

Form #2

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

2.50

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: West Virginia Ethics Commission

Type of Rule: X Legislative Interpretative Procedural

Agency: WV Ethics Commission Address 1207 Quarrier St.
4th Floor, Charleston WV 25301

1. Effect of Proposed Rule:	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$	\$	\$	\$	\$
Personal Services	None	None	None	None	None
Current Expense	"	"	"	"	"
Repairs and Alterations	"	"	"	"	"
Equipment	"	"	"	"	"
Other	"	"	"	"	"

2. Explanation of above estimates:

These rules will repeal and replace existing procedural rules on the same subject. There will be no net increase or decrease from the costs of existing procedures.

3. Objectives of these rules:

The purpose of these rules is to set forth the guidelines and procedures to be followed for requesting and issuing Advisory Opinions.

3. Is the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

N/A

b. Date of hearing: N/A

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

N/A

d. Attach findings and determinations and reasons:

Attached N/A

SUMMARY

TITLE 158 LEGISLATIVE RULES

SERIES 2, ADVISORY OPINIONS

These proposed legislative rules will repeal and replace existing procedural rules, Series 2, on the same subject matter. These rules set forth the procedures for submission of advisory opinion requests as well as the commission's handling of such requests.

SERIES 2

FILED

ADVISORY OPINIONS

1992 JUL -7 AM 9:13

158-2-1 General Provisions

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

1.1 Scope--These legislative rules and regulations set forth the practice and procedure established by the West Virginia Ethics Commission for carrying out its responsibilities in the issuance of advisory opinions pursuant to the West Virginia Governmental Ethics Act, (hereafter referred to as the "Act") West Virginia Code section one, article one, chapter six-B, et seq.

1.2 Authority-- W.Va. Code §§6B-2-1(e) and -2-3

1.3 Filing Date--

1.4 Effective Date--

1.5 These Rules repeal and replace Title 158, Procedural Rules for the West Virginia Ethics Commission, Series 2, Advisory Opinions.

158-2-2 Advisory Opinions

2.1 All requests for advisory opinions must be written and directed to the West Virginia Ethics Commission at the Litton Building, 1207 Quarrier Street, Charleston, West Virginia 25301.

2.2 All requests for advisory opinions must contain the name, address and telephone number of the requestor in the event additional information is needed.

2.3 All requests for advisory opinions should fully describe the requestor's official position, employment, or status under the Act.

2.4 All requests for advisory opinions should contain an explanation or paragraph summarizing the conduct for which the request is being made.

2.5 The Commission shall respond within thirty days from the receipt of the request by issuing an advisory opinion on the matter raised in the request. The date of receipt by the Commission shall be at the next regular monthly meeting.

2.6 When additional information is needed to fully respond to the advisory opinion request the thirty day period may be extended until the necessary information is supplied by the requestor or until the next regular meeting.

2.7 All advisory opinions shall be published and indexed in the Code of State Rules by the Secretary of State whose office can provide copies upon request.



STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION

State Capitol
Charleston, WV 25305

Gaston Caperton
Governor

Chuck Polan
Secretary

September 15, 1992

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CHUCK POLAN
SECRETARY

Honorable Ken Hechler
Secretary of State
Building 1, Suite 157-K
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Re: Ethics Commission Rule---158 CSR 2

Dear Mr. Hechler:

Approval is hereby given for filing of the enclosed rule of the Ethics Commission, 158 CSR 2, entitled "**Advisory Opinions**," in accordance with West Virginia Code §5F-2-2(a)(12).

Sincerely,

Chuck Polan
Secretary

CP:bt

cc: Richard M. Alker