

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
**KEN HECHLER**  
**ADMINISTRATIVE LAW DIVISION**

Form #2

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**FILED**

**JUL 16 2 38 PM '93**

**OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE**

**NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE**

AGENCY: West Virginia Development Office TITLE NUMBER: 145

RULE TYPE: Procedural; CITE AUTHORITY 5B-2-3(e)

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 PROPOSED: Series 5

TITLE OF RULE BEING PROPOSED: General Administration of the Industrial  
Development and Commercial Development Bond Act: Establishment of  
Application Procedures.

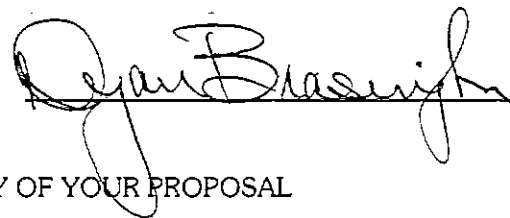
IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON August 15, 1993 AT 5:00 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

West Virginia Development Office  
State Capital Complex

Building 6, Room 504

Charleston, WV 25305-0311

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



ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

3.80

**APPENDIX B**

**FISCAL NOTE FOR PROPOSED RULES**

**Rule Title:** General Administration of the Industrial Development and Commercial Development Bond Act

**Type of Rule:**  Legislative  Interpretive  Procedural

**Agency:** West Virginia Development Office

**Address:** Building 6, Room 504  
Capitol Complex  
Charleston, WV 25305-0311

**1. Effect of Proposed Rule**

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
<u>ESTIMATED TOTAL COST</u>	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-
CURRENT EXPENSE	-0-	-0-	-0-	-0-	-0-
REPAIRS & ALTERNATIONS	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-

**2. Explanation of above estimates:**

N/A

**3. Objectives of these rules:**

The rule is being promulgated to provide equitable application guidelines for purchasers or owners of proposed commercial or industrial projects who apply for state and county industrial revenue bond allocations.

**Rule Title:** General Administration of the Industrial Development and Commercial Development Bond Act: Establishment of Application Procedures

**4. Explanation of Overall Economic Impact of Proposed Rule.**

**A. Economic Impact on State Government.**

There should be no economic impact.

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

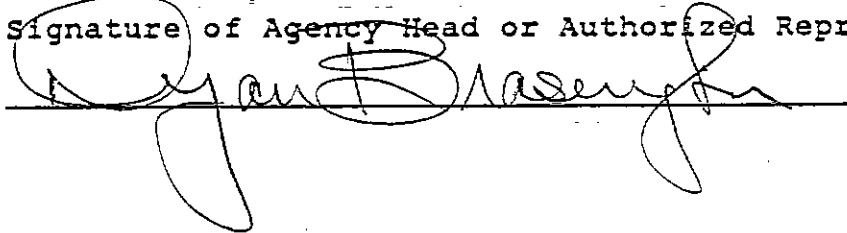
There should be no economic impact.

**C. Economic Impact on Citizens/Public at Large.**

There should be no economic impact.

**Date:** 7-16-93

**Signature of Agency Head or Authorized Representative**



## PROCEDURAL RULE SUMMARY

West Virginia Code §13-2C-21(e) provides the West Virginia Development Office (formerly "Governor's Office of Community and Industrial Development") with oversight authority of industrial revenue bond apportionments to purchasers or owners of proposed commercial or industrial projects. The above cited section provides a maximum per year total dollar amount for such bonding authority. Further, subdivision (e) states that the allocations must be on a "first come, first serve basis."

Given that West Virginia Code §13-2C-21 contains yearly maximum bonding amounts and a "first come, first serve" allocation scheme, the Rule is necessary for it provides a specific and equitable application procedure thereby halting the practice of applying months, or even years, in advance for such industrial revenue bonds.