



FILED

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

2003 OCT 23 A 10:54

OFFICE WEST VIRGINIA
SECRETARY OF STATE

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Delegate Virginia Mahan, Cochair
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Connie A. Bowling, Associate Counsel
Daniel E. Kimble, Associate Counsel
Teri Anderson, Administrative Assistant

October 23, 2003

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Joe Manchin, Secretary of State, State Register

TO: John Benedict
DEP-Air Quality, Office of
7012 MacCorkle Ave S.E.
Charleston, WV 25304

FROM: Legislative Rule-Making Review Committee

Proposed Rule: **Requirements for Determining Conformity of Transportation Plans, Programs and Projects Developed, Funded or Approved Under Title 23 U.S.C. or the Federal Transit Laws, to Applicable..., 45CSR36**

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 Recommends that the Legislative rule be withdrawn; a statement of reasons for such recommendation is attached.