

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #5

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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 Ethics Commission TITLE NUMBER: 158

CITE AUTHORITY: Procedural

RULE TYPE: PROCEDURAL x INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE _____

CITE STATUTE(s) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

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 ADOPTED: 3

TITLE OF RULE BEING ADOPTED: Procedural Rules for the West
Virginia Ethics Commission

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS June 1, 1990

Lynne Hanson
Legal Counsel
WV Ethics Commission

2.20

SERIES 3

COMPLAINTS

158-3-1 General

~~1.1 A verified complaint is one written and duly verified by oath or affirmation by a notary public.~~

1.1 Scope--The following procedural rules and regulations set forth the practice and procedure established by the West Virginia Ethics Commission for carrying out its responsibilities in the administration and enforcement of 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 A duly verified complaint shall be filed with the Executive Director of the Ethics Commission, at the Litton Building, 1205 Quarrier Street, Charleston, West Virginia 25301.~~

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

~~1.3 The Executive Director or his designee shall within three days of receipt acknowledge the complaint by first class mail.~~

1.3 Filing Date--

1.4 Effective Date--

1.5 Verified Complaints

1.6 A verified complaint is one written and duly verified by oath or affirmation by a notary public.

1.7 A duly verified complaint must be filed with the Ethics Commission, at the Litton Building, 1207 Quarrier Street, Charleston, West Virginia 25301.

1.8 The Executive Director or his designee shall within three days of receipt in the office of the Commission acknowledge the complaint by first class mail.

****3-2 Unverified complaints**

~~2.1 In the absence of a verified complaint but where the Commission receives or discovers information which may merit an inquiry as to whether a violation of the Act has occurred, the Commission may by an affirmative vote of seven of its members appoint an investigative panel to make a probable cause determination.~~

~~2.2 The investigative panel must determine whether there is probable cause to believe a violation of the Act has occurred.~~

KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

A. RENEE COE
Deputy Secretary of State

CATHERINE FREROTTE
Executive Assistant

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SECRETARY OF STATE

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WILLIAM H. HARRINGTON
Chief of Staff

JUDY COOPER
Director, Administrative Law

DONALD R. WILKES
Director, Corporations

(Plus all the volunteer
help we can get)

TO: Bob LaMont

AGENCY: Ethics Commission

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: July 6, 1992

THE ATTACHED RULE RECENTLY 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: 3 TITLE: 158 Ethics Commission

* 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: Robert T. Gannett

TITLE OF PERSON SIGNING: COUNSEL

DATE: 7/15/92

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