

WEST VIRGINIA
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #3

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JAN 31 PM 3:06

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: Dept. of Admn., WV Ethics Commission TITLE NUMBER: 158

CITE AUTHORITY WV Code Section 6B-2-5(c)(4) & 6B-2-1(a)

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: 158-10

TITLE OF RULE BEING PROPOSED: Contributions

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

Ron. Allen

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

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Rule Title: 158-10 Contributions

Type of Rule: X Legislative Interpretive Procedural

Dept. of Administration
Agency W V Ethics Commission Address 1207 Quarrier St.
Charleston, WV 25301

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

2. Explanation of above estimates:

No additional costs are anticipated

3. Objectives of these rules:

To establish guidelines concerning contributions for the WV Ethics Commission members and persons covered under the WV Governmental Ethics Act.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

NONE

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

NONE

C. Economic Impact on Citizens/Public at Large.

NONE

Date: 11/30/91

Signature of Agency Head or Authorized Representative

Ron Allen

DATE: 1/30/91

FILED

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE
FROM: Richard Alker, Executive Director, WV Ethics Commission
LEGISLATIVE RULE TITLE: Contributions 158-10

JAN 31 PM 3:07
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

1. Authorizing statute(s) citation WV Code Sec. 6B-2-5(c)(4) & 6B-2-1(a)

2. a. Date filed in State Register with Notice of Hearing:
August 8, 1990

b. What other notice, including advertising, did you give of the hearing?

none

c. Date of hearing (s): Comment period ended Sept. 14, 1990

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached No comments received xx

e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing:
(be exact)

1-30-91

f. Name and phone number of agency person to contact for additional information:

Richard Alker, Executive Director

WV Ethics Commission

348--0664

3. If 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: _____

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

d. Attach findings and determinations and reasons:

Attached

SUMMARY

158-10 CONTRIBUTIONS

These legislative rules establish guidelines concerning contributions for the WV Ethics Commission members and persons covered under the WV Governmental Ethics Act.

SERIES 10

158-10-1 CONTRIBUTIONS

1.1 Scope -- These legislative rules establish guidelines concerning contributions for the WV Ethics Commission members and persons covered under the WV Governmental Ethics Act.

1.2 Authority -- WV Code 6B-2-1(a) and 6B-2-5(c)(4)

1.3 Filing Date --

1.4 Effective Date --

158-10-2 Political campaign contributions

Public officials and public employees are permitted to give or accept lawful political campaign contributions.

158-10-3 Permitted campaign contributions

3.1 Members of the Ethics Commission are permitted to contribute to a political campaign when the candidate is required to publicly report and disclose the amount or type of contribution.

3.2 If a West Virginia Ethics Commission member has contributed to a political candidate in any manner, that member shall recuse himself from any official discussion or vote regarding this public official or candidate.

3.3 West Virginia Ethics Commission members are prohibited from holding an office for a political candidate, such as a campaign manager or treasurer.

3.4 West Virginia Ethics Commission members are prohibited from using their official title or position in the endorsement or support of any candidate.

158-10-4 Ballot Issue

West Virginia Ethics Commission Members are **not permitted** to participate in a campaign relating to a ballot issue regarding:

- a. Bond issue
- b. Levy
- c. Referendum, or
- d. Constitutional Amendment.

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STATE OF WEST VIRGINIA
WEST VIRGINIA ETHICS COMMISSION
4TH FLOOR — LITTON BUILDING
1207 QUARRIER STREET
CHARLESTON, WEST VIRGINIA 25301
(304) 348-0664

RICHARD M. ALKER
EXECUTIVE DIRECTOR

FILED

1991 JAN 31 PM 3:06

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

TO: The Honorable Ken Hechler, Secretary of State
FROM: Richard Alker, Executive Director
DATE: January 30, 1991
SUBJECT: Contributions 158-10

A comment period was held on the proposed rule, ending on September 14, 1990. No comments were received. Therefore, the proposed rule is filed for your review.

Enclosures