

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #5

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FILED
1987 JUL 30 11 12 50
SECRETARY OF STATE

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

AGENCY: Commercial Whitewater Advisory Board TITLE NUMBER: 182

CITE AUTHORITY: W. Va. Code §6-9A-3

RULE TYPE: PROCEDURAL INTERPRETIVE

EXEMPT LEGISLATIVE RULE

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES , NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

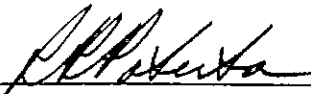
TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: 2

TITLE OF RULE BEING ADOPTED: _____

Regulations for Open Governmental Proceedings

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS August 31, 1987



PREAMBLE FOR NEW PROCEDURAL RULES
OPEN GOVERNMENTAL PROCEEDINGS

REGULATIONS: Commercial Whitewater Advisory Board, Series 2, Regulations for Open Governmental Proceedings

AUTHORITY: West Virginia Code, Chapter 6, Article 9A, Section 3

ACTION: Adopted Rules

SUMMARY: The Board is adopting new procedural regulations to govern its meetings in accordance with the State's open governmental proceedings statute. Today's filing parallels the Department of Natural Resources' Regulations for Open Governmental Proceedings and mirrors statutory changes made to Section 6-9A-3 of the West Virginia Code as a result of the recent passage of Senate Bill No. 526. The new statutory provisions require governing bodies within the executive branch to file public notices of meetings with the Secretary of State for publication in the West Virginia Register. These notices must state the time, place, and purpose of each meeting and must be filed in such a manner as to allow a notice to appear in the Register at least five (5) days prior to the date of the meeting.

A public hearing was held on July 27, 1987 in Charleston. Written comments were received until the close of business on July 29, 1987. No interested person appeared at the public hearing and no written comments were received concerning these rules.

Judy

*10 TITLE 182
PROCEDURAL RULES
COMMERCIAL WHITEWATER ADVISORY BOARD

SERIES 2
REGULATIONS FOR OPEN GOVERNMENTAL PROCEEDINGS

*09 §182-2-1. General.

1.1. Scope. -- Procedural regulations relating to open governmental proceedings.

1.2. Authority. -- W. Va. Code §6-9A-3.

1.3. Filing Date. -- July 30, 1987.

1.4. Effective Date. -- August 31, 1987.

*09 §182-2-2. Notice of Meetings.

2.1. The Board shall file a public notice of any regularly-scheduled or special meeting with the Secretary of State for publication in the State Register. This public notice shall state the time, place, and purpose of the Board meeting and shall be filed in such a manner as to allow the notice to appear in the State Register at least five (5) days prior to the date of the meeting.

*09 §182-2-3. Public Attendance.

3.1. Limiting Attendance. The presiding officer of any regularly-scheduled or special meeting shall, for safety reasons, have the authority to limit the number of public attendants at such meeting.

3.2. Public Notice. If there is a reason to believe that there may be more public attendants at a regularly-scheduled or special meeting than there is room available, the Board shall include a statement in its public notice advising members of the public who wish to attend the meeting that attendance will be limited to the number specified in the notice.