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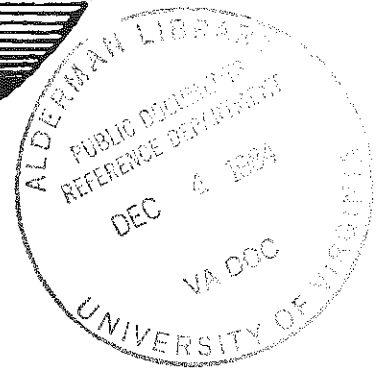
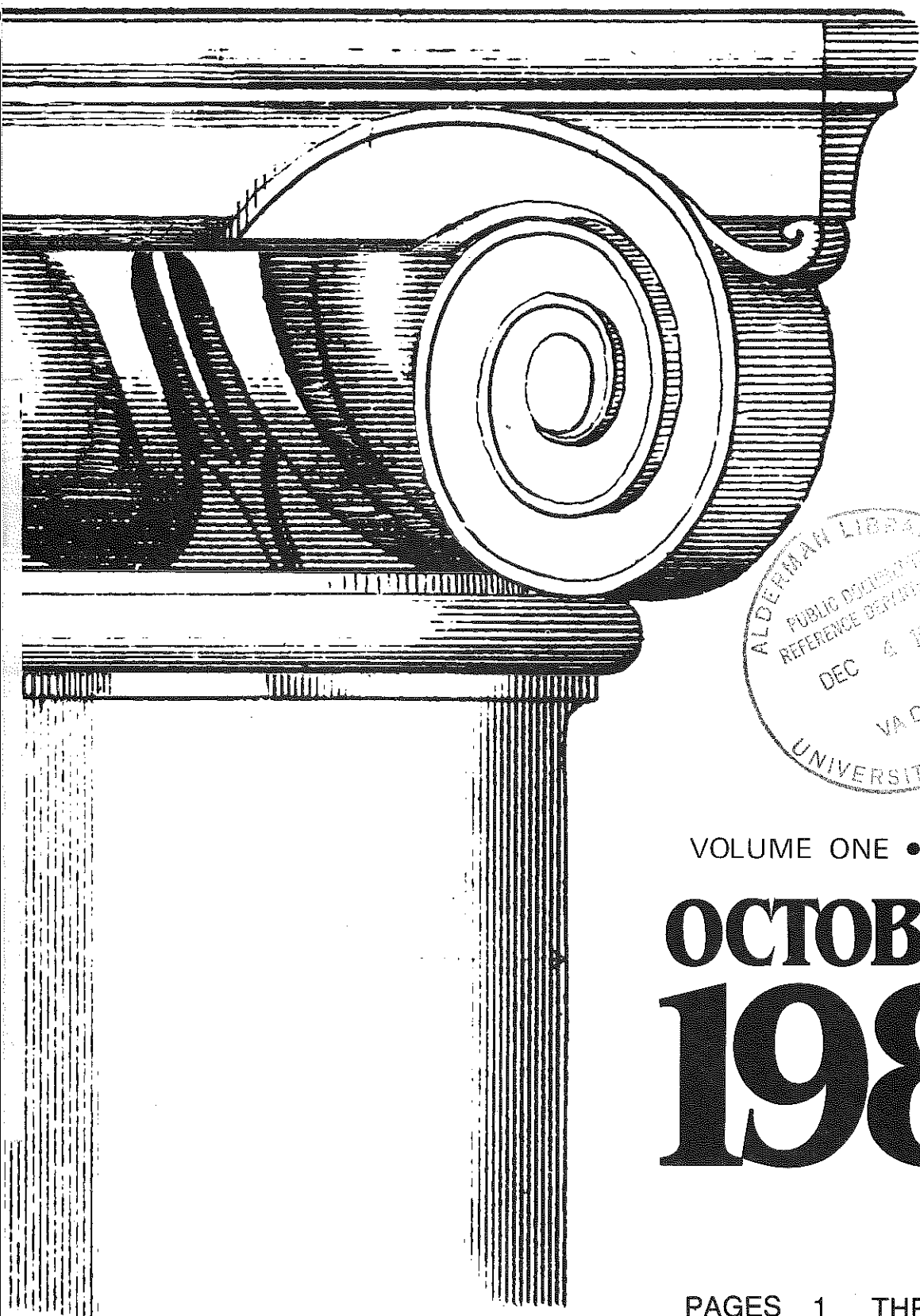
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# THE VIRGINIA REGISTER

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VOLUME ONE • ISSUE ONE

# OCTOBER 15 1984

PAGES 1 THROUGH 36

## VIRGINIA REGISTER

The *Virginia Register* is an official state publication issued every other week throughout the year. Indexes are published quarterly, and the last index of the year is cumulative.

The *Virginia Register* has several functions. The full text of all regulations, both as proposed and as finally adopted or changed by amendment are required by law to be published in the *Virginia Register of Regulations*.

In addition, the *Virginia Register* is a source of other information about state government, including all Emergency Regulations issued by the Governor, and Executive Orders, the *Virginia Tax Bulletin* issued monthly by the Department of Taxation, and notices of all public hearings and open meetings of state agencies.

### ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS

An agency wishing to adopt, amend, or repeal regulations must first publish in the *Virginia Register* a notice of proposed action; a basis, purpose, impact and summary statement; a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations.

Under the provisions of the Administrative Process Act, the Registrar has the right to publish a summary, rather than the full text, of a regulation which is considered to be too lengthy. In such case, the full text of the regulation will be available for public inspection at the office of the Registrar and at the office of the promulgating agency.

Following publication of the proposal in the *Virginia Register*, sixty days must elapse before the agency may take action on the proposal.

During this time, the Governor and the General Assembly will review the proposed regulations. The Governor will transmit his comments on the regulations to the Registrar and the agency and such comments will be published in the *Virginia Register*.

Upon receipt of the Governor's comment on a proposed regulation, the agency (i) may adopt the proposed regulation, if the Governor has no objection to the regulation; (ii) may modify and adopt the proposed regulation after considering and incorporating the Governor's suggestions, or (iii) may adopt the regulation without changes despite the Governor's recommendations for change.

The appropriate standing committee of each branch of the General Assembly may meet during the promulgation or final adoption process and file an objection with the *Virginia Registrar* and the promulgating agency. The objection will be published in the *Virginia Register*. Within twenty-one days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative Committee, and the Governor.

When final action is taken, the promulgating agency must again publish the text of the regulation, as adopted, highlighting and explaining any substantial changes in the final regulation. A thirty-day final adoption period will commence upon publication in the *Virginia Register*.

The Governor will review the final regulation during this time and if he objects, forward his objection to the Registrar and the agency. His objection will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation are substantial, he may suspend the regulatory process for thirty days and

require the agency to solicit additional public comment on the substantial changes.

A regulation becomes effective at the conclusion of this thirty-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the twenty-one day extension period; or (ii) the Governor exercises his authority to suspend the regulatory process for solicitation of additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified which date shall be after the expiration of the period for which the Governor has suspended the regulatory process.

Proposed action on regulations may be withdrawn by the promulgating agency at any time before final action is taken.

### EMERGENCY REGULATIONS

If an agency determines that an emergency situation exists, it then requests the Governor to issue an emergency regulation. The emergency regulation becomes operative upon its adoption and filing with the Registrar of Regulations, unless a later date is specified. Emergency regulations are limited in time and cannot exceed a twelve-months duration. The emergency regulations will be published as quickly as possible in the *Virginia Register*.

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures (See "Adoption, Amendment, and Repeal of Regulations," above). If the agency does not choose to adopt the regulations, the emergency status ends when the prescribed time limit expires.

### STATEMENT

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 of Chapter 1.1:1 (§§ 9-6.14:6 through 9-6.14:9) of the Code of Virginia be examined carefully.

### CITATION TO THE VIRGINIA REGISTER

The *Virginia Register* is cited by volume, issue, page number, and date. 1:3 VA.R. 75-77 November 12, 1984 refers to Volume 1, Issue 3, pages 75 through 77 of the *Virginia Register* issued on November 12, 1984.

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**Members of the Virginia Code Commission:** Theodore V. Morrison, Jr., Chairman, Delegate; Dudley J. Emick, Jr., Vice Chairman Senator; A. L. Philpott, Speaker of the House of Delegates; James P. Jones, Senator; Russell M. Carneal, Circuit Judge; John Wingo Knowles, Retired Circuit Judge; William G. Broadus, Chief Deputy Attorney General; John A. Banks, Jr., Secretary, Director of the Division of Legislative Services.

**Staff of the Virginia Register:** Joan W. Smith, Registrar of Regulations; Ann M. Brown, Assistant Registrar of Regulations.

**Citizen Participation in the Rule-Making Process**

As required by the Administrative Process Act, each agency of the Commonwealth is required to develop, adopt and utilize public participation guidelines for soliciting the input of interested parties in the formation and development of its regulations.

Citizens may participate in the process by which administrative regulations are adopted, amended, or repealed by submitting data or views on proposed regulations either orally or in writing, to the proposing agency (see General Notices and Calendar of Events sections of the *Virginia Register*).

**How to Follow State Agency Regulatory Action in the Virginia Register**

Under the provisions of the Administrative Process Act, state agencies must publish in the *Virginia Register* the full text of proposed rules and regulations, if substantive, as well as a summary statement.

In addition, the agency is required to provide a public comment period and hold a public hearing. A notice of hearing will be published sixty days prior to the hearing. Such notices are published in the CALENDAR OF EVENTS section of the *Virginia Register*. Proposed regulations and adopted regulations are published in separate sections of the *Virginia Register*.

All executive orders and comments on regulations issued by the Governor are published under the GOVERNOR section.

The CALENDAR OF EVENTS section not only contains the notices of public comment periods and hearings but also all notices of meetings required to be open under the provisions of the Freedom of Information Act.

**VIRGINIA REGISTER OF REGULATIONS  
PUBLICATION DEADLINES AND SCHEDULES**

ISSUE DATE	MATERIAL SUBMITTED BY 4:30 p.m. Friday	Will be included in PUBLICATION MAILED on Friday
Oct. 15 .....	Sept. 28 .....	Oct. 12
Oct. 29 .....	Oct. 12 .....	Oct. 26
Nov. 12 .....	Oct. 26 .....	Nov. 9
Nov. 26 .....	Nov. 9 .....	Nov. 23
Dec. 10 .....	Nov. 23 .....	Dec. 7
Dec. 24 .....	Dec. 7 .....	Dec. 21
Jan. 7 .....	Dec. 21 .....	Jan. 4
Jan. 21 .....	Jan. 4 .....	Jan. 18
Feb. 4 .....	Jan. 18 .....	Quarterly Index
Feb. 18 .....	Feb. 1 .....	Feb. 1
Mar. 4 .....	Feb. 15 .....	Feb. 15
Mar. 18 .....	Mar. 1 .....	Mar. 1
Apr. 1 .....	Mar. 15 .....	Mar. 15
Apr. 15 .....	Mar. 29 .....	Mar. 29
Apr. 29 .....	Apr. 12 .....	Apr. 12
May 13 .....	Apr. 26 .....	Quarterly Index
May 27 .....	May 10 .....	Apr. 26
June 10 .....	May 24 .....	May 10
June 24 .....	June 7 .....	May 24
July 8 .....	June 21 .....	June 7
July 22 .....	July 5 .....	June 21
Aug. 5 .....	July 19 .....	July 5
Aug. 19 .....	Aug. 2 .....	Quarterly Index
Sept. 2 .....	Aug. 16 .....	July 19
Sept. 16 .....	Aug. 30 .....	July 19
Sept. 30 .....	Sept. 13 .....	Aug. 2
		Aug. 16
		Aug. 30
		Sept. 13
		Sept. 27
		Quarterly Index

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# TABLE OF CONTENTS

---

## PROPOSED REGULATIONS

### AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF

Division of Product and Industry Regulation Declaration of Small Whorled Pogonia as an Endangered Plant Species (§ 115-04-01) .....	2
---	---

### HIGHER EDUCATION, COUNCIL OF

Guidelines for Public Participation in the Development and Promulgation of Regulations (§ 380-01-1) .....	2
---	---

### HOUSING AND COMMUNITY DEVELOPMENT, BOARD OF

Public Participation Guidelines for Formation, Promulgation and Adoption of Regulations (§ 394-01-1) .....	4
--	---

### HOUSING AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Public Participaption Guidelines for Formation, Promulgation and Adoption of Regulations (§ 395-01-1) .....	5
---	---

## FINAL REGULATIONS

Notice .....	8
--------------	---

## GOVERNOR

Executive Order No. 51 (84) Review of Regulations Proposed by State Agencies .....	9
Executive Order No. 52 (84) Review of Existing Regulations by State Agencies .....	11

## VIRGINIA TAX BULLETIN

Virginia Tax Bulletin No. 84-20 Proposed Advertising and Software Regulations Withdrawn .....	18
---	----

## GENERAL NOTICES/ERRATA

Notices of Intended Regulatory Action .....	19
General Notices .....	20

## CALENDAR OF EVENTS

Executive Open Meetings and Public Hearings .....	21
Legislative Open Meetings and Public Hearings .....	29
Chronological list of meetings .....	32

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# PROPOSED REGULATIONS

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## VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

### Title of Regulations: § 115-04-01. Declaration of Small Whorled Pogonia as an Endangered Plant Species

Statutory Authority: Endangered Plant and Insect Species  
Act (§§ 3.1-1020 through 3.1-1030, Code of Virginia)

#### Summary and Analysis:

*Small whorled pogonia is one of the rarest orchids in America. There are only approximately 1,000 plants known to exist in America among ten states from New England to Florida. Of the eleven known naturally occurring populations, two are in Virginia. If the regulation is adopted, it would be unlawful for any person to dig, otherwise collect, remove, transport or sell small whorled pogonia, except as authorized by the Commissioner of the Virginia Department of Agriculture and Consumer Services. Small whorled pogonia is also listed as endangered under the United States Endangered Species Act.*

Declaration of Small Whorled Pogonia as an Endangered  
Species.

§ 115-04-01.—*Small whorled pogonia, Isotria medeoloides, of the Orchidaceae family, is hereby declared an endangered species as defined in § 3.1-1021 of the Code of Virginia, which section is a part of the Virginia Endangered Plant and Insect Species Act, and is subject to all sections of the Virginia Endangered Plant and Insect Species Act in order to preserve those specimens that exist in this Commonwealth.*

## STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

### Title of Regulations: § 380-01-1 Guidelines for Public Participation in the Development and Promulgation of Regulations

Statutory Authority: §§ 23-9.3 through 23-9.14; Chapter 4.1,  
4.4, 4.4:1, 4.7, 21, Code of Virginia.

#### Summary and Analysis:

*The Council of Higher Education, as a general rule, will notify and seek comments from the president or chancellor of each state-supported college and university and the president or chancellor of each independent college and university whenever any proposed regulations might directly or indirectly affect their institutions. In addition, the Council will notify and seek comments from all persons whose names are included on the Council's mailing list.*

*Prior to the development of any regulations, the Council will prepare and publish in the Virginia Register a Notice of Intent to Develop Regulations, thereby providing 30 days for the public to comment*

*before proceeding with the development of proposed regulations. After taking into consideration any comments, the Council will publish a hearing notice at least 60 days prior to holding a public hearing on the proposed regulations and widely distribute copies of the "draft" regulations to interested persons. Following the public hearing, at which citizens will be offered ample opportunity to make oral or written comments, the Council will consider such comments before taking final action to adopt the proposed regulations. The Council's final action on the proposed regulations will be reported in a general news release and announced in the Virginia Register. The regulations then shall become effective 30 days following their publication in the Register.*

*The Guidelines also provide for the Council to adopt, when necessary, emergency regulations, with the approval of the Governor, which do not require the normal 60-day period for public comment.*

### § 380-01-1. Guidelines for Public Participation in the Development and Promulgation of Regulations

#### §1. Purpose

*In developing any proposed new or revised regulation, or when considering the repeal of an existing regulation, the State Council of Higher Education for Virginia ("the Council") will solicit comments from officials of institutions of higher education, appropriate organizations and associations, and interested citizens. These guidelines outline the procedures to be used by the Council in encouraging the participation of all interested persons in the formation and development of regulatory proposals under Virginia's Administrative Process Act.*

*The guidelines are based on the principle that interested citizens have both a right and a responsibility to take part in the governmental process, that government functions best when it provides for participation by the public, and that a state agency should impose only those requirements which are absolutely necessary to implement the agency's statutory responsibilities.*

*The guidelines shall apply to all regulations proposed or promulgated by the Council which are subject to the Administrative Process Act.*

#### § 2. Initiation of Regulations and Identification of Interested Parties

*The Council may initiate proposed regulations at any time. Prior to the development of any regulations, however, the Council shall identify institutional officials, persons, and groups who might be interested in or affected by the regulations to be proposed. Because of the nature of the Council's mission, there are certain regulatory functions in which all citizens may have an interest. In these instances, the public at large will be regarded as the interested party. At other times, when proposed regulations will be more limited in its effect, the Council will identify*

# Proposed Regulations

certain institutional officials, individuals, groups, associations, and organizations that have an interest in the matter to be considered.

As a general rule, the Council will notify the president or chancellor of each state-supported college and university in Virginia when regulations are to be developed. The president or chancellor of each independent college and university in Virginia will be notified of any regulations to be developed pertaining to the Tuition Assistance Grant Program or to any other matter which might directly or indirectly affect private institutions. In addition, the Council will notify all persons whose names are included on the Council's mailing list, including institutional officials and private citizens, when regulations are to be developed.

The Council's mailing list will be revised at least every other year to ensure that it is current.

## § 3. Notification of Interested Parties

A. Notice of Intent - Prior to the development of any regulations, the Council shall prepare a Notice of Intent to Develop Regulations (Notice). The Notice will contain a brief and concise statement regarding the purpose of the regulations and invite all interested persons to provide written comments within 30 days of the publication of the Notice in the Virginia Register. At least two weeks prior to its publication date, the Notice shall be submitted to the Registrar of Regulations for inclusion in the Virginia Register. On or about the publication date of the Notice in the Register, the Council using its mailing list as described in Section II, will directly notify persons of its intent to develop the regulations.

B. Proposal of Regulations - After consideration of all public comments received within the 30-day period, the Council shall prepare the proposed draft regulations. All drafts of the regulations will be labeled with word "draft" and dated.

## § 4. Public Participation

The Council shall submit a copy of the "draft regulations" to the Registrar of Regulations, who will publish a hearing notice in the Virginia Register and in appropriate newspapers identified by the Council at least 60 days prior to the public hearing. A copy of the "draft regulations" will be provided to all persons who responded to the Notice of Intent. The Council will also send a copy of the "draft regulations" to all other parties, including individuals on the Council's mailing list, who have been identified during the development process as either having an interest in or potentially being affected by the proposed regulations.

In any matter considered to be of interest to the general public, the Council will prepare a news release and distribute it to daily and weekly newspapers, radio and television stations, and news wire services serving

Virginia. The news release will include information about the subject matter and the purpose of the regulations under consideration and will announce the opportunity for public comment, including the time, date, and place of the scheduled public hearing.

Copies of "draft regulations" will be available for public inspection at the Council's office in Richmond at the address contained in § 7 of these Guidelines and at the office of the Registrar of Regulations.

During the 60-day public participation period, the following persons and officials will have an opportunity to review and comment on the proposed regulations:

1. the public;
2. The Governor;
3. the General Assembly;
4. the Secretary of Education; and
5. the Attorney General.

The Council will hold a public hearing on any proposed regulations as prescribed in the hearing notice published in the Register. The public hearing normally will be held in Richmond in the Council's conference room. The Council may hold the hearing in another location if the proposed regulations are of special interest to institutions or citizens in a particular geographic area. If determined desirable, the Council may hold a public hearing on proposed regulations in several locations throughout the state.

To the extent possible, a hearing will be conducted at a time which is generally convenient for officials, persons, and organizations most directly affected by the matter under consideration.

The public will be offered an opportunity to make oral or written comment with regard to any proposed regulations. Persons addressing the proposed regulations at a public hearing will be encouraged to provide written copies of their statements.

At the Council's discretion, the record of proceedings may be held open to provide additional time for receiving written comments following the conclusion of the public hearing.

## § 5. Emergency Regulations

From time to time, it may be necessary to enact emergency regulations which do not allow the normal 60-day period for public comment. The Administrative Process Act recognizes this possibility and permits enactment of emergency regulations with the approval of the Governor. In these instances, the emergency regulations will become effective when filed with the Registrar of Regulations (unless a later effective date is given). The emergency regulations will be published in the next edition of the Virginia Register.

## § 6. Final Action on Proposed Regulations

# Proposed Regulations

Following the 60-day public participation period and the public hearing, the Council shall take final action to adopt proposed regulations. After the Council finally has acted, the action will be reported in a general news release and announced in the Virginia Register. Under § 9-6.14:9 of the Code of Virginia, regulations cannot become operative until 30 days after the final regulations, as approved by the particular board, have been published in the Virginia Register.

## § 7. Copies of Regulations

The Council will print copies of adopted regulations.

Copies of adopted regulations may be obtained by writing the Associate Director, State Council of Higher Education for Virginia, James Monroe Building, 101 North Fourteenth Street, Richmond, VA 23219

## § 8. Effective Date of Guidelines

These guidelines shall become effective January 15, 1985, or as soon thereafter as is practicable under the provisions of the Virginia Register Act and the Administrative Process Act.

## BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

### Title of Regulations: § 394-01-1. Public Participation Guidelines for Formation, Promulgation and Adoption of Regulations

Statutory Authority: § 9-6.14:7 of the Code of Virginia

#### Summary and Analysis:

These regulations establish guidelines for participation by interested parties in the formation, development, and adoption of the regulations that the Board of Housing and Community Development is required to promulgate by state law.

Comments Solicited: Under the Administrative Process Act, the Board of Housing and Community Development is required to evaluate the effectiveness of any regulation that it adopts. As part of its evaluation plan, the agency invites suggestions for improvements to these regulations at any time.

### § 394-01-1. Public Participation Guidelines for Formation, Promulgation and Adoption of Regulations

#### Part I General Provisions

##### § 1.1 Definitions.

The following words and terms, when used in these

regulations, shall have the following meanings, unless the context clearly indicates otherwise:

“BOARD” means Board of Housing and Community Development.

“DEPARTMENT” means Department of Housing and Community Development.

“GUIDELINES” means the regulations adopted by the Board of Housing and Community Development for public participation in the formulation, promulgation and adoption of regulations.

“STAFF” means employees of the Department of Housing and Community Development or Board of Housing and Community Development.

##### § 1.2 Application.

These guidelines apply to all regulations adopted by the Board. They will be used whenever regulations are hereafter adopted, amended or deleted.

##### § 1.3 Periodic review.

It is the intent of the Board to conduct a periodic review of all regulations that have been adopted under state law. Such reviews will be undertaken at appropriate intervals as needed to keep the regulations up-to-date. These guidelines will be used in the review process.

#### Part II Public Participation

##### § 2.1 Mailing lists.

The Department will maintain lists of individuals, businesses, associations, agencies, and public interest groups which have expressed an interest, or which could reasonably be expected to have an interest, in the Board's regulations. The lists will be updated and expanded as new interested parties are identified. Deletions will be made when lack of interest is determined.

##### § 2.2 Notification.

The lists will be used to notify and solicit input to the regulatory revision process from interested parties. Selected mailings will be made independently of notices in the Virginia Register of Regulations and of notices in newspapers, advertising in Department newsletters, in trade and professional publications, and in public interest group publications will be used when appropriate.

##### § 2.3 Solicitation of input.

The staff of the Department will continually receive, retain and compile all suggestions for changes and improvements to the regulations. In addition, a notice of

# Proposed Regulations

intent to adopt or amend regulations will be published in the Virginia Register to solicit public input before drafting the proposals.

## § 2.4 Regulatory review workshops.

Before adoption or revision of the regulations, the Board may conduct one or more meetings for the general public to explain the review process and to solicit proposals for needed changes. At least thirty days' notice of such meetings will be published in the Virginia Register of Regulations and in a newspaper of general circulation published in the region in which the meeting is to be held, and in a newspaper of general circulation published at the State Capital. Press releases and other media will be used as needed. Selected interested persons and groups will be notified by mail.

## § 2.5 Preparation of preliminary draft.

The Board will prepare a preliminary draft of proposed amendments to the regulations based on public input received and on the results of its own study of the regulations.

## § 2.6 Ad hoc committee review.

The Board may establish an ad hoc advisory committee consisting of invited representatives of all groups believed to be affected by the regulations and the proposed amendments. The Board will give consideration to recommendations received from the committee, and will make appropriate revisions to the draft.

## § 2.7 Public hearings.

After completion of a final draft, the Board will convene at least one public hearing in accordance with the procedures required by the Administrative Process Act and the Virginia Register Act.

### Part III

#### Action on Comments of Governor and Legislature

## § 3.1 When Governor suspends process.

If the Governor suspends the regulatory process to require solicitation of additional public comment, the Board will do so in the manner prescribed by the Governor. If no specific method is required, the Board will employ one or more of the following procedures, as deemed necessary:

1. Consult with affected persons and groups.
2. Reconvene the ad hoc review committee for further consultation.
3. Advertise and conduct an additional public hearing under the procedures prescribed by the Administrative Process Act and the Virginia Register Act.

## § 3.2 Other legislative and executive comments.

If the Governor does not require solicitation of additional public comment, but does provide suggestions, or if further suggestions are received from the required legislative review during the thirty-day final adoption period, the Board will determine whether solicitation of additional public comment should be undertaken. If needed, one or more of the procedures described above may be used.

## USER ASSISTANCE

Information about the guidelines may be obtained from: Division of Building Regulatory Services, Department of Housing and Community Development, 205 North Fourth Street, Richmond, Virginia 23219, Telephone (804) 786-4751.

## DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

**Title of Regulations:** § 395-01-1. Public Participation Guidelines for Formation, Promulgation and Adoption of Regulations

**Statutory Authority:** § 9-6.14:7 of the Code of Virginia

### Summary and Analysis:

These regulations establish guidelines for participation by interested parties in the formation, development, and adoption of the regulations that the Director of the Department of Housing and Community Development is required to promulgate by state law.

**Comments Solicited:** Under the Administrative Process Act, the Director of the Department of Housing and Community Development is required to evaluate the effectiveness of any regulation that the Department adopts. As part of its evaluation plan, the Director invites suggestions for improvements to these regulations at any time.

§ 395-01-1. Public Participation Guidelines for Formation, Promulgation and Adoption of Regulations

### Part I General Provisions

## § 1.1 Definitions.

The following words and terms, when used in these regulations, shall have the following meanings, unless the context clearly indicates otherwise:

"DEPARTMENT" means Department of Housing and Community Development.

"DIRECTOR" means the Director of the Housing and Community Development.



# Proposed Regulations

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"GUIDELINES" means the regulations adopted by the Director for public participation in the formulation, promulgation and adoption of regulations.

"STAFF" means employees of the Department of Housing and Community Development.

## § 1.2 Application.

These guidelines apply to all regulations adopted by the Director. They will be used whenever regulations are hereafter adopted, amended or deleted.

## § 1.3 Periodic review.

It is the intent of the Director to conduct a periodic review of all regulations that have been adopted under state law. Such reviews will be undertaken at appropriate intervals as needed to keep the regulations up-to-date. These guidelines will be used in the review process.

## Part II Public Participation

### § 2.1 Mailing lists.

The Department will maintain lists of individuals, businesses, associations, agencies, and public interest groups which have expressed an interest, or which could reasonably be expected to have an interest, in the Director's regulations. The lists will be updated and expanded as new interested parties are identified. Deletions will be made when lack of interest is determined.

### § 2.2 Notification.

The lists will be used to notify and solicit input to the regulatory revision process from interested parties. Selected mailings will be made independently of notices in the Virginia Register of Regulations and of notices in newspapers. Advertising in Department newsletters, in trade and professional publications, and in public interest group publications will be used when appropriate.

### § 2.3 Solicitation of input.

The staff of the Department will continually receive, retain and compile all suggestions for changes and improvements to the regulations. In addition, a notice of intent to adopt or amend regulations will be published in the Virginia Register to solicit public input before drafting the proposals.

### § 2.4 Regulatory review workshops.

Before adoption or revision of the regulations, the Director may conduct one or more meetings for the general public to explain the review process and to solicit proposals for needed changes. At least thirty days' notice

of such meetings will be published in the Virginia Register of Regulations and in a newspaper of general circulation published in the region in which the meeting is to be held, and in a newspaper of general circulation published at the State Capital. Press releases and other media will be used as needed. Selected interested persons and groups will be notified by mail.

### § 2.5 Preparation of preliminary draft.

The Director will prepare a preliminary draft of proposed amendments to the regulations based on public input received and on the results of its own study of the regulations.

### § 2.6 Ad hoc committee review.

The Director may establish an ad hoc advisory committee consisting of invited representatives of all groups believed to be affected by the regulations and the proposed amendments. The Director will give consideration to recommendations received from the committee, and will make appropriate revisions to the draft.

### § 2.7 Public hearings.

After completion of a final draft, the Director will convene at least one public hearing in accordance with the procedures required by the Administrative Process Act and the Virginia Register Act.

## Part III Action on Comments of Governor and Legislature

### § 3.1 When Governor suspends process.

If the Governor suspends the regulatory process to require solicitation of additional public comment, the Director will do so in the manner prescribed by the Governor. If no specific method is required, the Director will employ one or more of the following procedures, as deemed necessary:

1. Consult with affected persons and groups.
2. Reconvene the ad hoc review committee for further consultation.
3. Advertise and conduct an additional public hearing under the procedures prescribed by the Administrative Process Act and the Virginia Register Act.

### § 3.2 Other legislative and executive comments.

If the Governor does not require solicitation of additional public comment, but does provide suggestions, or if further suggestions are received from the required legislative review during the thirty-day final adoption period, the Director will determine whether solicitation of additional public comment should be undertaken. If needed, one or more of the procedures described above may be used.

## USER ASSISTANCE

*Information about the guidelines may be obtained from: Division of Building Regulatory Services, Department of Housing and Community Development, 205 North Fourth Street, Richmond, Virginia 23219, Telephone (804) 786-4751.*

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# FINAL REGULATIONS

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## NOTICE

As a result of the changes made in the Administrative Process Act by the 1984 General Assembly, no agency will be able to adopt regulations in final form until the latter part of December. Therefore, the Virginia Register will not be publishing final regulations until mid-January, 1985.

The only exception to this will be the publishing of final regulations by the State Corporation Commission, the Commission of Game and Inland Fisheries and the Virginia Housing Authority, which are exempt from the Administrative Process Act (See § 9-6.14:4 of the Code of Virginia), but are required under § 9-6.14.22 to publish proposed and final regulations.

# GOVERNOR

## EXECUTIVE ORDER NUMBER 51 (84)

September 27, 1984

### Review of Regulations Proposed by State Agencies

In October of 1982, I created the Governor's Regulatory Reform Advisory Board and established, through Executive Policy Memorandum 1-82, the policy requiring review of state agency proposed regulations. Subsequently, the Secretary of Administration and Finance issued procedures to effect such reviews.

Now, as a result of recommendations of the Governor's Regulatory Reform Advisory Board and of changes in the duties and responsibilities of the Secretaries, I, by virtue of the authority vested in me by § 9-6.14:9.1 of the Code of Virginia, hereby establish new procedures for the review of all new or revised regulations proposed by state agencies. This executive order sets out the process and procedures to be followed during the review of proposed regulations.

While recognizing that the state government has an affirmative and inescapable duty to enforce regulations that protect the public safety and welfare, it is the policy of the Commonwealth of Virginia to conduct required regulatory activities in a manner that intrudes to the least possible extent into the legitimate functions of private enterprise and individual citizens. It is also the policy of the Commonwealth to strive to draft, adopt and enforce regulations that do not unnecessarily burden the activities of private businesses and citizens.

Because regulations are an important instrument of government control, it is vital that such regulations, both in form and substance, reflect a consistent and rational regulatory philosophy. Rational regulatory policy requires that regulations be subject to evaluation when drafted and prior to issuance. Therefore, as required by law, this review will have three parts: 1) a review by the Office of the Attorney General to ensure statutory authority exists for the proposed regulations; 2) an examination by the Governor to determine if the proposed regulations are necessary to protect the public health, safety, and welfare; and 3) an examination by the Governor to determine if the proposed regulations are clearly written and easily understandable.

#### APPLICABILITY

This executive order applies to the new and revised regulations proposed by state agencies in accordance with the Administrative Process Act (§ 9-6.14:1 et seq. of the Code of Virginia). For the purpose of this review, the definition of regulation, shall be as set forth in § 9-6.14:4, Code of Virginia.

#### I. AGENCY RESPONSIBILITIES

#### A. General Responsibilities

1. The head of a state agency that promulgates and enforces regulations shall appoint an Agency Regulatory Coordinator. The agency head will be held ultimately accountable for assuring that all mandated requirements are met.

2. The Coordinator should be knowledgeable as to the requirements and intent of:

a. The Administrative Process Act (§ 9-6.14:1 et seq., Code of Virginia);

b. The Virginia Register Act (§ 9-6.15 et seq., Code of Virginia);

c. The Governor's objectives for preparation and review of regulations; and

d. The meaning and expectations concerning the criteria for analysis of the proposed regulation.

3. The Coordinator shall serve as the agency's liaison with the Virginia Registrar of Regulations.

4. The Coordinator also shall conduct quality-control reviews of all proposed regulations and regulatory review packages to ensure that review criteria are met.

5. Each agency that promulgates regulations must prepare and adhere to written public participation guidelines for soliciting the input of interested parties in the formation and development of its regulations. These guidelines are required by § 9-6.14:7.1 of the Administrative Process Act.

a. Public participation guidelines must be used prior to and during the entire formulation, drafting, promulgation, and final adoption process of a regulation. These guidelines must include:

- Methods for the identification and notification of interested parties; and

- Specific means of seeking input from interested persons or groups.

b. In addition, whenever appropriate, these guidelines may provide for the use of standing or ad hoc advisory panels and consultation with groups and individuals registering interest in working with the agency.

c. Because public participation guidelines are regulations themselves, they should be submitted for review in accordance with the process required for all new or proposed regulations as set forth in this executive order.

B. Regulatory Review Submission: Each agency shall submit a regulatory review package meeting the requirements of this executive order to the Department of Planning and Budget (DPB), and to the Governor's Office

# Governor

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at the same time it submits proposed regulations to the Registrar of Regulations. As such, this review process shall run concurrently with the public comment period required under the Administrative Process Act.

The regulatory review package shall include a copy of the proposed regulations and an analysis of the proposal. For a proposed modification to an existing regulation, the format used should clearly show the current regulation, as well as proposed changes. The analysis should take the form of a single document and must contain the following components which are required as a result of Administrative Process Act mandates:

1. Statement of Purpose: The statement of purpose explains why the regulation exists, and the desired end result or objective of the regulation.
2. Estimated Impact:
  - a. Number and types of regulated entities or person affected;
  - b. Projected cost to regulated entities (and to the public, if applicable) for implementation and compliance;
  - c. Projected cost to agency for implementation and enforcement; and
  - d. Source of funds (e.g., user fees, including fee structure; federal grants, other than nongeneral fund revenue sources; general fund).
3. Reference to the legal authority of the agency to act.
4. A copy of the written assurance from the Office of the Attorney General that the agency has statutory authority to issue the proposed regulation.
5. The date, time and location of the public hearings that are scheduled on the proposed regulations.
6. Name, title, address, and telephone number of an individual to contact for further information about the regulation.
7. Explanation of need for the proposed regulation and potential consequences that may result in the absence of the regulation.
8. Explanation of how clarity and simplicity were assured in drafting the regulation.

In addition, the analysis shall also include the following information to facilitate the review of the regulation as required under the Administrative Process Act.

9. A discussion of alternative approaches that were considered to meet the need that the proposed regulation addresses and agency assurance that the proposed regulation is the least burdensome available alternative.

10. A schedule setting forth when, within two years after a regulation is promulgated, the agency will evaluate it for effectiveness and continued need.

11. A description of any forms, reports or other procedural requirements mandated by the proposed regulation and an explanation of the need for such forms, reports or requirements.

12. The estimated date of publication of the proposed regulation in the Virginia Register of Regulations pursuant to the publication schedule provided by the Registrar of Regulations.

13. The date on which the public comment period will end, as well as the proposed effective date of the regulation.

In some cases, an agency's proposal may contain essentially minor or technical adjustments to an existing regulation which will not have a significant impact on the regulated community. In these instances, the regulatory review packages should contain only the following components from the list given below:

1. Statement of purpose
5. Public hearing dates, times and locations
6. Contact person
7. Explanation of need
8. Discussion of alternatives considered
11. Publication date
12. Proposed adoption and effective dates

However, the Department of Planning and Budget or the Governor's Office may request more detail from agencies after reviewing this information.

C. Final Proposed Regulation: After the agency has revised the proposed regulation, based on comments received during the public comment period, the agency will prepare the final proposed regulation. The agency must provide a copy of the proposed final regulation and any applicable comments to DPB and the Governor's Office simultaneously with its submission to the Registrar during the thirty-day final adoption period, mandated by § 9-6.14:9 of the Code of Virginia.

## II. RESPONSIBILITIES OF THE DEPARTMENT OF PLANNING AND BUDGET

A. The DPB Budget Analyst for the submitting agency will review the package. An initial screening will be conducted to determine whether the package meets the minimum standards set out in this executive order. If the package does not meet these requirements, the material will be

returned to the Agency Regulatory Coordinator with a notation as to the package's shortcomings. The agency then must prepare a new or revised package and submit it to DPB and the Governor's Office.

Note: This procedure will be repeated until the agency submits a satisfactory package. Agency heads will be ultimately responsible for the submission of complete regulatory review packages.

B. The Budget Analyst then will review the package to determine if the changes are minor, technical, or administrative in nature. If this is the case, the Budget Analyst will prepare comments (including recommended amendments or modifications, if appropriate). At a minimum, two weeks before the close of the public comment period, the analyst will send comments to the Governor's Office, for dissemination to the Registrar, the responsible Secretary and the agency within the period prescribed for public comment.

C. If the Budget Analyst concludes that the proposed regulation contains major programmatic or other substantive changes or are contrary to state objectives, draft comments will be prepared and sent to the Governor's Office copying the appropriate Secretary (at least two weeks prior to the close of the public comment period) for review and discussion prior to submission of final comments to the Registrar. The appropriate Secretary shall consult with the Governor's Office. Copies of the Governor's comments will be sent to the agency and to DPB.

D. After the agency has submitted the final, revised regulation, the Budget Analyst will compare the proposed final regulation with the original review package, public comments, and previous executive department comments to determine if any portion of the regulation has been reworked. If the agency has responded appropriately to the comments received, the Budget Analyst will so inform the Governor's Office and the agency. If the agency has not made the recommended changes or adequately answered public comments, DPB will consult with the Governor's Office to prepare the Governor's final comment. This will be sent to the Registrar for publication and to the agency.

### III. RESPONSIBILITIES OF THE GOVERNOR

A. Overall Responsibilities: The Governor's Office shall issue and clarify all procedures and guidance to be followed during the review process.

B. Responsibilities for Review of Proposed Regulations:

1. The Governor's Office receives copies of proposed regulations, regulatory review packages (including public participation guidelines), and comments prepared by the Department of Planning and Budget.

2. The Governor's Office reviews and approves DPB's

comments on proposed regulations.

### IV. RESPONSIBILITIES OF THE SECRETARIES

A. Each Secretary is responsible for resolving issues or other points of disagreement between DPB and his or her respective agencies which promulgate regulations.

B. Each Secretary shall consult with the Governor's Office on regulations identified by DPB as having major programmatic or other substantive changes or being contrary to state objectives pursuant to section II, C. of this order.

C. Each Secretary may issue guidelines, following discussions with DPB and the Governor's Office, which address the unique requirements of each Secretary in the review process required by the provisions of this executive order.

This executive order supersedes and rescinds Administration and Finance Directive No. 4-82 (revised) and Executive Policy Memorandum 1-82.

This executive order will become effective upon its signing and will remain in full force and effect until January 16, 1985 unless rescinded or amended by further executive order.

Given under my hand on this twenty-seventh day of September, nineteen hundred and eighty four.

### EXECUTIVE ORDER NUMBER 52 (84)

September 27, 1984

#### Review of Existing Regulations by State Agencies

In October of 1982, I created the Governor's Regulatory Reform Advisory Board and mandated the development of procedures for the review of state agency existing regulations. Subsequently, the Secretary of Administration and Finance issued such procedures.

Now, as a result of recommendations of the Governor's Regulatory Reform Advisory Board which have been enacted into law, I, by virtue of the authority vested in me by § 9-6.14:25, Code of Virginia, hereby establish new procedures for the periodic review of existing agency regulations. This executive order sets out the process and procedures to be followed during the review of existing regulations.

While recognizing that the state government has an affirmative and inescapable duty to enforce regulations that protect the public safety and welfare, it is the policy of the Commonwealth of Virginia to conduct required regulatory activities in a manner that intrudes to the least

# Governor

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possible extent into the legitimate functions of private enterprise and individual citizens. It is also the policy of the Commonwealth to strive to draft, adopt and enforce regulations that do not unnecessarily burden the activities of private businesses and citizens.

To effect this policy, it is necessary on a periodic basis for state agencies to evaluate all of their existing regulations. The purpose of such reevaluation is to compare the stated intent of a regulation with its accomplishments in order to determine whether circumstances and legal authority justify continued enforcement, modification or elimination of the regulation.

## APPLICABILITY

This executive order applies to those agencies which are periodically designated by me to review all of the existing regulations which they have promulgated in accordance with the state Administrative Process Act. For the purpose of this review, the definition of regulation shall be as set forth in § 9-6.14:4, Code of Virginia .

## I. AGENCY RESPONSIBILITIES

A. Developing the Work Plan and Conducting the Regulatory Review : Each agency designated to review its existing regulations will prepare a work plan detailing the agency's proposal for reviewing its existing regulations. Each agency shall submit three copies of a draft work plan to the Governor within thirty days of its designation by the Governor. Three copies of a final draft shall be submitted within two weeks of receipt of comments on the initial draft from the Governor's Office. The work plans will address the following requirements which must be incorporated into the agency's review process.

1. Purpose of the Work Plan: The work plan is the tool that provides the information necessary for staff in a designated agency to carry out the evaluations. It outlines who is responsible for conducting tasks, and describes in detail the time frame, the process, and techniques the agency will use to evaluate its existing regulations so that the end product will be acceptable. Agencies are required to adhere to their approved work plans.

### 2. Contents of Work Plan:

a. Process: The work plan should contain a clear and logical diagram of the review process proposed including target dates for completion of each task. Also, the following points should be considered before the agency develops its review process:

1) While agencies may find it helpful to create and use special forms for their internal review of regulations, such forms (other than the regulatory review sheets) should not be included in the evaluation reports submitted to the Governor.

2) Prior experience has shown that work groups, task

forces, or committees alone are not an effective means of analyzing agency regulations. Each evaluation report should be developed, written and signed by a designated individual. Any number of persons may review and comment to the author on the written draft evaluation report during the agency's review period.

3) Evaluation reports shall be reviewed and approved through the organizational structure of the agency. The statement, "I have reviewed the evaluation report and support its analysis," should be signed by the person who prepared the report, the person responsible for administering the regulations and so on up to and including the agency head.

4) The degree of involvement by an agency's board in the review process should be determined by the board members and the agency head. Board members should review all the evaluations of regulations conducted by staff in the agency and make comments before the evaluations are submitted to the Governor. However , the board should not give formal approval to or move to adopt any recommendations contained in any evaluation report until its has received the review comments from the Governor's Office and has notified the Governor's Office that it intends to adopt certain regulations.

5) The process for review of existing regulations must include review by the Office of the Attorney General. This review must be conducted before the final evaluation report is submitted to the Governor. To ensure statutory authority, the Office of the Attorney General will review all rules within each of the agency's regulations, including those proposed to be eliminated, those proposed to be modified, those proposed to be added, and those proposed to remain unchanged.

b. Schedule: Agencies shall develop and strictly adhere to specific timetables for preparing and reviewing the evaluations. Submission schedules for regulatory review packages shall be staggered over the last three months of each established review period.

c. Informational requirements: Each agency shall incorporate certain information, as described in its work plan, into its review process and final evaluation reports. Each of these should be discussed thoroughly in the work plan.

1) Data gathering: Certain information must be gathered in order to define current conditions. At a minimum, the agency should obtain information in the following areas.

a) Information about specific regulations :

Title;

Brief description and entities regulated;

Date of issuance;

Date last amended;

Legal basis, including legal citations; and

Name, title and address of knowledgeable person.

b) Public comment : This is one component of "data gathering" prior to evaluating an existing regulation. Agencies should provide specific information on how they will solicit public comment (e.g., public hearings, surveys) and how this information will be incorporated into their review process (e.g., grouping of comments into major issues which are analyzed). Public comment also includes all complaints and suggestions on file on a given regulation since its promulgation.

c) Costs : The agency should determine the various costs associated with the implementation of the regulation. These include costs to the regulated party, such as those incurred by fees and licenses, record keeping and reporting, and other compliance measures; costs to those who administer the regulation (e.g., state and/or local governments), such as administrative overhead, inspections, and monitoring; and any costs incurred by others who may be directly or indirectly affected by the regulation, such as consumers who may absorb costs imposed on regulated parties. Also, the agency should determine any cost-savings resulting from the regulation.

d) Change in circumstances : The agency must determine whether and how circumstances have changed since the regulation was issued. The specific criteria for collecting this information should be stated in the work plan and should be quantitative wherever possible (e.g., changes in technology, altered consumer awareness, changes in skills required, development of national standards, and changes in economic, demographic, environmental, or social factors).

e) Requirements imposed by the regulations : The agency must assemble information on any quantifiable requirements in the regulation. These include fees required; licenses, certificates or registrations required; inspections required; and forms and reports required.

f) Number of Rules : The agency should count the total number of rules in the existing regulations (excluding titles and introductory statements). This is necessary so that a comparison of the numerical change in rules can be made between the existing and recommended regulation at the conclusion of the review.

2) Analysis: After the basic data on the regulation are collected, the agency analyzes the regulation based on the data. The analysis, as described in the work plan, should cover the areas discussed below.

a) Statement of purpose : The analysis of purpose explains why the regulation exists, what the desired end result or objective of the regulation is. The explanation that the purpose of the regulation is "to regulate" or to "implement

legislation" is not acceptable.

b) Major areas of analysis : After the purpose is determined, the regulation is analyzed in order to assess need and to evaluate alternatives to the existing regulations.

(1) Need : The determination of need is central to the evaluation of the regulation. The statement of need should discuss the condition, problem or opportunity which the regulation has been written to address. Need must be documented ; subjective judgements or opinions are not acceptable. The documentation of need employs analytical techniques which are described below. Stating that a regulation is required by state or federal law does not, in and of itself, constitute a sufficient discussion of a demonstrated need for the regulation. Recommendations for legislative amendments are an option if the need for a statutorily required regulation is determined to no longer exist.

(2) Alternatives : The needs assessment lays the groundwork for the analysis of alternatives to the existing regulation. The purpose of the analysis of alternatives is to identify the least burdensome alternative for meeting the need and accomplishing the purpose of the regulation. This analysis should be conducted without constraints and preconceptions. The current regulatory approach should never be a limit upon the investigation of alternatives. The analysis should focus upon questions such as what minimum level of regulation is needed to accomplish the purpose, could other approaches accomplish the purpose effectively, is the regulatory function appropriate to the agency or should it be transferred to another agency or level of government, is self-regulation or regulation by a national or state association feasible? Assessment of alternatives should include estimating the costs which will be imposed or saved by each alternative.

c) Analytical techniques : In conducting the needs assessment and analysis of alternatives, the agency must, at minimum, use the analytical techniques discussed below. These should be specifically discussed in the work plan.

(1) Effectiveness measures : The agency should describe the specific way it will measure the results of the regulation. These should be quantitative measures wherever possible (e.g., accidents reduced, decrease in fires, increase in water quality, etc.). Effectiveness measures should also include a means of determining whether the regulation is enforceable and the degree of compliance.

(2) Economic and social effects : This is the assessment of the broad social and economic consequences of the regulation. This approach focuses upon both the economic and social cost-effectiveness of the regulation (or alternatives to it) in such areas as costs to the state in administering the regulation and the positive and negative impact on the regulated parties and others directly or indirectly affected by the regulation. Although some of the



# Governor

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findings from this approach may be difficult to prove quantitatively, the agency should base its findings on documented evidence, not on subjective judgement.

(3) Conflict or duplication : The agency should describe in its work plan how it will identify conflict with or duplication of other state, federal or local laws or regulations.

d) Clarity and simplicity : This analysis can be undertaken either concurrently with the needs assessment and analysis of alternatives or while the regulations are being revised. Agencies should describe the specific means they will use to determine the clarity and simplicity of their regulations. One important criterion in determining clarity and simplicity is who will read and use the regulation.

If only technically-trained persons are going to be required to read and adhere to the regulations, then technical language may be used. If a broader audience will be affected by the regulations, then it should be understandable to them. In this instance, the person selected by the agency to conduct the review for clarity and simplicity should not be someone who works with the regulation on a regular basis.

3) Conclusions and Recommendations : Once the data-gathering and analyses have been properly conducted, information gathered shall be compiled in a Regulatory Review Package as discussed in Section I.B. of this order and the format for this package shall be contained in the work plan. The conclusions and recommendations contained in the package shall be substantiated, logical and consistent.

B. Regulatory Review Package : Adherence to the work plan, as described above, should allow the agency to compile quickly a Regulatory Review Package for each regulation reviewed, since all of the necessary materials will be on hand. Each agency shall prepare a Regulatory Review Package for each existing regulation composed of a written evaluation report, a copy of the existing regulation, a copy of the proposed regulation showing any revisions, and appended material. Each Regulatory Review Package submitted by an agency should be in final form. No draft reports should be submitted.

1. Format of the Evaluation Report: The format below is recommended by the Governor's Office:

a. Cover Sheet (title of regulation, statutory authority, date promulgated and last amended, and parties regulated)

b. Statement of Purpose

c. Summary Data Sheet on the regulation

1) Costs

2) Numerical change in rules:

a) total number of existing rules

b) total number of rules eliminated

c) total number of rules modified

d) total number of proposed rules, including new rules

3) Number of licensing, certification or registration requirements

4) Number of forms and/or reports required

Number and amount of fees required

d. Summary of Analysis of Regulation

1) Needs Assessment

2) Analysis of Alternatives

3) Summary of Public Comments

4) Clarity and simplicity of language, structure, and forms

e. Summary of Conclusions and Recommendations

2. Copies of regulations: The existing and recommended regulations must be presented in such a way that a comparison between existing and revised regulations is easily made (e.g., by striking through language proposed for deletion and italicizing or underscoring new language). The agency may use any method it chooses but it must provide some type of cross-walk between the existing and recommended regulations.

3. Appendices: The appendices to the report may consist of a copy of the detailed public comments (e.g., letters, public hearing transcripts) and shall contain copies of the Attorney General's review.

C. General Procedures: In addition to the above, agencies shall adhere to the following general procedure. While reviewing existing regulations under this executive order, an agency shall not submit proposed changes or additions to regulations undergoing this review process for adoption under the procedures of the Administrative Process Act, until after the agency has notified the Governor's Office that an emergency situation exists. Then the new or changed regulations should either be incorporated into the regulatory review packages or forwarded as an addendum to a completed regulatory review package.

## II. RESPONSIBILITIES OF AGENCY REVIEW COORDINATOR

A. An Agency Review Coordinator shall be designated by the agency head to serve as the agency's contact person during the review process. The Agency Review Coordinator shall be identified in the work plan.

B. The Agency Review Coordinator is responsible for:

1. Preparing the agency's work plan for transmittal to the Governor's Office, through the agency's Secretary.
2. Preparing and providing two (2) copies of the final regulatory review packages to the Governor's Review Team Chairman and one (1) copy to the Governor's Office.

III. RESPONSIBILITY OF THE GOVERNOR'S REVIEW TEAM CHAIRMAN

A. The Governor's Review Team Chairman, who is designated by the Governor's Office, leads an "ad hoc" task force to review each agency's self-evaluation.

B. The Governor's Review Team Chairman convenes the Governor's Review Team.

C. The Governor's Review Team Chairman receives a copy of each designated agency's work plan from the Governor's Office for the Governor's Review Team to review.

D. After receiving the Review Team's comments on the work plans, the Chairman works with the agencies in making any necessary changes. The Chairman, in consultation with the Governor's Office, approves the final work plans, including approving any agency requests that specific regulations be exempted from the process.

E. The Governor's Review Team Chairman receives the agencies' final regulatory review packages, assigns each one an "identification control number," and distributes them to the members of the Governor's Review Team.

F. The Governor's Review Team Chairman receives and reviews the Governor's Review Team's memoranda on each agency regulatory review package and forwards the materials to the Governor's Office when he or she determines the memoranda meet the requirements of Section IV. B. 3. of this order.

IV. RESPONSIBILITIES OF THE GOVERNOR'S REVIEW TEAM

A. Review Process: The Governor's Review Team, whose members are appointed by the Governor's Office based upon nominations received from the Governor's Secretaries, will follow the steps outlined below in conducting its reviews of agency work plans and regulatory review packages.

Work Plan

1. Review Team members receive agency work plans from the Chairman and review them based on the work plan guidelines. Members return the work plan with any comments and recommendations for changes to the Chairman who forwards recommendations to the

Governor's Office for any necessary changes in the work plan.

Regulatory Review Packages

2. Team members will receive agency regulatory review packages from the Chairman and will conduct an initial review to determine whether the package contains the information the agency established it would provide in its work plan pursuant to Section I. B. of this order.

3. If the package does not provide this information:

a. The material is returned to the agency, noting the package's shortcomings.

b. The agency prepares a new or revised package and forwards it to the Governor's Review Team Chairman.

Note: This procedure should be repeated until the agency submits a satisfactory package.

4. When the package is determined to provide this information, a member of the Governor's Review Team conducts a detailed review of it, develops recommendations on significant issues, and prepares a memorandum on the package for the Governor's Office, which is first transmitted to the Governor's Review Team Chairman.

B. Guidelines for Review of Agencies' Regulatory Review Packages: The members of the Governor's Review Team will review and analyze the agencies' regulatory review packages in terms of the criteria described below.

1. Detailed Review: The purpose of this review is to assess whether the report is logical, whether the recommendations are carried out in the proposed regulation, and whether the report and proposed regulation meet the intent of the regulatory review process. In conducting the detailed review, the team member will use his/her knowledge of the agency's programs and operations, the guidelines which the agencies used in preparing their reports, (see I.A., Developing the Work Plan and Conducting Regulatory Review), and outside sources of information, as necessary (e.g., program proposals, Executive Budget Document, Appropriation Act, JLARC studies). In addition, technical assistance will be available on request from central agencies. The review should consist of basic questions about the major components of the agency's regulatory review package. Some examples of questions that could be asked are given below.

a. Statement of Purpose : Has the agency clearly explained why the regulation exists, what the desired end results or objectives of the regulation are?

b. Summary Data Sheet : Has the agency provided the information required? Do the estimates of cost to the regulated entities as well as the agency appear

# Governor

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reasonable?

C. Need : Has the agency justified the need with logic and documentation? Is the needs assessment thorough, considering effectiveness measures, economic and social benefits, and conflict or duplication issues? Does it provide a good case for or against the regulation? How does the need relate to the agency's stated and funded goals, objectives, and strategies?

d. Alternatives : Has the agency evaluated alternatives to the current regulation and regulatory approach? Does this analysis reflect the findings of the needs assessment (i.e., if the need has changed, has the agency considered other, more appropriate ways of meeting the need)? Has the agency considered effectiveness measures, economic and social benefits, and conflict or duplication issues in evaluating alternatives? Does the analysis identify the least burdensome alternative?

e. Public Comment : Has the agency made a good faith effort to solicit and gather public comment on the regulation? Has it analyzed the public comment and incorporated its findings into the analysis of need and alternatives? Does it explain why issues raised in public comment were accepted or rejected in developing the recommendations and is this explanation satisfactory?

f. Clarity and Simplicity : Has the agency incorporated the issue of clarity and simplicity into its analysis?

g. Recommendations and Proposed Regulations : Do the recommendations appear valid, based on the agency's analysis and the team member's knowledge of the agency and other state government regulations and policies? Have the recommendations been carried out in the proposed regulation? From a practical point of view, does the proposed regulation appear to be enforceable? In the team member's judgement, is clarity and simplicity improved in the proposed regulation? Do individual requirements appear necessary and reasonable? Are they an improvement over existing regulation?

2. Memorandum to the Governor's Office: The team member will summarize his/her comments and findings and, based on them, prepare a memorandum about the regulatory review package for the Governor's Office.

The team member's comments will generally fall into one of the following areas: the information/analysis provided is adequate but the team member disagrees with the agency's conclusions and recommendations; the team member agrees with the agency's conclusions but does not think they have been fully carried out in the recommendations or proposed regulation; the team member agrees with the report and the proposed regulation. Detailed instructions for preparing a memorandum will be provided by the Governor's Office, but should include the following:

a. A numerical summary of rules reviewed;

b. An overview of the agency's proposed actions and particularly noteworthy proposals;

c. A review of the costs imposed on the regulated community and incurred by the agency as a result of the regulation; and

d. An identification of significant or technical issues that need to be resolved, based on the detailed review conducted in accordance with Section IV B. 2. of this executive order.

## V. RESPONSIBILITY OF THE GOVERNOR'S OFFICE

A. Actions Undertaken Prior to Review: The Governor's Office initiates the review process by taking the following actions:

1. Issues all procedures, guidelines, and schedules to be followed by all participants during the review process, including submission dates for work plans and Regulatory Review Packages.

2. Designates the Governor's Review Team Chairman.

B. Actions During the Review Process: The involvement of the Governor's Office during this phase is limited to:

1. Clarifying any questions which arise concerning the procedures, guidelines, or schedule; and

2. Reviewing and commenting on new or changed regulations which are of an emergency nature and are therefore submitted by a designated agency before its final regulatory review package is completed.

C. Actions After the Review Teams' Reviews Are Complete: As the Governor's Office receives the Governor's Review Team's memoranda on the regulatory review packages, it takes the following actions:

1. The Governor's Office considers the recommendations of the Review Team and provides its report on the reviews of existing regulations to the Governor's Regulatory Reform Advisory Board.

2. The Governor's Office receives the Board's report and recommendations.

3. The Governor's Office, communicates final instructions to the agencies concerning the regulations.

This executive order supersedes and rescinds Administration and Finance Temporary Directive No. 2-82 (Revised) and all segments of Executive Policy Memorandum 1-82 relating to the review of existing regulations by state agencies.

This Executive Order will become effective upon its signing and will remain in full force and effect until January 16, 1986, unless rescinded or amended by further

executive order.

Given under my hand and the Seal of the Commonwealth of Virginia this twenty-seventh day of September, nineteen hundred and eight-four.

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# VIRGINIA TAX BULLETIN

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## VIRGINIA DEPARTMENT OF TAXATION

### Virginia Tax Bulletin

DATE: September 21, 1984

No. 84-20

SUBJECT: Proposed Advertising and Software Regulations  
Withdrawn

The Department of Taxation, with the approval of Governor Charles S. Robb, has withdrawn the proposed sales and use tax regulations on advertising and computer software.

The decision to withdraw the proposed regulation prior to final promulgation by the department was made after consideration of the substantial number of comments on the proposals.

The department will reissue the proposals during the latter part of October under the provisions of the Administrative Process Act (APA) as amended by the 1984 Session of the General Assembly. Under the new APA, notices of intent to propose regulatory changes will be published in the Virginia Register, giving the public an opportunity to comment during the developmental stage of the regulation.

Interested industry and professional groups and individuals will be notified by the department when the period begins for receiving comments on the proposals.

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# GENERAL NOTICES/ERRATA

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## VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

### Notice of Intended Regulatory Action

Notice is hereby given that the Virginia Department of Agriculture and Consumer Services intends to promulgate regulations entitled: **Registration and Certification of Grape Nursery Stock**

The purpose of the proposed regulations is to provide for sources of superior quality, true to type, grapestock that is free from known harmful viruses, adopted to Virginia's growing environment, and which allows for the continued rapid expansion of the state's wine, grape production, and grape nursery stock industries.

Statutory Authority: §§ 3.1-188.20 through 3.1-188.31:2 of the Code of Virginia.

Written comments may be submitted.

CONTACT: Raymond D. Vaughan, Secretary, State Board of Agriculture and Consumer Services, P. O. Box 1163, Richmond, Virginia 23209, 804-786-3501.

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## BOARD FOR COMMERCIAL DRIVER TRAINING SCHOOLS

### Notice of Intended Regulatory Action

Notice is hereby given that the Commercial Driver Training Schools intends to promulgate regulations entitled: **Commercial Driver Training School regulations.**

These regulations are being developed to establish entry requirements and standards of practice for tractor-trailer driving schools and instructors - Class A licensees.

Statutory Authority: § 54-145.11 of the Code of Virginia

Written comments may be submitted no later than January 1, 1985.

CONTACT: Nancy T. Feldman, Assistant Director, 3600 West Broad Street, Richmond, Virginia 23230-4917, 804-257-8532, toll free number 1-800-552-3016.

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## DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT, DIVISION OF MINED LAND RECLAMATION

### Notice of Intended Regulatory Action

Notice is hereby given that the Department of Conservation and Economic Development, Division of Mined Land Reclamation intends to amend regulations entitled: **Coal Surface Mining Reclamation Regulations.**

These regulations are being amended to include the results of the Regulatory Review Program completed following the guidelines of A & F Directive 2-82.

Statutory Authority: Chapter 19, Title 45.1, Code of Virginia

Written comments may be submitted no later than November 15, 1984. A public meeting will be held in the Division's Conference Room at 622 Powell Avenue, Big Stone Gap, Virginia at 10 a.m. on November 15, 1984, to solicit oral comments.

CONTACT: Conrad T. Spangler, Chief Engineer, Division of Mined Land Reclamation, P. O. Drawer U, Big Stone Gap, Virginia, 24219, 703-523-2925

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## HAZARDOUS WASTE FACILITY SITING BOARD

### Notice of Intended Regulatory Action

Notice is hereby given that the Hazardous Waste Facility Siting Board intends to promulgate regulations entitled: **Public Participation Guidelines.**

These regulations are being developed to ensure optimum public participation in the development and adoption of proposed new or amended regulations and in the consideration of hazardous waste facility certification.

Statutory Authority: § 10-186.5 of the Code of Virginia

Written comments may be submitted no later than October 22, 1984.

CONTACT: Barbara M. Wrenn, Acting Director, Hazardous Waste Facility Siting Board, P. O. Box 3-AG, Richmond, Virginia 23208, 804-786-4169

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## VIRGINIA STATEWIDE HEALTH COORDINATING COUNCIL

### Notice of Intended Regulatory Action

Notice is hereby given that the Virginia Statewide Health Coordinating Council intends to amend regulations entitled: **Amendment No. 3 to the Virginia State Health Plan:**

# General Notices/Errata

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## Child and Adolescent Psychiatric Services.

The regulations are being amended to describe and analyze the availability, suitability, geographic distribution, and use of inpatient psychiatric and substance abuse treatment services for persons age 18 or less; to establish goals, objectives, and recommended actions relative to development of such services; to establish a methodology for projecting the need for such services; and to establish criteria and standards for the issuance of Certificates of Public Need for the Development of such services.

Statutory Authority: §§ 32.1-102.3 and 32.1-120 of the Code of Virginia.

Persons wishing to be considered for selection to serve on an advisory panel for the revision of this Plan component or persons wishing to review copies of draft materials prepared during the revision of this Plan component should provide written notice, indicating the desired form of their participation. Such notice must be received by November 1, 1984 to Jeffrey D. Nelson, Health Planning Consultant, 109 Governor Street, Room 1010, Richmond, Virginia 23219.

This revision will be limited generally to the development of a methodology for projecting bed need for child and adolescent psychiatric substance abuse services and to the development of related standards and criteria for issuing Certificates of Public Need.

CONTACT: Jeffrey D. Nelson, Health Planning Consultant, 109 Governor Street, Room 1010, Richmond, Virginia 23219, 804-786-5589/786-4891.

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## DEPARTMENT OF SOCIAL SERVICES

### Notice of Intended Regulatory Action

Notice is hereby given that the Department of Social Services intends to amend regulations entitled: **Disregarded Income in the Aid to Dependent Children (ADC) Program.**

These regulations are being amended to exclude for up to six months all or any part of earned income of a dependent child who is a full-time student in the determination of whether the family's income exceeds 185 percent of the Commonwealth's standard of need. The proposed regulation is contained in § 2642 of the Deficit Reduction Act of 1984(P.L. 98-369).

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted no later than November 14, 1984, to Mr. I. Guy Lusk, Director, Division of Benefit Programs, State Department of Social Services,

8007 Discovery Drive, Richmond, Virginia 23229-8699.

CONTACT: Carolyn Ellis, Financial Services Supervisor, Division of Benefit Programs, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23229-8699, 804-281-9046.

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## "BLOOD DRIVE"

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

November 30, 1984 - 8 p.m.

1100 Washington Building - Room 1113, Capitol Square, Richmond.

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## NOTICE TO STATE AGENCIES

A list of major meetings of various trade associations and organizations is maintained in the office of the Registrar of Regulations. Upon request, this list will be made available to you in order that you can avoid conflicts when setting up meetings and hearings.

# CALENDAR OF EVENTS

## EXECUTIVE

### VIRGINIA STATE BOARD OF ACCOUNTANCY

**October 17, 1984 - 10 a.m. - Open Meeting**  
**October 18, 1984 - 10 a.m. - Open Meeting**  
3600 West Broad Street, Department of Commerce,  
Richmond

According to the agenda the Board will consider: applications for certification; review of complaints; discussion of November, 1984 CPA Examination; update on Regulatory Review of Board's regulations; appeals by individuals denied certification; and review of applications for November, 1984 CPA exam.

**Contact:** Jennifer S. Wester, Assistant Director, 3600 W. Broad Street, Department of Commerce, Richmond, Virginia 23230, 804-257-8505

### VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

**December 19, 1984 - 10 a.m. - Public Hearing**  
1100 Bank Street, Board Room 204, Washington Building,  
Richmond

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of that the Virginia Department of Agriculture and Consumer Services intends to adopt regulations entitled: Declaration of Small Whorled Pogonia as an Endangered Plant Species. These regulations list small whorled pogonia Isotria medeoloides, as an endangered species under the Endangered Plant and Insect Species Act, §§ 3.1-1020 through 3.1-1030 of the Code of Virginia.*

### STATEMENT

*The purpose of the proposed regulation is to declare the small whorled pogonia, Isotria medeoloides, an endangered plant pursuant to the Virginia Endangered Plant and Insect Species Act (§§ 3.1-1020 to 3.1-1030, of the Code of Virginia). This action is proposed to help protect small whorled pogonia from extinction in Virginia.*

*Small whorled pogonia is one of the rarest orchids in America. There are only approximately 1,000 plants known to exist in America among ten states from New England to Florida. Of the eleven known naturally occurring populations, two are in Virginia. If adopted, it would be unlawful for any person to dig, otherwise collect, remove, transport or sell small whorled pogonia, except as authorized by the Commissioner of the Virginia Department of Agriculture and Consumer Services.*

*Small whorled pogonia is also listed as an endangered species under the United States Endangered Species Act.*

**Contact:** Raymond D. Vaughan, Secretary, State Board of Agriculture and Consumer Services, P. O. Box 1163, Richmond, Virginia 23209, 804/786-3601

## STATE AIR POLLUTION CONTROL BOARD

**October 22, 1984 - 10 a.m. - Public Hearing**  
Ninth Street Office Building, Room 801, Richmond  
*The Board will review documents concerning public comment period for Ford Motor Company Alternative Compliance Schedule.*  
**Contact:** Robert A. Mann, Ninth Street Office Building, Room 801, Richmond, Virginia, 804/786-5791

### VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

**November 9, 1984 - 9 a.m. - Open Meeting**  
3600 West Broad Street, Department of Commerce,  
Conference Room 1, Richmond

The Board will meet to approve minutes of September 14, 1984; sign wall certificates; review complaints, regulatory review and discussion of regulations; presentation of resolutions to J. Gustin and J. Patton.

**Contact:** Johnsie Williams, Assistant Director APELSCLA, 3600 W. Broad Street, Richmond, Virginia 23230, 804-257-8555

#### Architects

**November 8, 1984 - 9 a.m. - Open Meeting**  
3600 West Broad Street, Department of Commerce,  
Conference Room 2, Richmond

Review examination for June 1984 candidates.

**Contact:** Johnsie Williams, Assistant Director APELSCLA, 3600 W. Broad Street, Richmond, Virginia 23230, 804-257-8506

#### Certified Landscape Architects

**November 14, 1984, - 9 a.m. - Open Meeting**  
3600 West Broad Street, Department of Commerce,  
Conference Room 1, Richmond

To approve minutes of August 31, 1984; review applications; sign wall certificates; and review complaints.

**Contact:** Johnsie Williams, Assistant Director APELSCLA, 3600 W. Broad Street, Richmond, Virginia 23230, 804-257-8506

#### Land Surveyors

**October 27, 1984 - 9 a.m. - Open Meeting**  
3600 West Broad Street, Department of Commerce,  
Conference Room 1, Richmond



# Calendar of Events

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To grade examinations.

**Contact:** Johnsie Williams, Assistant Director APELSCLA,  
3600 W. Broad Street, Richmond, Virginia 23230,  
804-257-8506

## Professional Engineers

**December 7, 1984 - 9 a.m. - Open Meeting**  
3600 West Broad Street, Department of Commerce,  
Conference Room 2, Richmond

To approve minutes of August 29, 1984; review applications; and review complaints.

**Contact:** Johnsie Williams, Assistant Director APELSCLA,  
3600 W. Broad Street, Richmond, Virginia 23230,  
804-257-8512

## BOARD OF BARBER EXAMINERS

**October 22, 1984 - 9 a.m. - Open Meeting**  
3600 West Broad Street, Department of Commerce,  
Conference Room 2, 5th Floor, Richmond

The Board will review applications for renewal of licenses; review investigative reports of complaints and determine disposition, and address general correspondence pertinent to the operation of the Board.

**Contact:** Gale G. Moyer, Assistant Director, 3600 W. Broad Street, Richmond, Virginia 23230, 804-257-8509

## BOARD OF COMMERCE

**October 26, 1984 - 10 a.m. - Open Meeting**  
3600 West Broad Street, Department of Commerce,  
Conference Room 1, Richmond

The Board will review progress of projects in testing, complaint handling, and regulatory review. It will review need for regulation of power engineers, receive report of Director of the Department, and review possible legislation affecting the Department's programs.

**Contact:** Barbara Woodson, 3600 W. Broad Street,  
Richmond, Virginia 23230, 804-257-8525

## DEPARTMENT OF COMMERCE

### Polygraph Examiners Advisory Committee

**December 5, 1984 - 11 a.m. - Open Meeting**  
3600 West Broad Street, Department of Commerce, 5th

Floor, Richmond

The Committee will meet for the purpose of administering the Polygraph Examiner Licensing Examination to eligible licensed Examiner Interns.

**Contact:** Iva B. Frizzell, 3600 W. Broad Street, Richmond, Virginia 23230, 804-257-8515/257-8563

## BOARD FOR COMMERCIAL DRIVER TRAINING SCHOOLS

**November 9, 1984 - 10 a.m. - Open Meeting**  
3600 West Broad Street, Department of Commerce,  
Conference Room 2, Richmond

The Board will review complaints; elect officers; and discuss Tractor-Trailer Driving School Regulations and Instructors - Class A Licensees.

**Contact:** Nancy T. Feldman, Assistant Director, 3600 W. Broad Street, Richmond, Virginia 23230-4917,  
804-357-8532

## BOARD OF CONSERVATION AND ECONOMIC DEVELOPMENT

**October 23, 1984 - 10:30 a.m. - Open Meeting**  
Luray Caverns Restaurant's Conference Room, Luray

A regularly scheduled Board Meeting. The Board Committee on Parks will meet at 9:30 a.m.; The Board Committee on Forestry will meet at 10 a.m.; business will include an update on department's regulatory review; and other business has not been decided upon yet.

**Contact:** Bruce B. Meador, 1100 Washington Building,  
Richmond, Virginia, 804-786-2121

## DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT, DIVISION OF MINED LAND RECLAMATION

**November 15, 1984 - 10 a.m. - Open Meeting**  
622 Powell Avenue, Big Stone Gap

This will be a public meeting to solicit comments on proposed revisions to Virginia Surface Coal Mining and Reclamation Regulations (Title 45.1, Chapter 19 Code of Virginia) pursuant to the Department's Regulatory Review Program and its Public Participation Regulations.

**Contact:** Conrad Spangler, Drawer U, Big Stone Gap,  
Virginia 24219, 703-523-2925

## STATE BOARD FOR CONTRACTORS

# Calendar of Events

**October 17, 1984 - 10 a.m. - Open Meeting**  
3600 West Broad Street, Department of Commerce, Board Room 1, 5th Floor, Richmond

Quarterly Board meeting to review applications, complaints, findings and conclusions of disciplinary hearings held and imposition of sanctions and Virginia Contractor Recovery Fund Report.

**Contact:** E. G. Andres, Assistant Director, 3600 W. Broad Street, Richmond, Virginia 23230, 804-257-8511

**October 23, 1984 - 10 a.m. - Open Meeting**

**October 24, 1984 - 10 a.m. - Open Meeting**  
Conference Room, Virginia Beach Community Services Board, Suite 218, Pembroke Six, Pembroke Office Park, Virginia Beach

The Board will conduct a formal fact-finding hearing regarding State Board for Contractors v. G. Roger Trower.

**Contact:** Sylvia Bryant, Hearings Coordinator, Department of Commerce, 3600 W. Broad Street, Richmond, Virginia 23230, 804-257-8524

## DEPARTMENT OF CORRECTIONS

**October 18, 1984 - 7 p.m. - Open Meeting**  
General Assembly Building, House Room D, Richmond

The Board of Corrections Study Committee on Mecklenburg Correctional Center will conduct a public meeting for the purpose of soliciting public comments relevant to its study of the concept and design of that prison, and the training and compensation of Correctional personnel.

**Contact:** Mrs. Vivian Toler, Board Secretary, P. O. 26963, Richmond, Virginia 23261-6963, 804-257-6274

## VIRGINIA BOARD OF COSMETOLOGY

**October 15, 1984 - 9 a.m. - Open Meeting**  
**October 16, 1984 - 9 a.m. - Open Meeting**  
3600 West Broad Street, Department of Commerce, Conference Room 1, 5th Floor, Richmond

The Board will review applications and curriculum for cosmetology schools; establish guidelines for teacher seminars and instructor training courses; review investigative reports of complaints and determine disposition; and address general correspondence pertinent to the operation of the Board.

**Contact:** Gale G. Moyer, Assistant Director, 3600 W. Broad Street, Richmond, Virginia 23230, 804-257-8509

**November 19, 1984 - 9 a.m. - Open Meeting**

3600 West Broad Street, Department of Commerce, Conference Room 1, 5th Floor, Richmond

The Board will review investigative reports of complaints and make determination of disposition; review applications for license renewals; and address general correspondence pertinent to the operation of the Board.

**Contact:** Gale G. Moyer, Assistant Director, 3600 W. Broad Street, Richmond, Virginia 23230, 804-257-8509

## COUNCIL ON THE ENVIRONMENT

**October 16, 1984 - 10 a.m. - Open Meeting**  
State Capitol, House Room 4, Richmond

The Council will hear reports from its staff on projects and activities. The public will be able to address comments to Council during the Citizens' Forum segment of the agenda.

**Contact:** Hannah P. Crew, Room 903, Ninth Street Office Building, Richmond, Virginia 23219, 804-786-4500

## COMMISSION OF GAME AND INLAND FISHERIES

**October 19, 1984 - 9:30 a.m. - Open Meeting**  
Southeast 4-H Center, Wakefield

The Commission will consider and act on proposed fishing regulations pertaining to size limits on various fish species taken from certain waters of the Commonwealth; place certain restrictions on the use of boats and motors on public fishing lakes and control hunting at such areas; and act on new regulation pertaining to the operation of motorboats and shooting hours on Back Bay and adjacent marshes. The Commission also will consider general administrative matters.

**Contact:** Mrs. Norma G. Adams, 4010 W. Broad Street, Richmond, Virginia 23230, 804-257-1000

## DEPARTMENT OF GENERAL SERVICES Art and Architectural Review Council

**November 2, 1984 - 10 a.m. - Open Meeting**  
Virginia Museum of Fine Arts, Main Conference Room, Richmond

The Council will advise the Director of the Department of General Services and the Governor on architecture of state facilities to be constructed and works of art to be accepted or acquired by the Commonwealth.

**Contact:** David J. Gibson, Chairman, Art and Architectural Review Council, 612 E. Jefferson Court, Charlottesville,

# Calendar of Events

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Virginia 22901, 804-296-6107

**December 7, 1984 - 10 a.m. – Open Meeting**  
Virginia Museum of Fine Arts, Main Conference Room,  
Richmond

The Council will advise the Director of the Department of General Services and the Governor on architecture of state facilities to be constructed and works of art to be accepted or acquired by the Commonwealth.

**Contact:** David J. Gibson, Chairman, Art and Architectural Review Council, 612 E. Jefferson Street, Charlottesville, Virginia 22901, 804-296-6107

## VIRGINIA STATE BOARD OF GEOLOGY

**November 28, 1984 - 9 a.m. – Open Meeting**  
3600 West Broad Street, Department of Commerce,  
Conference Room 2, Richmond

The Board will meet to approve minutes of September 10, 1984; review applications; sign wall certificates; and discuss examinations.

**Contact:** Johnsie Williams, Assistant Director Geology, 3600 W. Broad Street, Richmond, Virginia 23230, 804-257-8555

## GOVERNOR'S REGULATORY REFORM ADVISORY BOARD

**October 17, 1984 - 10 a.m. – Public Hearing**  
General Assembly Building, House Room C, Richmond  
*The Advisory Board will receive public comments on the review of existing regulations of the State Board of Accountancy, the state Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects, Department of Agriculture and Consumer Services, Department of Mental Health and Mental Retardation and the State Water Control Board.*  
**Contact:** Phil Aberham, Governor's Office, State Capitol, Richmond, Virginia, 804/786-2211

## HAZARDOUS WASTE FACILITY SITING BOARD

**October 17, 1984 - 11 a.m. – Open Meeting**  
Lynchburg Public Library, Community Room, The Plaza Shopping Center, Memorial Avenue, Lynchburg

The Board will continue preparations for the consideration of hazardous waste facility siting applications. Business to be conducted include the election of Chairman and Vice Chairman, report on budget, and discussion of public participation

procedures, by-laws, and options for siting criteria.  
**Contact:** Barbara M. Wrenn, P. O. Box 3-AG, Richmond, Virginia 23208, 804-786-4169

## DEPARTMENT OF HEALTH Virginia Voluntary Formulary Council

**October 23, 1984 - 10:30 a.m. – Open Meeting**  
James Madison Building, Room 516-A, 109 Governor Street,  
Richmond

The Council will review products and product information for inclusion in the Voluntary Formulary.  
**Contact:** Jim Thomson, James Madison Building, Upper Basement, Richmond, Virginia, 804-786-4326

## VIRGINIA HEALTH SERVICES COST REVIEW COMMISSION

**October 24, 1984 - 9:30 a.m. – Open Meeting**  
Blue Cross/Blue Shield Building, Second Floor, Virginia Room, 2015 Staples Mill Road, Richmond

The Commission will review summary findings of budgets and historicals of various acute care facilities within the state of Virginia.  
**Contact:** Sheryl R. Paul, 805 E. Broad St., Richmond, Virginia, 804-786-6371

## VIRGINIA BOARD OF HEARING AID DEALERS AND FITTERS

**October 18, 1984 - 10 a.m. – Open Meeting**  
4100 Chain Bridge Road, Massey Building, Sixth Floor Conference Room, Fairfax

The Board will conduct a formal fact-finding hearing regarding Virginia Board of Hearing Aid Dealers and Fitters v. Burt Miller, Jr.  
**Contact:** Sylvia Bryant, Hearings Coordinator, Department of Commerce, 3600 W. Broad Street, Richmond, Virginia 23230, 804-257-8524

## STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

**November 7, 1984 - 10 a.m. – Open Meeting**  
101 North 14th Street, Council Conference Room 1,  
Richmond

Monthly Council Meeting  
**Contact:** Council of Higher Education, 101 North 14th Street, Richmond, Virginia 23219, 804-225-2137

# Calendar of Events

**December 3, 1984 - 4 p.m. – Open Meeting**  
**December 4, 1984 - 10 a.m. – Open Meeting**  
101 North 14th Street, Council Conference Room,  
Richmond

Monthly Council Meeting.

**Contact:** Council of Higher Education, 101 North 14th  
Street, Richmond, Virginia 23219, 804-225-2137

**December 13, 1984 - 1 p.m. – Open Meeting**  
**December 14, 1984 - 9 a.m. – Open Meeting**  
Marriott Hotel, Richmond

The conference is entitled "The Place of the Liberal Arts and Sciences in the Curriculum, A Renewed Commitment." The public and private colleges in the Commonwealth will participate.

**Contact:** David Potter, Council of Higher Education, 101  
North 14th Street, Richmond, Virginia 23219,  
804-226-2613

## COUNCIL OF HIGHER EDUCATION

**December 17, 1984 - 10 a.m. – Public Hearing**  
James Monroe Building, Council of Higher Education  
Conference Room, 9th Floor, 101 North Fourteenth Street,  
Richmond

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Council of Higher Education for Virginia intends to adopt regulations entitled: Guidelines for Public Participation in the Development and Promulgation of Regulations.*

### STATEMENT:

Basis: These regulations are issued under authority granted to all state agencies by § 9-6.14:7.1 of the Code of Virginia.

Purpose: These regulations prescribe the process for soliciting comments from interested parties in the formation, development, and adoption of all regulations proposed by the Council of Higher Education.

Issues: The 1984 General Assembly amended the Administrative Process Act to provide for the participation of the citizens of Virginia in the formation, development, and adoption of all regulations proposed by state agencies. The law stipulates that the "guidelines shall set out specific means of seeking input from interested parties or groups, and whenever appropriate, may provide for the use of standing or ad hoc advisory panels and consultation with groups and individuals registering interest in working with the agency."

Substance: The proposed guidelines provide that, as a general rule, the Council will notify and seek comments from the president or chancellor of each state-supported

college and university whenever regulations are to be developed. The president or chancellor of each independent college and university will be notified and invited to participate in the process whenever any proposed regulations, especially those pertaining to the Tuition Assistance Grant program, might directly or indirectly affect their institutions. In addition, the Council will notify and seek comments from all persons whose names are included on the Council's mailing list. The proposed guidelines also specify that the necessary regulatory documents will be filed with the Registrar of Regulations and that the required public hearing will be held prior to final adoption of any regulations.

Written comments may be submitted no later than December 21, 1984.

**Contact:** Barry M. Dorsey, Associate Director, Council of Higher Education, James Monroe Building, 101 North Fourteenth Street, Richmond, Virginia 23219, 804/225-2629

## VIRGINIA DEPARTMENT OF HIGHWAYS AND TRANSPORTATION

**October 24, 1984 - 3 p.m. – Open Meeting**  
Natural Bridge Hotel, Wilson Room, Natural Bridge

The Commission's monthly meeting to vote on proposals presented regarding bids, permits, additions and deletions to highway system and any other matters requiring Commission approval.

**Contact:** J. T. Warren, Director of Administration, VDH&T, 1221 E. Broad Street, Richmond, Virginia 23219, 804-786-2711

## VIRGINIA HOUSING DEVELOPMENT AUTHORITY

**October 15, 1984 - 2 p.m. – Open Meeting**  
**October 16, 1984 - 10 a.m. – Carry Over Meeting**  
Hilton Conference Center, Williamsburg

The regular monthly meeting of the Board to review and, if appropriate, approve the minutes from the prior monthly meeting; to consider for approval and ratification mortgage loan commitments under its various programs; to review the Authority's operations for the prior month; and to consider other matters and take other actions as they may deem appropriate. The planned agenda of the meeting will be available at the offices of the Authority one week prior to the date of the meeting.

**Contact:** Judson McKellar, General Counsel, 13 South 13th Street, Richmond, Virginia 23219, 804-782-1986

## BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

# Calendar of Events

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**October 17, 1984 - 10 a.m. – Public Hearing**  
General Assembly Building, House Room C, Richmond

*The Advisory Board will receive public comments on the review of existing regulations of the State Board of Accountancy, the state Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects, Department of Agriculture and Consumer Services, Department of Mental Health and Mental Retardation and the State Water Control Board.*

**Contact:** Phil Aberham, Governor's Office, State Capitol, Richmond, Virginia, 804/786-2211

**December 17, 1984 - 10 a.m. – Public Hearing**  
State Capitol, House Room 4, Richmond

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to adopt regulations entitled: 1984 Edition, Public Participation Guidelines.*

## STATEMENT:

Subject and Substance: *Proposed adoption by the Board of Housing and Community Development of Public Participation Guidelines to be used in the formation, development and adoption of all regulations that the Board is required to promulgate by state law.*

Issues: 1. *Estimated Impact with Respect to Number of Persons Affected:*

*The guidelines will provide a means for all persons affected by regulations of the agency to participate in their development, formulation and adoption.*

2. *Projected Costs for Implementation and Compliance:*

*No material increase in costs to the agency are anticipated. The proposed guidelines reflect procedures that have been in general use for a number of years. Similarly, no increase in costs to those affected is anticipated; and in any case, their participation is voluntary.*

Basis: § 9-6.14:7.1 of the Code of Virginia.

Purpose: *To solicit the input of interested parties in the formation and development of its regulations prior to and during the entire drafting, formation, promulgation and final adoption process. The guidelines set out methods for the identification and notification of interested persons and groups, specific means of seeking input therefrom, and whenever appropriate, provide for the use of standing or ad hoc advisory panels and consultation with groups and individuals registering interest in working with the agency. Prefiled written comments received by December 17, 1984 will be considered.*

**Contact:** C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 North Fourth Street, Richmond, Virginia 23219, 804/786-4751

## DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

**December 17, 1984 - 10 a.m. – Public Hearing**  
State Capitol, House Room 4, Richmond

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Housing and Community Development intends to adopt regulations entitled: 1984 Edition, Public Participation.*

## STATEMENT

Subject and Substance: *Proposed adoption by the Director of the Department of Housing and Community Development of Public Participation Guidelines to be used in the formation, development and adoption of all regulations that the director is required to promulgate by state law.*

Issues: 1. *Estimated Impact with Respect to Number of Persons Affected:*

*The guidelines will provide a means for all persons affected by regulations of the agency to participate in their development, formulation and adoption.*

2. *Projected Cost for Implementation and Compliance:*

*No material increase in costs to the agency are anticipated. The proposed guidelines reflect procedures that have been in general use for a number of years. Similarly, no increase in costs to those affected is anticipated; and in any case, their participation is voluntary.*

Basis: § 9-6.14:7.1 of the Code of Virginia.

Purpose: *To solicit the input of interested parties in the formation and development of its regulation prior to and during the entire drafting, formation, promulgation and final adoption process. The guidelines set out methods for the identification and notification of interested persons and groups, specific means of seeking input therefrom, and whenever appropriate, provide for the use of standing or ad hoc advisory panels and consultation with groups and individuals registering interest in working with the agency. Prefiled written comments received by December 17, 1984 will be considered.*

**Contact:** C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 North Fourth Street, Richmond, Virginia 23219, 804/786-4751

## VIRGINIA STATE LIBRARY BOARD

**October 29, 1984 - 11 a.m. – Open Meeting**  
Virginia State Library, State Librarian's Office, Darden Mall, Richmond

The Board's regular quarterly meeting to discuss

# Calendar of Events

administrative matters.

**Contact:** Mrs. Jean Reynolds, Virginia State Library,  
Darden Mall, Richmond, Virginia 23219, 804-786-2332

Marine Resources Commission, P. O. Box 756, Newport  
News, Virginia 23607, 804-247-2208

## COMMISSION ON LOCAL GOVERNMENT

**November 12, 1984 - 7:30 p.m.** – Open Meeting  
Wise County Chambers, 200 Spring Street, Wise

Regular Meeting.

**Contact:** M. H. Wilkinson, Ninth Street Office Building,  
Room 901, Richmond, Virginia 23219, 804-786-6508

## STATE BOARD ON MENTAL HEALTH AND MENTAL RETARDATION

**October 24, 1984 - 11 a.m.** – Open Meeting  
Southwestern Virginia Training Center, Hillsville

Regular monthly Board Meeting.

**Contact:** Dr. Joseph Crullar, Department of Mental Health  
and Mental Retardation, Box 1797, Richmond, Virginia  
23214, 804-786-3908

## COMMISSION ON LOCAL GOVERNMENT

**November 13, 1984 - 7:30 p.m.** – Public Hearing  
Dickenson County Courthouse, Circuit Courtroom, Main  
Street, Clintwood

*Notice is hereby given in accordance with § 9-6.14:7.1  
of the Code of Virginia that the Commission on Local  
Government will hear public comment regarding the  
Town of Clintwood/Dickenson County Agreement  
Defining Annexation Rights.*

**Contact:** M. H. Wilkinson, 9th Street Office Building, Room  
901, Richmond, Virginia, 804/786-6508

## STATE MILK COMMISSION

**October 18, 1984 - 10:30 a.m.** – Open Meeting  
Ninth Street Office Building, Room 1015, Ninth and Grace  
Street, Richmond

Monthly Commission Meeting.

**Contact:** C. H. Coleman, Administrator, 1015 Ninth Street  
Office Building, Richmond, Virginia 23219, 804-786-2013

**November 18, 1984 - 11 a.m.** – Oral Presentations  
Dickenson County Courthouse, Circuit Courtroom, Main  
Street, Clintwood

*Notice is hereby given in accordance with § 9-6.14:7.1  
of the Code of Virginia that the Commission on Local  
Government will hear Oral Presentations regarding the  
Town of Clintwood/Dickenson County Agreement  
defining annexation rights.*

**Contact:** M. H. Wilkinson, 9th Street Office Building, Room  
901, Richmond, Virginia, 804/786-6508

## STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS

**November 28, 1984 - 10 a.m.** – Open Meeting  
**November 29, 1984 - 10 a.m.** – Open Meeting  
**November 30, 1984 - 10 a.m.** – Open Meeting  
3600 West Broad Street, Department of Commerce,  
Conference Room 1, 5th Floor, Richmond

The Board will conduct a formal fact-finding hearing  
regarding State Board of Examiners for Nursing Home  
Administrators v. Nathan Bushnell, III.

**Contact:** Sylvia Bryant, Hearings Coordinator, Department  
of Commerce, 3600 W. Broad Street, Richmond,  
Virginia 23230, 804-257-8524

## MARINE RESOURCES COMMISSION

**October 23, 1984 - 9:30 a.m.** – Open Meeting  
2401 West Avenue, Newport News

Monthly Commission meeting to hear and decide cases  
on fishing licensing; oyster ground leasing,  
environmental permits in wetlands, bottomlands,  
coastal sand dunes, and beaches. It will hear and  
decide appeals, if any, made on local wetlands board  
decisions. Fishery Management and Conservation  
measures will be discussed by the Commission. The  
Commission is empowered to exercise general  
regulatory power within 15 days, and is empowered to  
take specialized marine life harvesting and  
conservation measures within 5 days.

**Contact:** Virginia S. Chappell, Secretary to the Commission,

## STATE BOARD OF OPTICIANS

**November 14, 1984 - 9:30 a.m.** – Open Meeting  
3600 West Broad Street, Department of Commerce,  
Conference Room 2, 5th Floor, Richmond

The Board will review applications for licensure;  
review investigative reports of complaints and  
determine disposition; review report of the Practical  
Examination Committee; and address general  
correspondence pertinent to the operation of the  
Board.

**Contact:** Gale G. Moyer, Assistant Director, 3600 W. Broad

# Calendar of Events

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Street, Richmond, Virginia 23230, 804-257-8509

Department of Commerce, 3600 W. Broad Street,  
Richmond, Virginia 23230, 804-257-8524

## STATE BOARD OF OPTOMETRY

**October 15, 1984 - 9 a.m.** – Open Meeting

Howard Johnson's Motor Lodge, the Overbrook Room, 3207  
North Boulevard, Richmond

The Board will meet to approve minutes of July 13th meeting; discuss public participation guidelines; Limited Licensure and retired status; Licensee requests; printing of the regulations by the Michie Company; Service contract; door to door solicitation; review of regulations; election of officers; trade names, advertising; and the use of biomicroscope, and side-by-side operations.

**Contact:** Lawrence H. Redford, 517 W. Grace Street,  
Richmond, Virginia, 804-786-0131

## VIRGINIA REAL ESTATE COMMISSION

**October 24, 1984 - 10 a.m.** – Open Meeting

3600 West Broad Street, Department of Commerce,  
Conference Room 1, 5th Floor, Richmond

The Board will conduct a formal fact-finding hearing regarding Virginia Real Estate Commission v. William C. Sprouse, Sr.

**Contact:** Sylvia Bryant, Hearings Coordinator, Department  
of Commerce, 3600 W. Broad Street, Richmond,  
Virginia 23230, 804-257-8524

**October 25, 1984 - 9 a.m.** – Open Meeting

3600 West Broad Street, Department of Commerce, Board  
Room 1, Richmond

The Commission will meet for the consideration of investigative files; recommendation of sanctions; closing of files for lack of regulatory violation; signing of minutes, consent/final orders and broker wall certificates; consideration of individuals' requests for license reinstatement, waiver(s) of requirements, etc; and to consider reports given by staff.

**Contact:** Steven L. Higgs, Department of Commerce, 3600  
W. Broad Street, Richmond, Virginia 23230,  
804-257-8516

**October 31, 1984 - 10 a.m.** – Open Meeting

113 East Beverley Street, City Council Chambers, City Hall,  
Staunton

The Commission will conduct a formal fact-finding hearing regarding Virginia Real Estate Commission v. William C. McMeans

**Contact:** Sylvia W. Bryant, Hearings Coordinator,

## STATE BOARD OF SOCIAL SERVICES

**October 17, 1984 - 2 p.m.** – Open Meeting

**October 18, 1984 - 8:30 a.m.** – Open Meeting

Ramada Inn, I-64 & Route 17 North, Newport News

A Board work session and formal business meeting.

**Contact:** Phyllis Sisk, Department of Social Services, 8007  
Discovery Drive, Richmond, Virginia 23288,  
804-281-9236

## VIRGINIA BOARD OF SOCIAL WORK

**October 19, 1984 - 10 a.m.** – Open Meeting

517 West Grace Street, Richmond

The Board will meet to review applications for approval to sit for examinations and to review supervision requests. Other general board business will be considered.

**Contact:** Mary Levins, 517 W. Grace St., Richmond,  
Virginia, 804-786-7703

## VIRGINIA BOARD OF VETERINARY MEDICINE

**November 2, 1984 - Noon** – Open Meeting

**November 3, 1984 - 8:30 a.m.** – Open Meeting

**November 4, 1984 - 8:30 a.m.** – Open Meeting

York Haven Farm, Route 1, Gloucester

The Board will discuss the inspection program for animal hospitals and other matters.

**Contact:** Lawrence H. Redford, Virginia Board of  
Veterinary Medicine, P. O. Box 27708, Richmond,  
Virginia 23261, 804-786-0069

## STATE WATER CONTROL BOARD

**October 22, 1984 - 7 p.m.** – Public Hearing

Caroline County High School, Route 207, Milford

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board will meet to review land application of Class A sewage sludge in Caroline County by Bio Gro Systems, Inc.*

**Contact:** Jeannie Grandstaff, P. O. Box 11143, Richmond,  
Virginia, 804/257-0943

## COMMISSION ON THE STATUS OF WOMEN

**October 18, 1984 - 9:30 a.m. – Open Meeting**  
State Capitol, House Room 1, Richmond

The Commission will receive reports from subcommittees on Commission projects and conduct regular business of the Commission.

**Contact:** Bonnie H. Robinson, Executive Director, 8007 Discovery Drive, Richmond, Virginia 23229-8699, 804-281-9200

## LEGISLATIVE

### ACID RAIN - HOW VIRGINIA'S LOW SULFUR COAL CAN BE UTILIZED STUDY (HOUSE SUBCOMMITTEE)

**October 22, 1984 - 10 a.m. – Open Meeting**  
State Capitol, House Room 4, Richmond

This is a special subcommittee composed of 3 members of Conservation and Natural Resources and two ex-officio members (Chairman of House Conservation and Natural Resources Committee and a member from the Agriculture Committee) which will study problems of acid rain and how Virginia's low sulfur coal can be utilized.

**Contact:** Anne R. Howard, House of Delegates, P. O. Box 406, Richmond, Virginia 23203, 804-786-7681

## HOUSE APPROPRIATIONS COMMITTEE

**October 15, 1984 - 9:30 a.m. – Open Meeting**  
General Assembly Building, 9th Floor, Richmond

Monthly meeting of House Appropriations.

**Contact:** Donna Johnson, General Assembly Building, 9th Floor, Richmond, Virginia 23219

## VIRGINIA CODE COMMISSION

**October 23, 1984 - 9:30 a.m. – Public Hearing**  
General Assembly Building, Speaker's Conference Room, 6th Floor, Richmond

The Commission will receive comments on the revision of Chapters 1 and 2 of Title 13.1, which deal with stock and nonstock corporations.

**Contact:** Joan W. Smith, Virginia Code Commission, P. O. Box 3-AG, Richmond, Virginia 23208, 804-786-3591

**October 23, 1984 - 10 a.m. – Open Meeting**

**October 24, 1984 - 9:30 a.m. – Open Meeting**  
General Assembly Building, Speaker's Conference Room, 6th Floor, Richmond

The Commission will complete work on the revision of Chapters 1 and 2 of Title 13.1 on Tuesday morning. Beginning Tuesday afternoon and on Wednesday, the Commission will proceed with the revision of the Title 38.1 of the Code of Virginia which title deals with the insurance laws of the Commonwealth.

**Contact:** Joan W. Smith, Virginia Code Commission, P. O. Box 3-AG, Richmond, Virginia 23208, 804-786-3591

## COMMISSION ON DEINSTITUTIONALIZATION

**October 29, 1984 - 6 p.m. – Public Hearing**  
Bristol Regional Rehabilitation Center, 714 State Street, Bristol

The Commission is to review the status of Virginia's deinstitutionalized citizens and to examine the roles and responsibilities of state institutions and community services for the mentally ill and mentally retarded in implementing Virginia's deinstitutionalization policy.

This public hearing is the second of four regional hearings scheduled in 1984 to provide an opportunity for comment by mental health professionals, local officials, interest and advocacy groups, public agencies, and others with an interest in the policy and practice of deinstitutionalization. Other hearings will be held on November 16 and December 18 in the northern and eastern regions, respectively, (SJR 42).

**Contact:** Susan Ward, Staff Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Virginia 23208, 804-786-3591

## HOUSE COMMITTEE ON EDUCATION

**October 23, 1984 - 10 a.m. – Open Meeting**  
General Assembly Building, House Room D, Richmond

The Committee will begin work on legislation carried over by the 1984 session of the General Assembly

**Contact:** Norma Szakal, Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Virginia 23208, 804-786-3591

## GENERAL LAWS SUBCOMMITTEE

**October 18, 1984 - 10 a.m. – Open Meeting**  
General Assembly Building, Senate Room B, Richmond

The subcommittee will meet to consider 1984 carry-over legislation.

**Contact:** Jessica Bolecek, Attorney, Division of Legislative



# Calendar of Events

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Services, P. O. Box 3-AG, Richmond, Virginia 23208, 804-786-3591

## HOUSE GENERAL LAWS SUBCOMMITTEE ON HOUSING

**October 23, 1984 - 10 a.m.** – Public Hearing  
General Assembly Building, House Room C, Richmond

Legislation carried over from the 1984 Session of the General Assembly and issues pertaining to the House Industry, will be discussion topics at this hearing. Persons wishing to speak should contact: Anne Howard, P. O. Box 406, Richmond, Virginia 23203, 804-786-7681

**Contact:** Angela Bowser, Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Virginia 23208, 804-786-3591

## FEDERAL SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982 (JOINT SUBCOMMITTEE)

**October 29, 1984 - 10:30 a.m.** – Open Meeting  
Annandale Campus of the Northern Virginia Community College, Room 314, CTTV Tech. Building, 8333 Little River Turnpike, Annandale

The Subcommittee will consider HJR 134 regarding the Federal Surface Transportation Assistance Act of 1982.

**Contact:** Barbara H. Hanback, House of Delegates, P. O. Box 406, Richmond, Virginia 23203, 804-786-7681

## DRUG TRAFFICKING STUDY (JOINT SUBCOMMITTEE)

**October 26, 1984 - 10 a.m.** – Open Meeting  
General Assembly Building, House Room C, Richmond

The subcommittee will review HJR 144 and proposed recommendations. Those persons wishing to speak should contact: Anne Howard, House Clerk's Office, General Assembly Bldg., Richmond, Virginia.

**Contact:** Oscar R. Brinson, Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Virginia 23208

## HUNGER AND MALNUTRITION IN THE COMMONWEALTH STUDY (JOINT SUBCOMMITTEE)

**October 26, 1984 - 10 a.m.** – Open Meeting  
General Assembly Building, Senate Room B, Richmond

The Joint Subcommittee will meet to discuss and examine present findings by the subcommittee and

begin to look at alternative solutions to ease the problems of hunger and malnutrition in the Commonwealth. This is a working meeting, but persons not previously heard by the subcommittee will be heard at this time.

**Contact:** E. Gayle Nowell, Research Assoc., Div. of Legislative Services, P. O. Box 3-AG, Richmond, Virginia 23208, 804-786-3591

## LONG-TERM INDIGENT CARE POLICY STUDY (JOINT SUBCOMMITTEE)

**October 30, 1984 - 9:30 a.m.** – Open Meeting  
General Assembly Building, 9th Floor Conference Room, Richmond

The subcommittee will meet to discuss the issues to be studied. (HJR 129)

**Contact:** Becky Covey, House Appropriations, General Assembly Building, Richmond, Virginia, 23219

## INTERSTATE BANKING (JOINT SUBCOMMITTEE)

**October 16, 1984 - 10 a.m.** – Public Hearing  
General Assembly Building, Senate Room A, Richmond

The subcommittee is studying laws dealing with savings and loans associations. (HJR 30).

**Contact:** C. W. Cramme, III, Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Virginia 23208, 804-786-3591

## REGULATION OF RADIO COMMON CARRIERS (JOINT SUBCOMMITTEE) STUDY

**October 30, 1984 - 10 a.m.** – Open Meeting  
State Capitol, House Room 2, Richmond

A workshop to hear testimony on the regulation of Radio Common Carriers and Cellular Services, (HJR 62)

**Contact:** Terry Mapp, Division of Legislative Services, P.O. Box 3-AG, Richmond, Virginia 23208, 804-786-3591

## STATE GRIEVANCE PROCEDURE (JOINT SUBCOMMITTEE)

**October 22, 1984 - 2 p.m.** – Open Meeting  
General Assembly Building, Senate Room A, Richmond

Work session regarding recommendations made to the committee on the State Grievance Procedure. (SJR 38)

**Contact:** Jessica Bolecek, Attorney, Division of Legislative

Services, P.O. Box 3-AG, Richmond, Virginia 23208,  
804-786-3591

## TRASH FLOW AND RESOURCE RECOVERY (JOINT SUBCOMMITTEE)

**October 18, 1984 - 2 p.m.** — Public Hearing  
Massey Building, Fairfax County Board of Supervisors'  
Room, 4100 Chain Bridge Road, Fairfax

The purpose of the public hearing is to elicit testimony regarding local government regulation of garbage and refuse pickup and contractual arrangements entered into by localities related thereto. The focus is particularly upon the need for "flow control" authority by localities, the extent to which they may enter into "put or pay" contracts with resource recovery facilities for the disposal of refuse, and the financing of such projects. Additional information may be obtained from: Robert F. Doult, Deputy Clerk of the Senate, P. O. Box 396, Richmond, Virginia 23203, 804-786-4638

**Contact:** Dr. Jack Austin, Division of Legislative Services, P. O. Box 3-AG, Richmond, Virginia 23208, 804-786-3591

## UNEMPLOYMENT COMPENSATION TRUST FUND (JOINT SUBCOMMITTEE)

**November 9, 1984, - 2 p.m.** — Open Meeting  
General Assembly Building, Senate Room A, Richmond

Virginia Employment Commission will present and address: Trust fund update; Standard work week issue; Severance pay issue; The overpayment issue with regard to (i) Claimant refund; (ii) Reimbursable employers; and (iii) 1984 Senate Bill No. 199.

**Contact:** Ron Montgomery, 7th and Main Streets, Virginia Employment Commission, Richmond, Virginia, 804-786-5885

## SENATE COMMITTEE ON EDUCATION AND HEALTH

**November 9, 1984 - 10 a.m.** — Open Meeting  
General Assembly Building, Senate Room B, Richmond

The Committee will meet to work on continued legislation.

**Contact:** Norma Szakal, Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Virginia 23208, 804-786-3591

## SENATE FINANCE COMMITTEE

**October 19, 1984 - 10 a.m.** — Open Meeting  
General Assembly Building, 10 Floor Conference Room,  
Richmond

Regularly scheduled monthly meeting of the Senate Finance Committee.

**Contact:** E. M. Miller, Senate Finance, General Assembly Building, 10th Floor, Richmond, Virginia, 804-786-4400

## SENATE FINANCE COMMITTEE - EDUCATION SUBCOMMITTEE

**October 23, 1984 - 10 a.m.** — Open Meeting  
Roanoke School Board Office, Roanoke

Public instruction and higher education subject matters.

**Contact:** John Bennett, Senate Finance, 10th Floor, General Assembly Building, Richmond, Virginia, 804-786-4400

## SENATE COMMITTEE ON REHABILITATION AND SOCIAL SERVICES SUBCOMMITTEE

**October 23, 1984 - 10 a.m.** — Open Meeting  
General Assembly Building, Senate Room B, Richmond

The subcommittee will meet to discuss H.B. No. 817, The Virginians with Disabilities Act, which was carried over in the 1984 Session.

**Contact:** Susan Ward, Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Virginia, 23208, 804-786-3591

## URANIUM SUBCOMMITTEE AND URANIUM ADMINISTRATIVE GROUP

**October 17, 1984 - 7:30 p.m.** — Public Hearing  
Chatham High School, Chatam

Public hearing to receive public response to the Uranium Task Force Final Report. Additional information may be obtained from: Bernard Caton or Michael Ward, Division of Legislative Services, P. O. Box 3-AG, Richmond, Virginia 23208, 804-786-3591

**October 23, 1984 - 7:30 p.m.** — Public Hearing  
General Assembly Building, House Room C, Richmond

Public hearing to receive public response to the Uranium Task Force Final Report. Additional information may be obtained from: Bernard Caton or Michael Ward, Division of Legislative Services, P. O. Box 3-AG, Richmond, Virginia 23208, 804-786-3591

# Calendar of Events

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**October 24, 1984 - 9 a.m. – Open Meeting**  
State Capitol, House Room 4, Richmond

Work session to formulate recommendations to be made to the Virginia Coal and Energy Commission. Additional information may be obtained from: Bernard Caton or Michael Ward, Division of Legislative Services, P. O. Box 3-AG, Richmond, Virginia 23208, 804-786-3591

## CHRONOLOGICAL LIST

### OPEN MEETINGS

**October 15**

House Appropriations Committee  
Optometry, State Board of

**October 15, 16**

Cosmetology, Virginia Board of  
Housing Development Authority, Virginia

**October 16**

Environment, Council on the

**October 17**

Hazardous Waste Facility Siting Board

**October 17, 18**

Accountancy, Virginia State Board of  
Social Services, State Board of

**October 17, 23, 24**

Contractors, State Board of

**October 18**

Corrections, Department of  
General Laws Subcommittee  
Hearing Aid Dealers and Fitters, Virginia Board of  
Milk Commission, State  
Women, Commission on the Status of

**October 19**

Game and Inland Fisheries, Commission of  
Senate Finance Committee  
Social Work, Virginia Board of

**October 22**

Barber Examiners, Board of  
House Subcommittee - Acid Rain  
Joint Subcommittee - Grievance Procedures

**October 23**

Conservation and Economic Development, Board of  
Health, Department of  
House Committee on Education  
Marine Resources Commission  
Senate Finance Committee - Education Subcommittee

**October 23, 24**

Virginia Code Commission

**October 24**

Health Services Cost Review Commission, Virginia  
Highways and Transportation, Virginia Department of  
Mental Health and Mental Retardation, State Board on

**October 24, 25, 31**

Real Estate Commission, Virginia

**October 26**

Commerce, Board of  
Joint Subcommittee - Drug Trafficking  
Joint Subcommittee - Hunger and Malnutrition

**October 27**

Land Surveyors

**October 28**

Senate Committee on Rehabilitation and Social  
Services

**October 29**

Joint Subcommittee - Federal Surface and  
Transportation Assistance  
Library Board, Virginia State

**October 30**

Joint Subcommittee - Long-Term Indigent Care  
Joint Subcommittee - Radio Common Carriers

**November 2**

General Services, Department of

**November 2, 3, 4**

Veterinary Medicine, Virginia Board of

**November 7**

Higher Education for Virginia, State Council of

**November 8**

Architects

**November 9**

Architects, Professional Engineers, Virginia State  
Board of  
Commercial Driver Training Schools, Board for  
Joint Subcommittee - Unemployment Compensation  
Senate Committee on Education and Health

**November 12**

Local Government, Commission on

**November 14**

Certified Landscape Architects  
Opticians, State Board of

**November 15**

Conservation and Economic Development,  
Department of

**November 19**

Cosmetology, Virginia Board of

**November 28**

Geology, Virginia State Board of

**November 28, 29, 30**

State Board of Examiners for Nursing Home  
Administrators

**December 3, 4, 13, 14**

Higher Education for Virginia, State Council of

**December 5**

Commerce, Department of

**December 7**

General Services, Department of  
Professional Engineers

## **PUBLIC HEARINGS**

**October 16**

Joint Subcommittee - Interstate Banking

**October 17**

Governor's Regulatory Reform Advisory Board  
Housing and Community Development, Board of

**October 17, 23, 24**

Uranium Subcommittee and Uranium Administrative  
Group

**October 18**

Joint Subcommittee - Trash Flow and Resource  
Recovery

**October 22**

Air Pollution Control Board, State  
Water Control Board, State

**October 23**

House General Laws Subcommittee on Housing  
Virginia Code Commission

**October 29**

Commission on Deinstitutionalization

**November 13**

Local Government, Commission on

**December 17**

Higher Education, Council of  
Housing and Community Development, Board of  
Housing and Community Development, Department of

**December 19**

Agriculture and Consumer Services, Virginia  
Department of