants to governmental
9 agencies for the acquisition or construction of water development
10 projects) are authorized.

11

12 NOTE: The purpose of this bill is to authorize the West Virginia
13 Water Development Authority to promulgate legislative rules
14 relating to requirements governing disbursements of loans and
15 grants to governmental agencies for the acquisition or
16 construction of water development projects.

17

18 Strike-throughs indicate language that would be stricken from
19 the present law, and underscoring indicates new language that
20 would be added.

21

22



STATE OF WEST VIRGINIA
WATER DEVELOPMENT AUTHORITY
1201 DUNBAR AVENUE
DUNBAR, WV 25064

(304) 348-3612

August 14, 1986

Legislative Rule-Making Review Committee
Capitol, Room E-228
Charleston, WV 25305

This submission represents formal filing of proposed amendments to a Legislative Rule, Chapter 20-5C, Series 1, titled: Requirements governing disbursement of loans and grants to governmental agencies for the design, acquisition or construction of water development projects. The attachments (15 copies each) are:

- 1) Submission to the Secretary of State which includes:
 - a) Notice of Agency Approval.
 - b) Full text of the approved proposed rule with new language underlined and deleted language stricken.
 - c) Fiscal Note for proposed rule.
 - d) Transcript of public hearing conducted on the proposed rule, including attendance, comments received, amendments to proposed rule as a result of the comments, and reasons for the amendments.
- 2) Summary of the content of the rule.
- 3) Statement of circumstances which require the rule.
- 4) Legislative Rule-Making Review Committee questionnaire.
- 5) Text of Section 9 of existing rule to be amended. Also, in accordance with a conversation with Debra Graham, Associate Counsel, one copy of the full text of Chapter 20-5C, Series 1, is enclosed.

Edgar N. Henry

EDGAR N. HENRY, PE - DIRECTOR

bbm

c Secretary of State
Water Development Board



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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

WATER DEVELOPMENT AUTHORITY

Room E-228, State Capitol
Charleston, West Virginia 25305

Senator Ralph D. Williams, Co-Chairman
Delegate James M. Casey, Co-Chairman

July 2, 1986

M.E. Mowery, Counsel
Debra A. Graham, Associate Counsel
Phone (304) 340-3143

Mr. Edgar N. Henry, PE, Director
WV Water Development Authority
1201 Dunbar Avenue
Dunbar, WV 25064

Dear Mr. Henry:

RE: Requirements governing disbursement of loans
and grants to governmental agencies for the
acquisition or construction of water development
projects

At your request, I have reviewed your draft of
the rules and regulations proposed by the West Virginia
Water Development Authority.

Enclosed you will find an abstract which I have
prepared on the draft rules. As you can see from the
abstract, the rules are basically in good shape. I do
have some other suggested amendments which may be helpful.

I would be available to sit down and talk with
you about any suggested changes. Please give me a call
to set a convenient time.

Sincerely,

Debra A. Graham
Associate Counsel

DAG:mgn

Enclosure