

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

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OCT 23 1 52 PM '92

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Economic Development Authority TITLE NUMBER: 117
RULE TYPE: Procedural; CITE AUTHORITY W.Va. Code, § 6-9A-1 et seq.
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 PROPOSED: Series 2

TITLE OF RULE BEING PROPOSED: Meetings and Meeting Notices

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 November 24, 1992 AT 5:00 p.m.

ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

David Warner

Director

West Virginia Economic Development Authority

State Capitol Complex, Bldg. 6, Room 525

Charleston, West Virginia 25305

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

David Warner

David Warner
Director

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

2-80



DEPARTMENT OF COMMERCE, LABOR & ENVIRONMENTAL RESOURCES
OFFICE OF THE SECRETARY
State Capitol, Room R-151
Charleston, West Virginia 25305-0310
Telephone: (304) 558-3255
Fax No.: (304) 558-4983

GASTON CAPERTON
Governor

JOHN M. RANSON
Cabinet Secretary

October 22, 1992

David Warner
Executive Director
WV Economic Development Authority
State Capitol Complex
Bldg. 6, Room 525
Charleston, West Virginia 25305

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RE: Proposed Rule - Title 117, Series 2, (Meetings and Meeting Notice)

Dear David:

Pursuant to West Virginia Code §5F-2-2(a)(12), I hereby consent to the proposal of the rule specified above.

You may attach a copy of this letter to your filing with the Secretary of State as evidence of my consent.

Sincerely yours,

John M. Ranson
John M. Ranson
Cabinet Secretary

JMR:cjb
T:WV-EDA.RUL

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Meetings and Meeting Notices

Type of Rule: Legislative Interpretive X Procedural

Agency West Virginia Economic Development Authority Address Capitol Complex
Building 6, Room 525, Charleston, West Virginia 25305

| 1. Effect of Proposed Rule | ANNUAL | | FISCAL YEAR | | |
|----------------------------|----------|----------|-------------|------|------------|
| | Increase | Decrease | Current | Next | Thereafter |
| Estimated Total Cost | \$ | \$ | \$ | \$ | \$ |
| Personal Services | 0 | 0 | 0 | 0 | 0 |
| Current Expense | 0 | 0 | 0 | 0 | 0 |
| Repairs and Alterations | 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:

These procedural rules, pursuant to W.Va. Code, §6-9A-1 et seq., contain provisions regarding: (1) the notice given of all regularly scheduled, special & emergency meetings of the Board of WVEDA; (2) the public's attendance at Board meetings; and (3) appearances before the Board by members of the public at Board meetings.

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: October 23, 1992

Signature of Agency Head or Authorized Representative


David A. Warner

David A. Warner, Director

SUMMARY OF PROPOSED RULE
117 CSR SERIES 2
MEETINGS AND MEETING NOTICES
WEST VIRGINIA ECONOMIC DEVELOPMENT AUTHORITY

This procedural rule, pursuant to W.Va. Code, §6-9A-1 et seq., contains provisions regarding:

1. The notice given of all regularly scheduled, special and emergency meetings of the Board of the West Virginia Economic Development Authority;
2. The public's attendance at Board meetings; and
3. Appearances before the Board by members of the public at Board meetings.



David Warner
Director

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TITLE 117
PROCEDURAL RULE
WEST VIRGINIA ECONOMIC DEVELOPMENT AUTHORITY

OCT 23 1 52 PM '92

SERIES 2
MEETINGS AND MEETING NOTICES

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

§117-2-1. General.

1.1 Scope. -- This procedural rule governs the notice given of all regularly scheduled, special and emergency meetings of the Board of the West Virginia Economic Development Authority.

1.2 Authority. -- W. Va. Code §6-9A-1 et seq.

1.3 Filing Date. -- _____, 1992

1.4 Effective Date. -- _____, 1992

§117-2-2. Definitions.

2.1 "Board" means the governing body of the West Virginia Economic Development Authority.

2.2. "Person" means any individual, trust, estate, partnership, corporation, association, or any other legal entity recognized by the State of West Virginia.

§117-2-3. Regular Meetings.

3.1. The Board shall hold regular meetings on the third Thursday of each month; provided, that when such date falls upon a legal holiday, the Board may designate another date for the regular meeting.

3.2. The Board shall commence all regular meetings at 1:30 p.m. unless otherwise specified in the notice of any such meeting.

3.3. All regular meetings shall be conducted at Room 607, Building 6, of the State Capitol Complex in Charleston unless

otherwise specified in the notice of any such meeting.

3.4. All regular meetings shall be general meetings for the consideration of any and all matters which may properly come before the Board.

3.5. Except in the event of an emergency requiring immediate official action by the Board, notice of all regular meetings of the Board shall be filed in a manner to allow each notice to appear in the State Register published by the West Virginia Secretary of State at least five (5) days prior to the date of the meeting. Each such regular meeting notice shall state the time, place and purpose of the meeting. Such notice shall also be made available to the news media in a manner determined by the Board.

§117-2-4. Special Meetings.

4.1. Special meetings of the Board shall be for the consideration of only those matters designated by the Board members requesting the meeting unless otherwise changed by the Board.

4.2. Except in the event of an emergency requiring immediate official action by the Board, notice of all special meetings of the Board shall be filed in a manner to allow each notice to appear in the State Register published by the West Virginia Secretary of State at least five (5) days prior to the date of the meeting. Each such special meeting notice shall state the time, place and purpose of the meeting. Such notice shall also be made available to the news media in a manner determined by the Board.

§117-2-5. Emergency Meetings.

5.1. In the event of an emergency requiring immediate official action by the Board, notice of the emergency meeting of the Board shall be filed at any time prior to the meeting with the West Virginia Secretary of State for publication in the State Register. Each such emergency meeting notice shall state the time, place and purpose of the meeting and the facts and circumstances of the emergency. Such notice shall also be made available to the news media in a manner determined by the Board.

§117-2-6. Open Proceedings.

6.1. All meetings of the Board shall be open to the public, except as when the Board holds an executive session pursuant to W. Va. Code §6-9A-4.

6.2. Any person desiring to address the Board at any meeting may do so provided that such person registers to address the Board no less than fifteen (15) minutes prior to the time the meeting is scheduled to commence.

6.3. The Board may cause the removal from any meeting of any member of the public who, as determined by the Board, is disrupting the meeting to the extent that orderly conduct of the meeting is compromised.

6.4. At any meeting where there is not room enough for all members of the public who wish to attend, the Board shall create and enforce reasonable guidelines for public attendance.