

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #5

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FILED
1990 DEC 10 PM 2:00
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: Capitol Building Commission TITLE NUMBER: 188

CITE AUTHORITY: Chapter 4, Article 8, Section 2, 4, 5

RULE TYPE: PROCEDURAL _____ INTERPRETIVE X

EXEMPT LEGISLATIVE RULE _____
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES _____, NO X

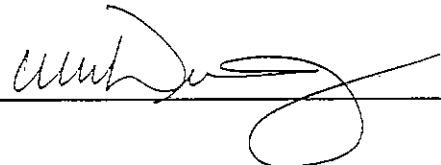
IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: 188CSR2

TITLE OF RULE BEING ADOPTED: Interpretive Rules for reviewing
plans for substantial physical changes to the Capitol Complex

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS January 9, 1991



West Virginia Capitol Building Commission

Procedural Rules

No comments were received or changes made to the West Virginia Capitol Building Commission Interpretive Rules during or since the advertised comment period.

188CSR2

TITLE 188

INTERPRETIVE RULES

CAPITOL BUILDING COMMISSION

Series 2

INTERPRETIVE RULES FOR REVIEWING PLANS
FOR SUBSTANTIAL PHYSICAL CHANGES TO THE CAPITOL COMPLEX

188-2-1. General.

1.1. Scope - The scope of these interpretive rules involves the review and approval of plans recommending substantial physical changes to the Capitol Complex by the Capitol Building Commission.

1.2. Authority - These regulations are promulgated and issued under authority of the West Virginia Code, Chapter 4, Article 8, Sections 2, 4 and 5.

1.3. Filing Date - These regulations were filed in the Office of the Secretary of State on the ____ day of _____, 1990.

1.4. Effective Date - These regulations were promulgated on the ____ day of _____, 1990, and became effective on the ____ day of _____, 1990.

188-2-2. Definitions

2.1. "Substantial physical changes" shall mean permanent physical changes that alter the structural integrity or aesthetic beauty of the public areas of the capitol building and surrounding complex, but shall not include renovations or repairs needed to maintain the capitol building and surrounding complex.

2.2. "Surrounding complex" shall mean the buildings, grounds and roads surrounding the capitol building and owned by the State of West Virginia or any of its agencies, known as the capitol complex, including the Governor's mansion and other buildings used by the Governor as part of his residence, the Cultural Center, and the State office buildings located in the immediate vicinity of the capitol, and the roadways, structures and facilities which are incidental to such buildings.

2.3. "Emergency situation" shall mean a situation in which inaction for any time period will cause either harm to the capitol building or surrounding complex or dramatic increases in the cost of the plan.

188.2.3. Approval Requirements.

3.1. Plans - The Capitol Building Commission ("Commission") shall review all plans recommending substantial physical changes to the capitol building and surrounding complex prior to the letting of a contract for the work or before the vchanges are commenced if the work is n9ot to be performed under a contract. The plans shall include anticipated costs, asd well as the written approval of the Secretary of Administration. The Commission shall either approve or reject the plans within ninety (90) days of submission of the plans. The Commission may designate the Chairman to act in its behalf when the Commission deems it appropriate and necessary.

3.2. Contracts - No contract for substantial physical changes to the capitol building or any approaches, structures or facilities incidental thereto shall be let, no9r any such substantual physical changes be made, without the prior written approval of the contract. The Commission shall either approve or reject the contract or plan within ninety (90) days of submission of the plans.

188.2.4. Emergencies.

4.1. In the event of an emergency situation, the Chairman may grant approval of the plans upon the recommendation of the Secretary of Administration.

KEN HECHLER
Secretary of State

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Deputy Secretary of State

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Director, Corporations

SHEREE COHEN
Special Assistant

(Plus all the volunteer
help we can get)

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

1992 FEB - 7 AM 9:38

FILED

TO: Diana Stout

AGENCY: Department of Administration

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: January 13, 1992

THE ATTACHED RULE RECENTLY FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 2 TITLE: Previewing Plans for Substantial Physical Changes to the Capitol Complex

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: Diana Stout

TITLE OF PERSON SIGNING: GENERAL COUNSEL

DATE: 2-6-92

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____