

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #5

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Nov 30 2 22 PM '92

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: West Virginia Economic Development Authority TITLE NUMBER: 117

CITE AUTHORITY: W. Va. Code § 6-9A-1 et seq.

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: Series 2

TITLE OF RULE BEING ADOPTED: Meetings and Meeting Notices

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS January 1, 1993

David Warner

David Warner
Director

3.80



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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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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: November 30, 1992

Signature of Agency Head or Authorized Representative

David A. Warner

David A. Warner, Director

SUMMARY OF PROCEDURAL 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

David Warner
Director

FILED

TITLE 117
PROCEDURAL RULE
WEST VIRGINIA ECONOMIC DEVELOPMENT AUTHORITY

Nov 30 2 23 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. This procedural rule also governs the public's attendance at such meetings as well as appearances before the Board by members of the public at such meetings.

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

1.3 Filing Date. -- November 30, 1992

1.4 Effective Date. -- January 1, 1993

§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.

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Nov 30 2 22 PM '92

November 30, 1992

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

TO: West Virginia Secretary of State

FROM: David Warner, Director
West Virginia Economic Development Authority

RE: Comment Period on the Proposed Procedural Rule
Title 117, Series 2

Please be advised that no written comments were received during the October 23, 1992 through November 24, 1992 comment period with regard to the above-referenced Procedural Rule entitled "Meetings and Meeting Notices." No amendments were made to the proposed Procedural Rule.



RECEIVED

JUN 16 1993

WILLIAM H. HARRINGTON
Chief of Staff

JUDY COOPER
Director, Administrative Law

DONALD R. WILKES
Director, Corporations

(Plus all the volunteer
help we can get)

FAX: (304) 558-0900

KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

A. RENEE COE
Deputy Secretary of State

CATHERINE FREROTTE
Executive Assistant

Telephone: (304) 558-6000
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STATE OF WEST VIRGINIA

WVEDA

SECRETARY OF STATE

Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

TO: Elizabeth A. Shabb

AGENCY: Economic Development Authority

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: June 11, 1993

THE ATTACHED RULE 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: 117 Economic Development Authority

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____

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

SIGNED: Judy R. Cooper

TITLE OF PERSON SIGNING: Deputy Director

DATE: 6/18/93

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.