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# THE VIRGINIA REGISTER

OF REGULATIONS

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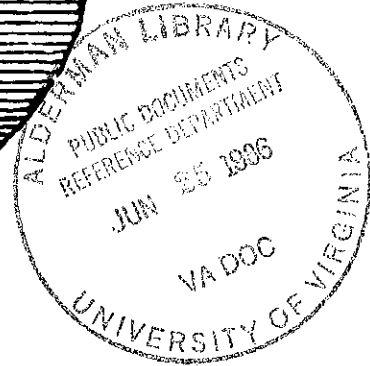
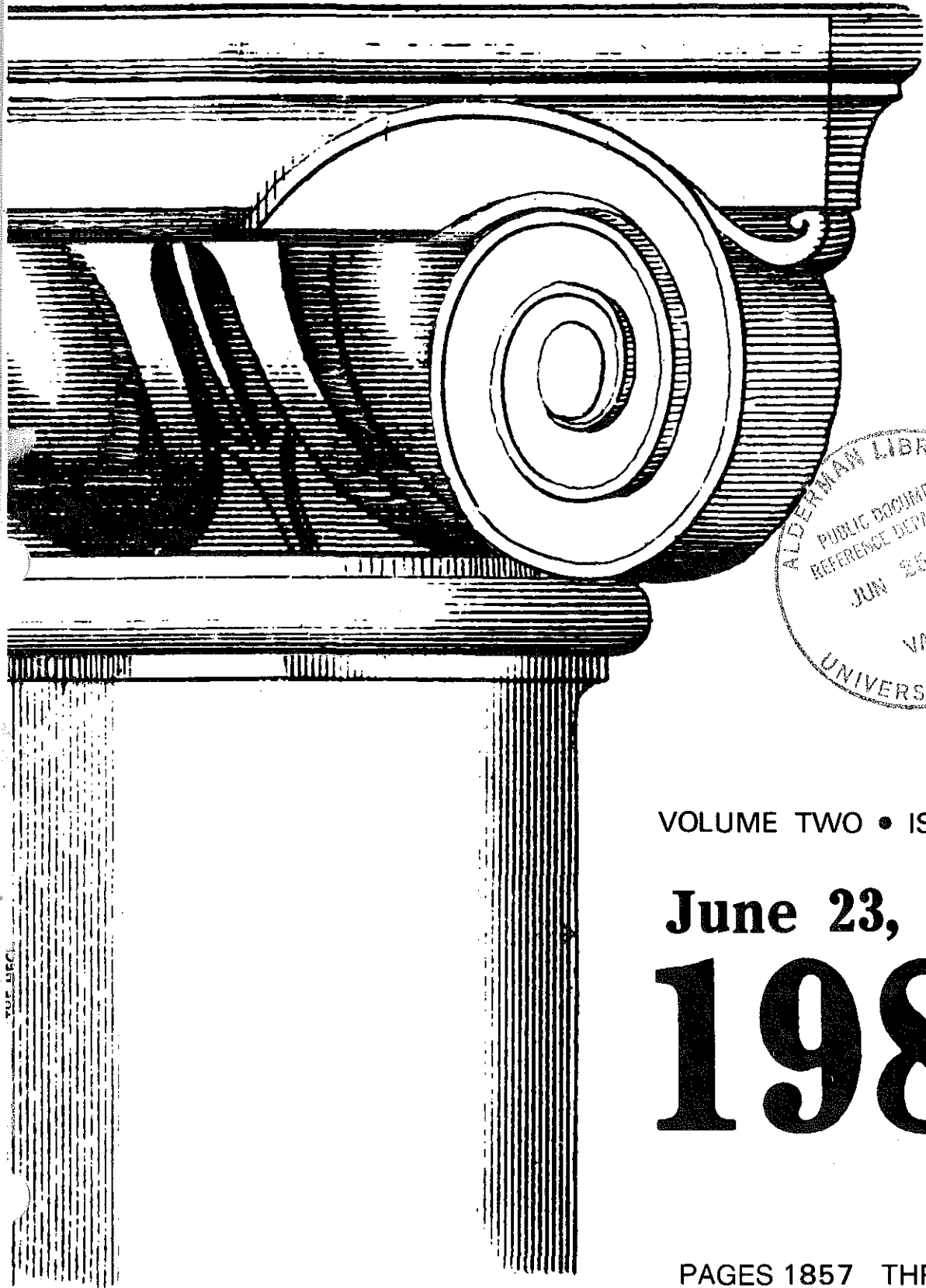
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# 1986

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# INFORMATION ABOUT THE VIRGINIA REGISTER OF REGULATIONS

## 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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VIRGINIA REGISTER OF REGULATIONS

PUBLICATION DEADLINES AND SCHEDULES

PUBLICATION DATE	MATERIAL SUBMITTED BY 12 noon Wednesday
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July 21	July 2
Aug. 4	July 16
Aug. 18	July 30
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# PROPOSED REGULATIONS

For information concerning Proposed Regulations, see information page.

## Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates proposed new text. Language which has been stricken indicates proposed text for deletion.

## VIRGINIA DEPARTMENT OF COMMERCE

**Title of Regulation:** VR 100-04-1. Private Security Services Businesses.

**Statutory Authority:** Chapter 17.3 (§ 54-729.27 et seq.) of Title 54 of the Code of Virginia.

**Public Hearing Date:** August 26, 1986  
(See Calendar of Events section for additional information)

### Summary:

*The proposed regulations continue the requirement for all private security services businesses to be licensed, employ a compliance agent who has passed an examination to be responsible for the licensee's compliance and employ only those who have proper registration and training and are free from serious criminal conviction records.*

*Proposed revisions include a requirement that licensees apply for a license anew if they fail to renew within six months after license expiration; the addition of a \$25 fee to sit for the Compliance Agent Examination; and a provision allowing the department to issue registrations before background investigations are complete. The method of regulating private security employees is being changed from an employing licensee responsibility to an individual responsibility. No longer must employing licensees incur registration costs and fees for each individual they employ. Rather, they must assure each employee has complied with the individual registration and training requirements. The department will cease issuing registrations valid for the entire tenure of employment to private security employees through their employing licensees and, instead, will issue registrations which require renewal and, in the case of armed registrants, firearms retraining at 24-month intervals directly to individuals at their home address. Existing fees remain the same and fees for registration renewal and training certification have been added. Registration late fees and registration termination reporting requirements have been deleted.*

VR 100-04-1. Private Security Services Businesses

### SECTION ONE

#### PART I. GENERAL.

### § 1.1. Definitions.

The following definitions shall apply in these regulations unless the content clearly requires a different meaning.

*"Armed private security services business personnel" means a registrant who has complied with the firearms training and firearms retraining requirements of these regulations and the regulations of the Department of Criminal Justice Services.*

~~1-1-1~~ "Code" means the Code of Virginia.

~~1-1-2~~ "Date of application" means the date on which a person first performs functions as an employee of a licensed private security services business in a registration category.

*"Handgun certification" means the method of regulation used by the department to acknowledge a registrant's successful completion of all handgun related firearms training and retraining requirements established by the regulations of the Department of Criminal Justice Services.*

~~1-1-3~~ "Licensee" means a licensed private security services business.

~~1-1-4~~ "Registrant" means any individual who has met the requirements for registration as an employee of a licensed private security services business in any of the categories listed under "Registration category" in ~~1-1-5~~.

*"Registration" means a method of regulation allowing a natural person to perform duties defined in § 54-729.29 of the Code of Virginia after satisfying the training requirements.*

~~1-1-5~~ "Registration category" means any one of the following categories:

Armed guard  
Armored car personnel  
Courier  
Guard dog handler  
Private investigator/private detective and  
Unarmed guard

*"Shotgun certification" means the method of regulation used by the department to acknowledge a registrant's successful completion of all shotgun-related firearms training and retraining requirements established by the Department of Criminal Justice Services.*

**1-1.6** "Temporary registration" means registration that permits a licensee to employ a method of regulation allowing an individual natural persons to perform duties defined in § 54-729.29 of the Code of Virginia prior to satisfying the training requirements.

"Training certification" means the method used by training schools approved by the Department of Criminal Justice Services to report a natural person's successful completion of the training requirements to the Department of Commerce.

**1-1.7** "Training requirements" means requirements for minimum training for registrants adopted by the Department of Criminal Justice Services.

"Unarmed private security services personnel" means a registrant who has not complied with the firearms training and firearms retraining requirements of these regulations and the regulations of the Department of Criminal Justice Services.

## § 1.2. Application fee for licensing.

Upon application the fee for a private security services business license shall be \$550.

## § 1.3. Renewal of license.

Licenses issued to private security services businesses shall expire unless renewed on or before October 31 of each year.

## § 1.4. Renewal fee.

The fee for renewal of a private security services business license shall be \$150. Failure to receive notice of renewal shall not relieve the licensee of the responsibility to renew.

## § 1.5. Penalty for late renewal.

Each licensee applying for renewal after October 31 shall pay a late fee of \$150 plus the renewal fee of \$150, as provided in 1-4. If the renewal fee is not received by the department, or its agent, within one month after the expiration date noted on the license, a penalty fee of \$150 shall be required in addition to the renewal fee. (Note: This regulation shall not become effective until October 31, 1986.)

## § 1.6. Failure to renew.

Licensees who fail to renew within six months after the expiration date on their license shall not be eligible to renew. They shall be required to apply for licensure anew.

## § 1-6 1.7. Fee nonrefundable.

All fees shall be nonrefundable.

## SECTION TWO

### PART II. ENTRY REQUIREMENTS FOR BUSINESSES.

#### § 2.1. License application.

Any person wishing to obtain the required license as a private security services business shall file application on forms provided by the department.

#### § 2.2. Surety bond or insurance required.

Each person wishing to apply for or maintain a license as a private security services business shall secure a surety bond in the amount of \$25,000, executed by a surety company authorized to do business in Virginia, or a certificate of insurance showing a policy of comprehensive general liability insurance with a minimum coverage of \$100,000 and \$300,000.

#### § 2.3. Irrevocable consent.

Each nonresident applicant for license or nonresident licensee shall file and maintain with the department an irrevocable consent for the department to serve as service agent for all action filed in any court in this Commonwealth.

#### § 2.4. Compliance agent required.

Each firm applying for or maintaining a license as a private security services business shall employ a compliance agent who is not designated as the compliance agent or any other licensee.

#### § 2.5. Qualifications for compliance agents.

**2-5-1** A. Compliance agents shall pass an examination determining their knowledge of the regulations and laws governing private security service businesses, except those who were qualifying agents under department regulations on October 31, 1984.

**2-5-2** B. Compliance agents shall meet the training requirements and hold a permanent registration with the department in at least one registration category corresponding to a category in which the firm offers private security services.

#### § 2.6. Fingerprints required.

Upon application of the firm, all compliance agents, directors, officers, and proprietors of a private security services business shall submit their fingerprints to the department.

#### § 2.7. Compliance agent examination fee.

Each request to sit for the Compliance Agent Examination shall be accompanied by a nonrefundable fee

# Proposed Regulations

of \$25.

## SECTION THREE

### PART III.

#### REQUIREMENTS FOR INDIVIDUAL REGISTRATION.

##### § 3.1. Registration application.

Any natural person wishing to obtain the required registration to be employed to perform duties defined under § 54-729.27 of the Code of Virginia shall file an application for temporary registration or for registration and shall cause to be filed a training certification with the department on forms provided by the department.

##### § 3.2. Registration Fee Fees.

The application fee for temporary registration and registration shall be \$30. The fee for any training certification not submitted with an application for registration shall be \$15.

##### § 3.3. Background investigation of registrants.

The department shall conduct a background investigation on each applicant for registration.

##### § 3.4. Fingerprint cards required.

Each applicant for registration shall submit fingerprint cards to the department.

##### § 3.4. Applications.

Applications for registration shall be valid for one year.

##### § 3.5. Temporary registration application expiration.

Any natural person granted temporary registration who fails to meet the training requirements within one year from six months after his original date of application as defined in § 1.1) of this regulation shall be required to file application anew satisfactorily complete training and apply for registration. They He shall not be eligible for a second temporary registration.

##### § 3.6. Temporary registration.

Any temporary registration granted shall expire 120 days from the original date of original application as defined in § 1.1.

##### § 3.7. Permanent Registration, handgun certification, shotgun certification.

Permanent Registration, handgun certification and shotgun certification shall be issued upon the Department's receipt of evidence of the completion of the training requirements and application for registration in the following manner:

A. Registration shall be issued to those granted temporary registration upon receipt by the department of training certification in at least one registration category (as defined in § 1.1) and the training certification fee (§ 3.2) within six months after the date of application (§ 1.1).

B. Registration shall be issued upon receipt of an application for registration containing training certification in a least one registration category (as defined in § 1.1) and the registration fee (§ 3.2).

C. Registration in additional categories shall be issued to those already granted registration upon receipt by the department of training certification in at least one additional registration category (as defined in § 1.1) and the training certification fee (§ 3.2).

D. Handgun certification shall be issued to those granted temporary registration or registration upon receipt by the department of a training certification of handgun classroom training and handgun range firing and the training certification fee (§ 3.2).

E. Shotgun certification shall be issued to those granted temporary registration or registration upon receipt by the department of a training certification of handgun classroom training, shotgun classroom training, and shotgun range firing and the training certification fee (§ 3.2).

##### § 3.8. Minimum age.

Applicants for registration must be at least 18 years old.

##### § 3.9. Firearms training.

No individual natural person granted temporary registration or registration may be armed or have immediate access to a firearm until he has completing completed the required firearms training.

##### § 3.10. Registration denial.

The department may refuse to issue and may deny and withdraw a temporary registration or registration to any applicant for registration in a category which requires firearms training if that applicant has been convicted of an offense referenced under 18 USC, Section 922(g) and (h) (1960) when it finds that:

1. The applicant has failed to accurately and completely disclose and explain his record of criminal conviction on his application for temporary registration or registration; or

2. The applicant for temporary registration or registration has been convicted of a criminal offense directly related to the occupation; or

3. The applicant has applied for registration as an armed private security services business personnel and is prohibited by the Commonwealth or federal law

# Proposed Regulations

from possessing a firearm.

## § 3.11. Expiration and renewal of registration.

A. Effective December 31, 1986, all registrations issued prior to November 1, 1986, are void.

B. Natural persons who held a valid registration will be required to pay a renewal fee by December 31, 1986, in a manner to implement a staggered renewal system, whereby approximately an equal number of registrants will be renewed each month over a two-year cycle beginning in July, 1987. Renewal notices will be mailed in the fall of 1986, and will indicate the amount of fee due and the expiration date of the renewal registration.

C. Renewal fees to be paid by registrants by December 31, 1986, will be determined based on the following schedule:

Registration Expiration Date	Amount of Renewal Fee
1. July 31, 1987 .....	\$7
2. August 31, 1987 .....	\$8
3. September 30, 1987 .....	\$9
4. October 31, 1987 .....	\$10
5. November 30, 1987 .....	\$11
6. December 31, 1987 .....	\$13
7. January 31, 1988 .....	\$14
8. February 28, 1988 .....	\$15
9. March 31, 1988 .....	\$16
10. April 30, 1988 .....	\$17
11. May 31, 1988 .....	\$18
12. June 30, 1988 .....	\$19
13. July 31, 1988 .....	\$20
14. August 31, 1988 .....	\$21
15. September 30, 1988 .....	\$22
16. October 31, 1988 .....	\$23
17. November 30, 1988 .....	\$24
18. December 31, 1988 .....	\$25
19. January 31, 1989 .....	\$26
20. February 28, 1989 .....	\$27
21. March 31, 1989 .....	\$28
22. April 30, 1989 .....	\$29
23. May 31, 1989 .....	\$30
24. June 30, 1989 .....	\$31

D. All registrations expiring after July 1, 1987, shall be renewed for a two-year period. The amount of renewal fee shall be \$25.

E. The department will mail a renewal notice to the registrant's last known home address outlining the procedures for renewal, approximately 45 days prior to the expiration date of the registration. However, failure to receive this notice shall not relieve the registrants of the obligation to renew.

F. All original registrations issued on or after November 1, 1986, shall expire two years from the last day of the

month in which they were issued, as indicated on the registration.

G. Prior to the expiration date shown on the registration, each registrant desiring to renew his registration shall return to the department, or its agent, the renewal notice and a renewal fee of \$25.

H. If the renewal fee is not received by the department, or its agent, within one month after the expiration date noted on the registration, a penalty fee of \$25 shall be required in addition to the renewal fee.

I. Any registration failing to renew his registration within six months after the expiration date on his registration shall not be eligible to renew his registration or apply for registration under § 3.2 of these regulations. The department may reinstate such registrations upon receipt of a \$50 reinstatement fee and evidence that the training requirements have been completed since the registration expiration date. The department may make an exception for good cause.

## § 3.12. Handgun certification and shotgun certification expiration and retraining.

A. Handgun certification and shotgun certification shall expire two years from the last day of the month in which they were issued, as indicated on the certification.

B. The department will mail a retraining notice to the last known home address of each registrant holding a handgun certification or shotgun certification approximately 90 days prior to the expiration date of the certification. However, failure to receive this notice shall not relieve the registrant of the obligation to receive the required retraining.

C. Prior to the expiration date shown on the handgun certification, each registrant desiring to renew his certification shall cause a training certification of handgun classroom training and handgun range firing and a fee of \$15 to be received by the department.

D. Prior to the expiration date shown on the shotgun certification, each registrant desiring to renew his certification shall cause a training certification of handgun classroom training, shotgun classroom training, and shotgun range firing and a fee of \$15 to be received by the department.

## SECTION FOUR

### PART IV. STANDARDS OF PRACTICE.

#### § 4.1. Registration of employees required.

Each licensee shall assure that all persons employed to perform duties defined under § 54-729.27 of the Code of Virginia submit an application and valid registration or



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temporary registration issued by the possess a current and valid registration or temporary registration issued by the department. This shall be done no later than the applicant's date of employment in accordance with Section 54-720.20B of the Code and these regulations.

## § 4.2. Records.

Each private security services business shall maintain evidence of compliance with § 4.1, employment and payroll records and shall have them available to the Department of Commerce within a reasonable time after the request for them is made.

## § 4.3. Responsibilities of compliance agents.

The compliance agent shall assure the licensed firm's compliance with the statute and regulations governing private security services businesses.

## § 4.4. Termination of employment of compliance agent.

A. Upon termination of employment of a compliance agent, the licensed firm shall notify the department by certified mail within five business days. The licensed firm shall have 60 calendar days from the date of termination to employ a replacement compliance agent.

B. Upon the death or disability of a compliance agent who was engaged in a proprietorship or who was the only compliance agent in a corporation or partnership, his estate, an adult member of his family, or an employee of the firm may be granted approval by the department to carry on the business of the deceased or disabled compliance agent for 120 days following the death or disability of the compliance agent solely for the purpose of concluding the business or becoming qualified to be a compliance agent. In the event no such person is available or suitable, the department may appoint any other suitable person to terminate the business within 120 days. In no event shall such firm initiate any new business while operating under the terms of this regulation.

## § 4.5. Change of owner, partners or officers.

The compliance agent shall notify the department by certified mail within 15 business days of any change of ownership, change of partners or associates in a partnership or association, or change of officers or directors in a corporation. The notification shall contain the fully executed forms required by § 2.1. Change of ownership shall not change the requirements for licensure and shall not relieve the licensee from the responsibility for complying with the Code or these regulations.

## § 4.6. Licenses nontransferable.

Private security services business licenses shall not be transferable.

## § 4.7. Late Charges.

Each licensee shall pay a late charge (in addition to the normal registration fee) of \$50 for each unregistered employee within ten calendar days after receiving written notice from the department. Payment of this late charge shall not relieve the licensee from any additional punitive action taken by the Department.

## § 4.8. Registration Cards, Maintenance.

A copy of each registration card issued by the Department shall be maintained by the employer and made available to the Department upon request.

## § 4.7. Registration cards, property of department.

All temporary registration and registration cards shall remain the property of the department. Any identification temporary registration or registration card reported lost and later recovered shall be returned to the department.

## § 4.8. Registration card, carried on duty.

The "employee's copy" of the registration card shall be carried on the person of the registrant at all times while on duty with the licensee named on the card.

## § 4.9. Temporary registration form card, carried on duty.

The temporary registration contained on the application form card shall be carried on the person of the applicant temporary registrant at all times while on duty until registration is obtained.

## § 4.12 Employment Termination, Return of Card, Form.

Upon termination of the employment of a registrant or temporary registrant, he shall return his copy of the registration card or temporary registration form to the employing licensee.

## § 4.13 Employment Termination, Written Notice.

Within 15 days of the termination of employment of a registrant or temporary registrant, the licensee shall send written notice to the Department, enclosing the temporary registration form or the employer copy of the identification card.

## § 4.14. Registration card, replacement.

Replacement of an employee's copy of a lost, destroyed, or damaged registration or temporary registration card may be made by the department upon receipt of a statement from the registrant, counter signed by the compliance agent, explaining how the card was lost, destroyed, or damaged and a fee of \$10.

## § 4.15. Display of uniform, badge, or registration card.

No person engaged in the private security services

# Proposed Regulations

business shall display his uniform, badge, or registration card except within the scope of his ~~her~~ employment or while traveling immediately before and after the period of actual duty between such areas and the residence of the individual.

§ ~~4-16~~ 4.12. Grounds to refuse issuance, suspend, revoke or modify a license or registration or to deny renewal of a license.

The department may refuse to issue a license or registration, suspend or revoke a license or registration, or deny renewal of a license, or modify any registration or license if it finds that:

~~4-16.1~~ 1. The applicant, registrant, compliance agent, director, officer, proprietor, partner or associate of any licensed firm has had his license or registration suspended, revoked, or denied renewal in any jurisdiction of the United States, or has been convicted of a felony or misdemeanor directly related to the occupation or has violated any regulation directly related to the occupation;

~~4-16.2~~ 2. There has been any fraud or material misrepresentation by the applicant, licensee or registrant in obtaining a license, license renewal or registration;

~~4-16.3~~ 3. The applicant, licensee or registrant has failed to provide information requested by the department within a reasonable period of time;

~~4-16.4~~ 4. The applicant, licensee or registrant has violated, or aided or abetted others in violating §§ 54-729.27 through 54-729.34 of the Code of Virginia, regulations adopted by the Department of Criminal Justice Services, or these regulations;

~~4-16.5~~ 5. The applicant, compliance agent, licensee or registrant has performed an act resulting in loss, injury or death to any person when such loss, injury or death has resulted from negligent or improper conduct; and

~~4-16.6~~ 6. The licensee has shown a pattern of employing temporary registrants with no intent to provide the mandatory training.

All previous rules of the department regarding private security services businesses are repealed.

## STATE EDUCATION ASSISTANCE AUTHORITY

**Title of Regulation:** VR 275-01-1. Regulations Governing the Virginia Guaranteed Student Loan Program and PLUS Loan Program.

**Statutory Authority:** § 23-38.64 of the Code of Virginia.

**Public Hearing Date:** August 12, 1986 - 10 a.m.  
(See Calendar of Events section for additional information)

### Summary:

The State Education Assistance Authority (SEAA) administers the federal Guaranteed Student Loan Program and PLUS Program in Virginia, and insures these loans against the death, permanent and total disability, bankruptcy or default of the borrower in exchange for a guarantee fee.

These regulations establish policies governing the administration of the Virginia student loan programs on the part of participating lenders and institutions of higher education.

The Guaranteed Student Loan Program is governed by regulations 34CFR668 and 34CFR682 of the U.S. Department of Education. The PLUS program is governed by regulations 34CFR668 and 34CFR683 of the U.S. Department of Education. Lenders and schools participating in the Virginia SEAA programs must comply with the requirements set forth in those federal regulations, as well as with SEAA regulations.

VR 275-01-1. Regulations Governing the Virginia Guaranteed Student Loan Program and PLUS Loan Program.

### PART I. DEFINITIONS.

§ 1.1. The following words and terms, when used in these regulations, must have the following meaning, unless the context clearly indicates otherwise:

"Bankruptcy" means the judicial action to declare a person insolvent and take his assets, if any, under court administration.

"Capitalization of interest" means the addition of accrued interest to principal balance of a loan to form a new principal balance.

"Consolidation" means the aggregation of multiple loans into one single loan.

"Default" means that a condition of delinquency persists for 180 days.

"Deferment" means postponement of conversion to repayment status or postponement of installment payments for reasons authorized by statute.

"Delinquency" means the failure to make an installment payment when due, failure to comply with other terms of the borrower's note, or failure to make an interest payment when due, when the borrower and the lender have previously agreed to a set interest repayment

# Proposed Regulations

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schedule.

**"Disbursement"** means the issuance of a loan check, representing the proceeds of a GSL or PLUS loan.

**"Due diligence"** means reasonable care and diligence in processing, making, servicing, and collecting guaranteed loans.

**"Eligible lender"** means any lender approved by the SEAA for participation in the GSL and PLUS programs.

**"Eligible school"** means any school approved by the U.S. Department of Education for participation in the GSL and PLUS programs.

**"Endorser"** means a person who agrees to share the maker's liability on a note by signing the note or repayment agreement. An endorser is liable only when the maker fails in his responsibility.

**"Forbearance"** means a delay of repayment of principal or interest or both, for a short period of time on terms agreed upon in writing by the lender and the borrower.

**"Grace period"** means a single continuous period between the date that the borrower ceases at least half-time studies at an eligible school and the time when repayment of his loan must begin.

**"Guarantee"** means the SEAA's legal obligation to repay the lender the outstanding principal balance plus accrued interest in case of a duly filed claim for default, bankruptcy, total and permanent disability, or death of the borrower.

**"Guarantee fee"** means the fee paid to the SEAA in consideration of its guarantee. Guarantee fees make up the trust fund out of which the SEAA pays its obligations to lenders.

**"Guaranteed Student Loan Program (GSL)"** means the program established in 1965 under Title IV, Part B, of the Higher Education Act to make low-interest loans available to students to pay for their costs of attending eligible post-secondary schools by providing loan insurance.

**"Interest"** means the charge made to the borrower for the use of a lender's money.

**"Interest benefits"** means the payment of interest on behalf of the student GSL borrower by the U.S. Department of Education while the borrower is in school, in grace, or in a period of authorized deferment.

**"Participation agreement"** means the contract setting forth the rights and responsibilities of the lender and the SEAA.

**"Permanent and total disability"** means the inability to engage in any substantial gainful activity because of a

medically determinable impairment that is expected to continue for a long and indefinite period of time or to result in death.

**"PLUS"** means the program established in Virginia in July of 1982, that makes long-term low interest loans available to parents of dependent undergraduate students, independent undergraduate students and graduate students to help them meet the cost of education.

**"Repayment period"** means the period of time from the day following the end of the grace period to the time a loan is paid in full or is cancelled due to the borrower's death, total and permanent disability, or discharge in bankruptcy. For PLUS loans, the repayment period normally begins within 60 days after the loan is made.

**"State Education Assistance Authority (SEAA)"** means the designated guarantor for the GSL and PLUS Programs in the Commonwealth of Virginia.

## PART II. PARTICIPATION.

### § 2.1. Borrower eligibility.

#### A. Requirements.

In order to be eligible for a Virginia Guaranteed Student Loan or PLUS loan, the student/parent borrower shall meet all of the federal eligibility requirements as well as the following criteria:

1. For a repeat borrower, eight months shall have elapsed between the first day of the previous loan period and the first day of the current loan period, or the student for whom the proceeds are being borrowed shall have advanced to a higher grade level for each additional loan, unless he has borrowed less than the maximum limit for that grade level.

2. Neither student nor parent borrower may be in default on any previous GSL or PLUS loans; however, a borrower who has been in default and has since made full restitution to the SEAA or another guarantor including any costs incurred by the SEAA or another guarantor in its collection effort is considered eligible.

3. For purposes of borrower eligibility determination, GSL and PLUS are treated as one program. The status of a student applying for a GSL or PLUS loan will be reviewed for the eight-month time lapse since the first day of the previous loan period, or grade level progression, on the basis of all previous SEAA-guaranteed loans made for or by that student.

#### B. Rights.

Discrimination on the basis of race, creed, color, sex, age, national origin, marital status, or physically handicapped condition is prohibited in the Virginia GSL

## Program and PLUS Program.

### § 2.2. Lender participation.

#### A. Requirements.

A lender may participate in the Guaranteed Student Loan Program and PLUS Program by executing a participation agreement with the SEAA. Lenders participating in the GSL program are not required to participate in the PLUS program, nor vice versa.

#### B. Out-of-state lenders.

In addition to executing a participation agreement, in order to be eligible to participate in the Virginia Guaranteed Student Loan program and PLUS Program, an out-of-state lender shall meet the following criteria:

1. Submit a copy of each other active participation agreement between the lender and any other guarantee agency, including its home state guarantee agency.
2. Submit a satisfactory letter of reference from the home-state guarantee agency and from any other for which an agreement was submitted.
3. Submit a copy of the most recent program review of the lender conducted by the U.S. Department of Education, and the lender's response.
4. Provide the name of the agency (federal reserve, state bank examiner, etc.) that is responsible for conducting examinations of the lender, and the dates of the last three such examinations.
5. Provide an affidavit of the officer whose signature appears on the participation agreement setting out the lender's most recently available default rate.

#### C. Limitation/suspension/termination.

The SEAA reserves the right to limit, suspend, or terminate the participation of a lender in the Virginia GSL and PLUS programs under terms consistent with the regulations of the SEAA and state and federal law.

### § 2.3. School participation.

#### A. Requirements.

Any school approved by the U.S. Department of Education for participation in the Guaranteed Student Loan Program and PLUS Program is eligible for the Virginia GSL and PLUS programs. Summer school courses are eligible, provided that the student is enrolled at least half-time in the session immediately preceding the summer school session or has been accepted for enrollment in a regular session immediately following summer school. Correspondence courses and home study courses are not

eligible.

#### B. Foreign schools.

Applications and correspondence regarding Virginia GSL and PLUS borrowers attending foreign schools shall be completed in English and all sums shall be stated in U.S. dollars.

#### C. Limitation/suspension/termination.

The SEAA reserves the right to limit, suspend, or terminate the participation of a school in the Virginia GSL and PLUS programs under terms consistent with the regulations of the SEAA and state and federal law.

## PART III. LOAN PROCESS.

### § 3.1. Lender/responsibilities.

#### A. Due diligence.

Lenders shall use the same credit standards for GSL and PLUS loans as those used for consumer loans. The lender shall attempt to collect defaulted loans as if there were no guarantee, using every effort short of litigation that it would use on a conventional loan in the ordinary course of business. If the lender so desires, it may take legal action, but this is not required.

#### B. Disbursement.

1. GSL loan proceeds shall be disbursed in a check, or checks made co-payable to the borrower and the school and marked: "GSLP - Payee Endorsement Required." The check(s) shall include the borrower's social security number, and shall be mailed to the financial aid office of the school named on the application.

2. PLUS loan proceeds for a student borrower shall be disbursed in a check or checks made co-payable to the borrower and the school, shall include the borrower's social security number, and shall be mailed to the financial aid office of the school named on the application. PLUS loan proceeds for a parent borrower shall be disbursed in a check payable to the parent and mailed to the permanent address on the application.

### § 3.2. School responsibilities.

#### A. General.

The school shall reply promptly to inquiries made by the SEAA or the lender concerning student borrowers. The school shall return the Student Status Verification Report to the SEAA within 30 days of its receipt. If the school fails to do so, without an extension granted by the SEAA, it may be subject to limitation, suspension or termination

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from the SEAA programs.

## B. Certification.

1. The school shall certify the GSL or PLUS application no later than the last day of the loan period indicated on the application.

2. The certification of the financial aid officer on his own loan application, the application of his spouse or dependent or an application where conflict of interest exists, is not sufficient. In any of these cases, the application shall be accompanied by certification of the immediate supervisor of the financial aid officer.

## C. Disbursement.

If the school receives a loan check for a student after the period of the loan has expired, the school may accept only the amount, if any, owed to the school by that student. The remaining amount may be disbursed to the student only if the school is satisfied that the funds will be used for education expenses incurred during the loan period. If the school deems it necessary, it should require the student to produce documentation of those expenses.

## PART IV. ACTIVE LOAN.

### § 4.1. Guarantee fee.

A. The SEAA guarantee fee on GSLs is one-half of one percent, and is calculated on the principal amount from the date of disbursement to one year after studies are expected to be completed as shown on the loan application. The SEAA does not charge any additional fee for the repayment period or for periods of authorized deferment or extension.

B. The SEAA guarantee fee on PLUS loans is 1.0% and is calculated on the declining principal balance for the life of the loan.

C. A loan cannot be sold or transferred until the guarantee fee has been paid in full.

D. Although the SEAA is not obliged to return any fee, it may refund a guarantee fee at the request of the lender when a loan is cancelled before disbursement, or when the borrower does not use the proceeds of the loan and repays the loan to the lender shortly after disbursement.

### § 4.2. Interest.

#### A. Capitalization.

Before resorting to capitalization, the lender shall first make every effort to get the borrower (or endorser, where applicable) to make full payment of principal and interest due, or if that is not possible, payment of interest as it accrues. The following guidelines shall be followed:

1. Capitalization shall be a last resort, utilized only after exhausting other options (deferment, forbearance, full payment of accrued interest).

2. The preferred candidate for capitalization is a cooperative borrower with an extreme hardship, who takes the initiative to request assistance.

3. Capitalization should be intended not to delay a default, but to avoid it.

4. During periods for which interest is to be capitalized, the lender shall contact the borrower at least quarterly to remind him of the obligation to repay the loan.

#### B. Guarantee on interest.

The SEAA will guarantee capitalized interest, and the interest accruing therefrom, under the following conditions, and where the lender has exercised due diligence:

1. The SEAA will pay interest on those loans not eligible for interest benefits where interest has accrued and has been capitalized during the in-school and grace periods, or during any periods of deferment.

2. The SEAA will pay interest that has accrued during the period from the date the first repayment installment was required until it was made (as in the case of the borrower's unanticipated early departure from school).

3. The SEAA will pay interest that has not been paid during a period of forbearance, or where the lender has discussed the matter with the SEAA and the SEAA has agreed to allow the lender to accrue and capitalize the interest.

### § 4.3. Repayment.

#### A. Minimum loan payment.

Any exception to federally established minimum loan payments must receive SEAA approval.

#### B. Repayment forms.

The SEAA must approve the use of repayment instruments other than the SEAA repayment agreement furnished to lenders.

#### C. Consolidation.

The note(s) for any loans consolidated shall be marked "paid by renewal" and retained in the borrower's file.

### § 4.4. Forbearance.

#### A. Eligibility.

Forbearance may be granted for family illness, financial hardship, enrollment in an eligible school less than full-time after the expiration of the grace period, or transfer to an ineligible school, making the borrower no longer eligible for interest benefits. The SEAA reserves the right to disallow any forbearance.

## B. Duration.

A lender may grant a borrower a single continuous forbearance period of up to three months simply by notifying the SEAA to extend the anticipated date to begin repayment of the promissory note or the anticipated paid-in-full date of the repayment agreement.

A forbearance of longer than three months is subject to approval by the SEAA, except that, in the cases of less than full-time enrollment in an eligible school after expiration of the grace period, or transfer to an ineligible school, the lender may grant a forbearance until the time the borrower has completed his studies at the school.

## § 4.5. Delinquent loans.

### A. Lender responsibilities.

In dealing with GSL and PLUS delinquencies, the lender shall use all means short of litigation that would be used in collecting an uninsured loan of a comparable amount. The lender shall also make every effort to determine if the borrower is entitled to a deferment or eligible for forbearance.

### B. Due diligence.

The lender shall notify the SEAA when a loan is 60 days past due. At 90 days past due, the lender shall send a demand letter to the borrower and to the endorsers, where applicable. The lender may submit a claim for the default at 120 days. If the claim is not submitted to the SEAA at 120 days, the lender shall notify the SEAA and prove that it continues to work the claim past 120 days of delinquency. The lender may continue its collection efforts but shall notify the SEAA so the guarantee will remain in force, up to 210 days.

## PART V. CLAIMS.

### § 5.1. Death claims.

#### A. Lender responsibilities.

To receive payment in the event of the death of the borrower, the lender shall complete and send to the SEAA the appropriate SEAA form(s), a certified copy of the death certificate, the promissory note(s) or repayment agreement(s) marked "Without Recourse Pay to the Order of the State Education Assistance Authority" and endorsed by a proper official of the lender, a schedule of payments made, when applicable, and any support documents the

lender may be able to furnish.

#### B. Interest.

The SEAA will pay interest for no more than 15 days from the date that the lender was officially notified of the death to the date the claim is received by the SEAA. The SEAA pays interest on the claim for the number of days required for review by the SEAA claims staff plus 10 days for check processing. No interest is paid for the period of time during which an incomplete claim has been returned to the lender.

### § 5.2. Total and permanent disability.

#### A. Lender responsibilities.

To file a claim arising from the total and permanent disability of the borrower, the lender shall complete and send to the SEAA the appropriate SEAA form(s), the appropriate, completed federal form(s), signed by a qualified physician (either an M.D. or D.O.), the promissory note(s) or repayment agreement(s) marked "Without Recourse Pay to the Order of the State Education Assistance Authority" and endorsed by a proper official of the lender, a schedule of payments made, when applicable, and any support documents the lender may be able to furnish.

#### B. Interest.

The SEAA will pay interest for no more than 15 days from the date the lender is officially notified of the disability to the date the claim is received by the SEAA. The SEAA pays interest on the claim for the number of days required for review by the SEAA claims staff plus 10 days for check processing. No interest is paid for the period of time during which an incomplete claim has been returned to the lender.

### § 5.3. Default claims.

#### A. Lender responsibilities.

The SEAA guarantee is contingent on the lender's due diligence. Due diligence for default claims requires the following actions:

1. Sending written notice to the borrower when the loan is 5 - 10 days delinquent.
2. Sending a second written notice when the loan becomes 25-30 days delinquent. Making phone calls to the borrower, endorser/co-maker, parents, references, employers. All information available to the lender shall be pursued.
3. Requesting preclaims assistance from the SEAA when the loan becomes 60 days delinquent.
4. Continuing all written correspondence and phone

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calls to appropriate persons when the loan is 60-90 days delinquent.

5. Sending final demand letter to borrower and endorser/co-maker when the loan is 90 days delinquent.

6. Preparing and submitting a claim when loan to SEAA is 180 days delinquent.

## B. Interest.

The SEAA will pay interest for no more than 15 days between the 180th day of delinquency and the date the claim is received by the SEAA. The SEAA pays interest on the claim for the number of days required for review by the SEAA claims staff plus 10 days for check processing. No interest is paid for the period of time during which an incomplete claim has been returned to the lender.

## § 5.4. Bankruptcy claims.

### A. Lender responsibilities.

When a lender receives notice of the filing of a petition in bankruptcy, the lender shall notify the SEAA claims staff by telephone of the impending bankruptcy, contact the endorser by letter, where there is an endorser, and attempt collection on the loan from the endorser. The lender shall also send a bankruptcy claim to the SEAA within 15 days after the lender receives the Notice of First Meeting of Creditors. Except in the case of Chapter 13 Bankruptcy, the lender shall send the SEAA a copy of the letter in which it attempted to collect the loan.

### B. Documentation.

The bankruptcy claim shall include the appropriate completed SEAA form, the notice of bankruptcy, the promissory note(s) or repayment agreement(s) marked "Without Recourse Pay to the Order of the State Education Assistance Authority" and endorsed by a proper official of the lender, a schedule of payments made, when applicable, and any support documents the lender may be able to furnish, as well as any other information that may help the SEAA form the basis for an objection or an exception to the bankruptcy discharge.

### C. Interest.

The SEAA will pay interest for no more than 15 days from the date that the lender is officially notified of the bankruptcy to the date the claim is received by the SEAA. The SEAA pays interest on the claim for the number of days required for review by the SEAA claims staff plus 10 days for check processing. No interest is paid for the period of time during which an incomplete claim has been returned to the lender.

## DEPARTMENT OF HEALTH

### Bureau of Pharmacy Services

**Title of Regulation:** VR 355-01-4. Virginia Voluntary Formulary (1987 Revision).

**Statutory Authority:** §§ 32.1-12 and 32.1-79 et seq. of the Code of Virginia

**Public Hearing Date:** August 26, 1986 - 10 a.m.  
(See Calendar of Events section for additional information)

### Summary:

The purpose of the Virginia Voluntary Formulary is to provide a list of drugs of accepted therapeutic value, commonly prescribed within the state which are available from more than one source of supply, and a list of chemically and therapeutically equivalent drug products which have been determined to be interchangeable. Utilization of the Formulary by practitioners and pharmacists enables citizens of Virginia to obtain safe and effective drug products at a reasonable price consistent with high quality standards.

The proposed revised Virginia Voluntary Formulary adds and deletes drugs and drug products to the Formulary that became effective May 15, 1986. These additions and deletions are based upon recommendations of the Virginia Voluntary Formulary Board following its review of scientific data submitted by pharmaceutical manufacturers.

VR 355-01-4. Virginia Voluntary Formulary (1987 Revision).

### ADDITIONS TO THE VIRGINIA VOLUNTARY FORMULARY

#### ACETAMINOPHEN Tablets

Chase Chemical Co. (Geneva Generics) .....500mg  
Duramed Pharm. (PRL) ..... 325mg, 500mg

#### ACETAMINOPHEN with CODEINE Capsules

Lemmon Co. .... 300mg-30mg, 300mg-60mg  
(Bioline Labs., Geneva Generics, Goldline Labs.)

#### ACETAMINOPHEN with CODEINE Tablets

Duramed Pharm. ....300mg-30mg

#### ACETAMINOPHEN with CODEINE Elixir

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Roxane Labs., Inc. ....120mg-12mg/5ml

**ACETAMINOPHEN with HYDROCODONE  
BITARTRATE  
Tablets**

Barr Labs., Inc. ....500mg-5mg  
Knoll Pharm. ....Vicodin 500mg-5mg

**ACETAZOLAMIDE  
Tablets**

Danbury Pharmacal, Inc. ....250mg

**ALLOPURINOL  
Tablets**

Barr Labs., Inc. ....100mg, 300mg.  
Bolar Pharm. Co., Inc. (Parmed Pharm.) ... 100mg, 300mg  
Danbury Pharmacal, Inc. (Parmed Pharm.) 100mg, 300mg

**AMINOPHYLLINE  
Tablets**

Duramed Pharm. Inc. .... 100mg, 200mg  
(Bioline Labs., Goldline Labs., PRL, Purepac Pharm.)  
Richlyn Labs. (Purepac Pharm.) .... 100mg, 200mg  
Roxane Labs., Inc. .... 100mg, 200mg

**AMINOPHYLLINE  
Solution**

Fisons Corp. ....Somophyllin 105mg/5ml  
Roxane Labs., Inc. ....105mg/5ml

**AMITRIPTYLINE HCl  
Tablets**

Sidmak Labs., Inc. ....150mg

**AMPICILLIN TRIHYDRATE  
Capsules**

Biocraft Labs., Inc. (Goldline Labs.) ..... 250mg, 500mg

**AMPICILLIN TRIHYDRATE  
Suspension**

Biocraft Labs., Inc. .... 125mg/5ml, 250mg/5ml  
(Bioline Labs., Goldline Labs.)

**ASPIRIN with CAFFEINE and BUTALBITAL  
Tablets**

Boots Labs., Inc. (Goldline Labs.) ..... 325mg-40mg-50mg

**ASPIRIN with CODEINE  
Tablets**

Barr Labs., Inc. (Purepac) ..... 325mg-30mg, 325mg-60mg

**ASPIRIN with OXYCODONE  
Tablets**

Halsey Drug Co., Inc. .... 325mg-4.5mg-0.38mg  
(Purepac Pharm.)  
Roxane Labs., Inc. .... 325mg-4.5mg-0.38mg

**BACITRACIN  
Ointment**

Thames Pharmacal Co. ....500u/Gm

**BACITRACIN ZINC-NEOMYCIN  
SULFATE-POLYMYXIN B SULFATE  
Ophthalmic Ointment**

Pharmafair, Inc. ....400u-3.5mg(Base)-10,000u/Gm  
(Bioline Labs., Goldline Labs.)

**BACITRACIN ZINC-HYDROCORTISONE-NEOMYCIN  
SULFATE-POLYMYXIN B SULFATE  
Ophthalmic Ointment**

Burroughs Wellcome Co. .Cortisporin 400u-1%-3.5mg(Base)-  
.....10,000u/Gm  
Pharmafair, Inc. ....400u-1%-3.5mg(Base)-10,000u/Gm

**BENXTROPINE MESYLATE  
Tablets**

Par Pharm., Inc. ....0.5mg, 1mg, 2mg  
(Bioline Labs., Goldline Labs., PRL)  
Quantum Pharmics, Ltd. (Purepac) ..... 1mg, 2mg

**BETAMETHASONE DIPROPIONATE  
Lotion**

National Pharm. Mfg. Co. (Barre) ..... 0.05%  
Schering Corp. .... Diprosone 0.05%

**BETAMETHASONE VALERATE  
Cream**

NMC Labs., Inc. (Bioline Labs., Goldline Labs.) ..... 0.1%  
Thames Pharmacal Co. .... 0.1%

**BETAMETHASONE VALERATE  
Lotion**

National Pharm. Mfg. Co. (Barre) ..... 0.1%

**BETAMETHASONE VALERATE  
Ointment**

NMC Labs., Inc. (Bioline Labs., Goldline Labs.) ..... 0.1%

**BETHANECHOL CHLORIDE  
Tablets**

Sidmak Labs., Inc. ....5mg, 10mg, 50mg



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## BROMPHENIRAMINE MALEATE Tablets

Duramed Pharm., Inc. (PRL) ..... 4mg  
Pioneer Pharm., Inc. (H.L. Moore) ..... 4mg

## BROMPHENIRAMINE MALEATE with PHENYLPROPANOLAMINE HCl and CODEINE PHOSPHATE Syrup

National Pharm. Mfg. Co. .... 2mg-12.5mg-10mg/5ml  
(Barre Drug, Lederle Labs.)  
A.H. Robins Co. .... Dimetane DC 2mg-12.5mg-10mg/5ml

## CARBAMAZEPINE Tablets

Colmed Labs./Pharm. Basics ..... 200mg  
Geigy Pharm. .... Tegretol 200mg

## CARISOPRODOL with ASPIRIN Tablets

Bolar Pharm. Co., Inc. .... 200mg-325mg  
Wallace Labs. .... Soma Compound 200mg-325mg

## CHLORAMPHENICOL Ophthalmic Solution

Pharmafair Inc. (Bioline Labs, Goldline Labs.) .... 5mg/ml

## CHLORPHENIRAMINE MALEATE Controlled Release Capsules

Vitarine Pharm., Inc. (Purepac) ..... 8mg, 12mg

## CHLOPHENIRAMINE MALEATE Tablets

Duramed Pharm., Inc. (PRL) ..... 4mg  
Pioneer Pharm., Inc. (H.L. Moore) ..... 4mg  
Vitarine Pharm., Inc. (VHA Plus) ..... 4mg

## CHLORPROMAZINE HCl Tablets

Pharm. Basics, Inc. (Purepac) ..... 10, 25, 50, 100, 200mg

## CHLORPROMAZINE HCl Concentrate

Roxane Labs., Inc. .... 30mg/ml, 100mg/ml

## CHLORPROPAMIDE Tablets

Colmed Labs./Pharm. Basics ..... 100mg, 250mg  
(Purepac Pharm.)  
Par Pharm., Inc. (PRL) ..... 100mg, 250mg  
Sidmak Labs., Inc. .... 100mg, 250mg

## CHLORTHALIDONE Tablets

Sidmak Labs., Inc. .... 25mg, 50mg  
Zenith Labs., Inc. (Purepac) ..... 25mg

## CHOLESTYRAMINE Powder Packets

Mead-Johnson & Co. .... Questran 4 Gm  
Pharmaceutical Basics, Inc. .... 4 Gm

## CLOFIBRATE Capsules

Ayerst Labs., Inc. .... Atromid-S 500mg  
Chase Chemical (Pharm. Basics) ..... 500mg

## CLONIDINE HCl Tablets

Biocraft Labs., Inc. .... 0.1mg, 0.2mg, 0.3mg  
Boehringer Ingelheim, Ltd. .. Catapres 0.1mg, 0.2mg, 0.3mg  
Par Pharm., Inc. .... 0.1mg, 0.2mg, 0.3mg

## CLOXACILLIN SODIUM Solution

Biocraft Labs., Inc. .... 125mg/5ml  
(Bioline Labs., Goldline Labs.)

## COLCHICINE Tablets

West-ward, Inc. (Purepac Pharm.) ..... 0.6mg

## CYPROHEPTADINE Tablets

Par Pharm., Inc. (PRL) ..... 4mg  
Pioneer Pharm., Inc. (H.L. Moore) ..... 4mg

## DEXAMETHASONE Tablets

Par Pharm., Inc. (PRL) ..... 0.25mg, 0.5mg, 0.75mg  
..... 1.5mg, 4mg, 6mg

## DEXAMETHASONE-NEOMYCIN SULFATE-POLYMYXIN B SULFATE Ophthalmic Ointment

Pharmafair, Inc. .... 0.1%-3.5mg(Base)-10,000u/Gm  
(Bioline Labs., Goldline Labs.)

## DEXAMETHASONE-NEOMYCIN SULFATE-POLYMYXIN B SULFATE Ophthalmic Suspension

Pharmafair, Inc. .... 0.1%-3.5mg(Base)-10,000u/ml  
(Bioline Labs., Goldline Labs.)

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## DIAZEPAM Tablets

Barr Labs., Inc. ....2mg, 5mg, 10mg  
 Duramed Pharm., Inc. ....2mg, 5mg, 10mg  
 Mylan Pharm., Inc. (Qualitest) ....2mg, 5mg, 10mg  
 Par Pharm., Inc. ....2mg, 5mg, 10mg  
 Zenith Labs., Inc. ....2mg, 5mg, 10mg  
 (Bioline Labs., Goldline Labs.)

## DIETHYLPROPION HCl Tablets

Camall Company .....25mg

## DIPHENHYDRAMINE HCl Capsules

Towne-Paulsen & Co. (VHA Plus) .....25mg, 50mg

## DIPHENOXYLATE HCl with ATROPINE SULFATE Liquid

Roxane Labs., Inc. ....2.5mg-0.025mg/5ml

## DIPYRIDAMOLE Tablets

Par Pharm., Inc. (PRL) .....25mg, 50mg, 75mg

## DISOPYRAMIDE PHOSPHATE Capsules

Biocraft Labs., Inc. ....100mg, 150mg  
 (Bioline Labs., Goldline Labs.)

## DOCUSATE CALCIUM Capsules

Pharmacaps, Inc. (PRL) .....240mg

## DOCUSATE CALCIUM with DANTHRON Capsules

Hoechst-Roussel Pharm. ....Doxidan 60mg-50mg  
 Pharmacaps, Inc. (United Research) .....60mg-50mg

## DOCUSATE SODIUM Capsules

Pharmacaps, Inc. (PRL) .....100mg, 250mg

## DOCUSATE SODIUM with CASANTHRANOL Capsules

Pharmacaps, Inc. (PRL) .....100mg-30mg

## DOXYCYCLINE HYCLATE Capsules

Par Pharm., Inc. (PRL) .....50mg, 100mg

## ERGOLOID MESYLATES Tablets

Barr Labs., Inc. ....1mg  
 Bolar Pharm. Co., Inc. (PRL) .....1mg

## ERGOLOID MESYLATES Sublingual Tablets

Bolar Pharm., Co., Inc. (PRL) .....0.5mg, 1mg

## ERYTHROMYCIN ETHYLSUCCINATE Suspension

National Pharm. Mfg. Co. ....400mg/5ml  
 (Bioline Labs., Goldline Labs.)

## ESTROPIPATE Tablets

Abbott Labs., Inc. ....Ogen 1.5mg, 3mg  
 Pharm. Basics, Inc. ....1.5mg, 3mg

## FERROUS SULFATE Tablets

Chase Chemical Co. (Bell Pharm.) .....325mg  
 Duramed Pharm., Inc. ....325mg  
 (Vanguard Labs., VHA Plus)

## FLUOCINOLONE ACETONIDE Cream

Clay-Park Labs., Inc. ....0.01%, 0.025%  
 (Goldline Labs.)  
 Thames Pharm. Co. ....0.01%, 0.025%

## FLURANDRENOLIDE Lotion

National Pharm. Mfg. Co. ....0.05%  
 (Bioline Labs., Goldline Labs.)

## FLURAZEPAM HCl Capsules

Hoffman-LaRoche, Inc. ....Dalmane 15mg, 30mg  
 Mylan Pharm., Inc. (VHA Plus) .....15mg, 30mg  
 Par Pharm., Inc. ....15mg, 30mg

## FOLIC ACID Tablets

Towne-Paulsen & Co. (VHA Plus) .....1mg

## FUROSEMIDE Tablets

Barr Labs., Inc. ....20mg  
 Danbury Pharmacal, Inc. ....20mg, 40mg  
 Roxane Labs., Inc. ....20mg, 40mg

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Watson Labs., Inc. .... 20mg, 40mg, 80mg

**GENTAMYCIN SULFATE**  
Ophthalmic Solution

Pharmafair, Inc. .... 3mg/ml  
(Bioline Labs., Goldline Labs.)

**GENTAMYCIN SULFATE**  
Cream

Thames Pharmacal Co. .... 0.1%

**GLUTETHIMIDE**  
Tablets

MD Pharm., Inc. (Purepac Pharm.) .....500mg

**GRAMICIDIN with NEOMYCIN SULFATE and  
POLYMYXIN B SULFATE**  
Ophthalmic Solution

Pharmafair, Inc. ....0.025mg-1.75mg(Base)-10,000u/ml  
(Geneva Generics)

**GUAIFENESIN**  
Syrup

National Pharm. Mfg. Co. ....100mg/5ml  
(Barre Drug, Lederle Labs.)

A.H. Robins Co. ....Robitussin 100mg/5ml

**GUAIFENESIN with DEXTROMETHORPHAN HBr.**  
Syrup

National Pharm. Mfg. Co. ....100mg-15mg/5ml  
(Barre Drug, Lederle Labs.)

A.H. Robins Co. ....Robitussin DM 100mg-15mg/5ml

**GUANETHIDINE MONOSULFATE**  
Tablets

Bolar Pharm. Co., Inc. ....10mg, 25mg  
(Bioline Labs., Goldline Labs.)

**HYDRALAZINE HCl**  
Tablets

Barr Labs., Inc. .... 10mg, 100mg  
Par Pharm., Inc. (PRL) ..... 10mg, 25mg, 50mg, 100mg  
Sidmak Labs. ....100mg

**HYDRALAZINE HCl with HYDROCHLOROTHIAZIDE**  
Capsules

Reid Provident Labs. .... 25mg-25mg, 50mg-50mg  
(Bioline Labs., Goldline Labs., International Labs.)

**HYDRALAZINE HCl with HYDROCHLOROTHIAZIDE**  
Tablets

Bolar Pharm. Co., Inc. ....25mg-15mg  
(Bioline Labs., Goldline Labs.)

**HYDROCHLOROTHIAZIDE with HYDRALAZINE HCl  
and RESERPINE**  
Tablets

Reid-Provident Labs., Inc. .... 15mg-25mg-0.1mg  
(International Labs.)

**HYDROCORTISONE**  
Topical Lotion

Clay-Park Labs., Inc. .... 0.5%  
(Bioline Labs., Goldline Labs.)

Thames Pharmacal Co. .... 0.5%

**HYDROCORTISONE**  
Tablets

Purepac/Kalipharma, Inc. ....10mg

**HYDROXYZINE HCl**  
Tablets

Barr Labs., Inc. .... 10mg, 25mg, 50mg, 100mg  
(VHA Plus)

Par Pharm., Inc. .... 10mg, 25mg, 50mg  
(Purepac Pharm., PRL)

Sidmak Labs., Inc. ....10mg, 25mg

**HYDROXYZINE PAMOATE**  
Capsules

Par Pharm., Inc. (PRL) ..... 25mg, 50mg, 100mg

**IBUPROFEN**  
Tablets

Barr Labs., Inc. .... 400mg, 600mg  
(Parmed Pharm., Purepac Pharm.)

Boots Pharm., Inc. .... 400mg, 600mg  
(Bioline Labs., Goldline Labs.)

Danbury Pharmacal, Inc. .... 400mg, 600mg  
(Geneva Generics, Qualitest Labs.)

MylanPharm., Inc. .... 400mg, 600mg

Par Pharm., Inc. .... 400mg, 600mg  
(Bioline Labs., Goldline Labs., PRL)

**IMIPRAMINE HCl**  
Tablets

Par Pharm., Inc. (PRL) ..... 10mg, 25mg, 50mg

**INDOMETHACIN**  
Capsules

Duramed Pharm., Inc. ....25mg, 50mg

Par Pharm., Inc. (PRL) .....25mg, 50mg

Watson Labs., Inc. ....25mg, 50mg

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## ISOSORBIDE DINITRATE Tablets

Par Pharm., Inc. (PRL) .....5mg, 10mg, 20mg

## LIDOCAINE HCl Topical Ointment

Thames Pharmacal Co. ....5%

## LINDANE Lotion

National Pharm. Mfg. Co. ....1%  
(Bioline Labs., Goldline Labs.)

## LINDANE Shampoo

National Pharm. Mfg. Co. ....1%  
(Bioline Labs., Goldline Labs.)

## LORAZEPAM Tablets

Barr Labs., Inc. .... 0.5mg, 1mg, 2mg  
Duramed Pharm., Inc. .... 0.5mg, 1mg, 2mg

## MECLIZINE HCl Tablets

Par Pharm., Inc. (PRL) .....12.5mg, 25mg  
Sidmak Labs., Inc. ....12.5mg, 25mg

## MEPERIDINE HCl Tablets

Barr Labs., Inc. .... 50mg, 100mg  
(Bioline Labs., Goldline Labs.)

## MEPERIDINE HCl Syrup

Roxane Labs., Inc. .... 50mg/5ml  
Winthrop Labs. ....Demerol 50mg/5ml

## METHYCLOTHIAZIDE Tablets

Par Pharm., Inc. .... 2.5mg, 5mg

## METHYCLOTHIAZIDE with DESERPIDINE Tablets

Bolar Pharm. Co., Inc. .... 5mg-0.25mg, 5mg-0.5mg  
(Bioline Labs., Goldline Labs.)

## METHYLDOPA Tablets

Cord Labs., Inc. .... 250mg, 500mg

(Bioline Labs., Goldline Labs.)

Duramed Pharm., Inc. .... 250mg, 500mg  
Lederle Labs. .... 250mg, 500mg  
Mylan Pharm., Inc. .... 250mg, 500mg  
(Bioline Labs., Goldline Labs.)  
Zenith Labs., Inc. .... 250mg, 500mg

## METHYLDOPA with HYDROCHLOROTHIAZIDE Tablets

Merck, Sharp & Dohme ..... Aldoril-15 250mg-15mg  
..... Aldoril-25 250mg-25mg  
Mylan Pharmaceuticals, Inc. ....250mg-15mg  
.....250mg-25mg

## METHCLOPRAMIDE HCl Tablets

Beecham Labs. .... 10mg  
Colmed Labs./Pharm. Basics Inc. (PRL) ..... 10mg  
Danbury Pharmacal, Inc. .... 10mg  
Par Pharm., Inc. .... 10mg

## METRONIDAZOLE Tablets

Par Pharm., Inc. (PRL) ..... 250mg, 500mg  
Sidmak Labs., Inc. ....500mg

## NEOMYCIN SULFATE with HYDROCORTISONE and POLYMYXIN B SULFATE Otic Solution

Pharmafair, Inc. .... 3.5mg(Base)-1%-10,000u/ml  
(Bioline Labs., Goldline Labs.)

## NEOMYCIN SULFATE with HYDROCORTISONE and POLYMYXIN B SULFATE Otic Suspension

Pharmafair, Inc. .... 3.5mg(Base)-1%-10,000u/ml  
(Bioline Labs., Goldline Labs.)

## NIFEDIPINE Capsules

Miles Pharm. .... Adalat 10mg  
Pfizer Labs. .... Procardia 10mg

## NYSTATIN Vaginal Tablets

Lemmon Co. (Goldline Labs.) .....100,000u  
Quantum Pharmics, Ltd. ....100,000u

## NYSTATIN Topical Cream

Thames Pharmacal Co. ....100,000u/Gm

## NYSTATIN

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<p style="text-align: center;">Vaginal Ointment</p> <p>Clay-Park Labs. ....100,000u/Gm (Bioline Labs., Goldline Labs., Qualitest Labs.)</p> <p style="text-align: center;">NYSTATIN with TRIAMCINOLONE ACETONIDE Cream</p> <p>Lemmon Co. ....100,000u-1mg/Gm E.R. Squibb &amp; Sons, Inc. .... Mycolog-II 100,000u-1mg/Gm</p> <p style="text-align: center;">NYSTATIN with TRIAMCINOLONE ACETONIDE Ointment</p> <p>Lemmon Co. ....100,000u-1mg/Gm E.R. Squibb &amp; Sons, Inc. .... Mycolog-II 100,000u-1mg/Gm</p> <p style="text-align: center;">OXTRIPHYLLINE Tablets</p> <p>Bolar Pharm. Co., Inc. .... 100mg, 200mg (Bioline Labs., Goldline Labs.)</p> <p style="text-align: center;">PAPAVERINE HYDROCHLORIDE Controlled Release Capsules</p> <p>Duramed Pharm., Inc. (PRL) .....150mg Pioneer Pharm., Inc. ....150mg (Bioline Labs., H.L. Moore)</p> <p style="text-align: center;">PAPAVERINE HYDROCHLORIDE Tablets</p> <p>Sidmak Labs., Inc. (Qualitest Labs.) .....300mg</p> <p style="text-align: center;">PENICILLIN V POTASSIUM Tablets</p> <p>Beecham Labs. .... 250mg, 500mg Biocraft Labs., Inc. (Goldline Labs.) ..... 250mg, 500mg</p> <p style="text-align: center;">PENICILLIN V POTASSIUM Solution</p> <p>Beecham Labs. .... 125mg/5ml, 250mg/5ml</p> <p style="text-align: center;">PHENAZOPYRIDINE HYDROCHLORIDE Tablets</p> <p>Copley Pharm., Inc. .... 100mg, 200mg (Vanguard Labs., VHA Plus) Quantum Pharmics, Ltd. .... 100mg, 200mg</p> <p style="text-align: center;">PHENOBARBITAL Tablets</p> <p>Lemmon Co. (Geneva Generics) .....15mg Pharmaceutical Basics, Inc. ....60mg</p> <p style="text-align: center;">PHENTERMINE Capsules</p>	<p>Duramed Pharm., Inc. ....30mg</p> <p style="text-align: center;">PHENYLBUZAZONE Tablets</p> <p>Barr Labs., Inc. ....100mg</p> <p style="text-align: center;">PHENYTOIN SODIUM Extended Capsules</p> <p>Bolar Pharm. Co., Inc. ....100mg (Bioline Labs., Goldline Labs., Qualitest)</p> <p style="text-align: center;">POTASSIUM CHLORIDE Packets</p> <p>Bajamar Chemical Co. (Abbott) ..... 20mEq</p> <p style="text-align: center;">POTASSIUM GLUCONATE Elixir</p> <p>National Pharm. Mfg. Co. ....20mEq/15ml (Bioline Labs., Goldline Labs.)</p> <p style="text-align: center;">PREDNISONE Tablets</p> <p>Duramed Pharm., Inc. (PRL) .....5mg, 10mg, 20mg</p> <p style="text-align: center;">PROBENECID Tablets</p> <p>Zenith Labs., Inc. ....500mg (Bioling Labs., Goldline Labs.)</p> <p style="text-align: center;">PROBENECID with COLCHICINE Tablets</p> <p>Zenith Labs., Inc. (Purepac) ..... 500mg-0.5mg</p> <p style="text-align: center;">PROCAINAMIDE HCl Controlled Release Tablets</p> <p>Bolar Pharm. Co., Inc. ....250mg (Bioline Labs., Goldline Labs.) Copley Pharmaceutical, Inc. ....500mg Danbury Pharmacal, Inc. .... 250mg, 500mg, 750mg Sidmak Labs., Inc. .... 250mg, 500mg</p> <p style="text-align: center;">PROMETHAZINE HYDROCHLORIDE Tablets</p> <p>Danbury Pharmacal, Inc. ....50mg</p> <p style="text-align: center;">PROMETHAZINE HCl with CODEINE PHOSPHATE Syrup</p> <p>National Pharm. Mfg. Co. ....6.25mg-10mg/5ml (Purepac Pharm.)</p> <p style="text-align: center;">PROMETHAZINE HCl with DEXTROMETHORPHAN</p>
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## Syrup

National Pharm. Mfg. Co. ....6.25mg-15mg/5ml  
(Bioline Labs., Goldline Labs.)

### PROMETHAZINE HCl with PHENYLEPHRINE HCl and CODEINE PHOSPHATE Syrup

National Pharm. Mfg. Co. ....6.25mg-5mg-10mg/5ml  
(Purepac Pharm.)

### PROPOXYPHENE NAPSYLATE with ACETAMINOPHEN Tablets

Barr Labs., Inc. ....50mg-325mg, 100mg-650mg  
(Parmed Pharm.)  
Lemmon Co. (Parmed Pharm.) .... 100mg-650mg  
Mylan Pharm., Inc. (Parmed) .... 100mg-650mg

### PROPRANOLOL HYDROCHLORIDE Tablets

Barr Labs., Inc. .... 10mg, 20mg, 40mg  
Danbury Pharmacal, Inc. .... 10mg, 20mg, 40mg, 80mg  
Duramed Pharm., Inc. .... 10mg, 20mg, 40mg, 80mg  
(Parmed Pharm., PRL, Purepac Pharm., Qualitest Labs.)  
Martec Pharm./Schering Corp. ... 10mg, 20mg, 40mg, 80mg  
(Zenith Labs.)  
Mylan Pharm., Inc. .... 10mg, 20mg, 40mg, 80mg  
Watson Labs., Inc. .... 10mg, 20mg, 40mg, 80mg

### PSEUDOEPHEDRINE HYDROCHLORIDE Tablets

Duramed Pharm., Inc. (PRL) ....30mg, 60mg

### PSEUDOEPHEDRINE HCl with TRIPROLIDINE HCl Syrup

Naska Pharmacal, Inc. (Rugby) ....30mg-1.25mg/5ml

### QUINIDINE SULFATE Tablets

Vitarine Pharm. (VHA Plus) .... 200mg, 300mg

### QUININE SULFATE Capsules

Danbury Pharmacal, Inc. ....200mg

### RESERPINE Tablets

Lemmon Co. .... 0.1mg, 0.25mg  
(Bioline Labs., Goldline Labs.)

### SELENIUM SULFIDE Lotion/Shampoo

Ross Labs. .... Selsun Blue 1%  
Thames Pharmacal Co. ....1%, 2.5%

### SULFACETAMIDE SODIUM Ophthalmic Ointment

Pharmafair, Inc. ....10%  
(Bioline Labs., Goldline Labs.)

### SULFACETAMIDE SODIUM Ophthalmic Solution

Pharmafair, Inc. ....10%  
(Bioline Labs., Goldline Labs.)

### SUCRALFATE Tablets

Marion Labs., Inc. .... Carafate 1 Gm  
Pharmaceutical Basics, Inc. .... 1 Gm

### SULFAMETHOXAZOLE Tablets

Bolar Pharm., Co., Inc. (Purepac Pharm.) ....500mg

### SULFINPYRAZONE Capsules

Par Pharm., Inc. ....200mg

### SULFINPYRAZONE Tablets

Par Pharm., Inc. ....100mg

### TEMAZEPAM Capsules

Pharmaceutical Basics, Inc. ....15mg, 30mg  
Quantum Pharmics, Ltd. ....15mg, 30mg  
(Parmed Pharm., Purepac Pharm.)  
Sandoz Pharmaceuticals .... Restoril 15mg, 30mg

### THEOPHYLLINE Solution

Riker Labs., Inc. ....Theolair 80mg/15ml  
Roxane Labs., Inc. ....80mg/15ml

### THIORIDAZINE HCl Tablets

Bolar Pharm. Co., Inc. (Purepac Pharm.) .. 100mg, 200mg  
Danbury Pharmacal, Inc. (Geneva Generics) .....200mg  
Par Pharm., Inc. (PRL) ..10mg, 15mg, 25mg, 50mg, 100mg

### THIORIDAZINE HCl Concentrate

Roxane Labs., Inc. ....30mg/ml, 100mg/ml

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## TOLAZAMIDE Tablets

Barr Labs., Inc. ....100mg, 250mg, 500mg  
Colmed Labs./Pharm.Basics, Inc. .... 250mg, 500mg  
Danbury Pharmacal, Inc. ....100mg, 250mg, 500mg  
Duramed Pharm., Inc. ....100mg, 250mg, 500mg  
Mylan Pharm., Inc. .... 250mg, 500mg  
Zenith Labs., Inc. ....100mg, 250mg, 500mg  
(Bioline Labs., Goldline Labs.)

## TOLBUTAMIDE Tablets

Purepac/Kalipharma, Inc. ....500mg

## TRAZODONE HCl Tablets

Danbury Phamracal, Inc. .... 50mg, 100mg  
Mead-Johnson & Co. .... Desyrel 50mg, 100mg  
Pharmaceutical Basics, Inc. .... 50mg, 100mg

## TRIAMCINOLONE ACETONIDE Cream

MNC Labs., Inc. (Purepac Pharm.) .... 0.1%

## TRIAMCINOLONE ACETONIDE Ointment

Clay-Park Labs., Inc. ....0.025%, 0.1%, 0.5%  
(Goldline Labs.)  
Thames Pharmacal Co. .... 0.1%

## TRIFLUOPERAZINE HCl Tablets

Duramed Pharm., Inc. ....1mg, 2mg, 5mg, 10mg  
(PRL, Purepac Pharm.)

## TRIMETHOPRIM Tablets

Biocraft Labs., Inc. ....100mg  
(Bioline Labs., Goldline Labs.)  
Danbury Pharmacal, Inc. ....100mg

## TRIMETHOPRIM with SULFAMETHOXAZOLE Tablets

Par Pharm., Inc. (PRL) ....80mg-400mg, 160mg-800mg

## TRIMETHOPRIM with SULFAMETHOXAZOLE Suspension

National Pharm. Mfg. Co. ....40mg-200mg/5ml  
(Bioline Labs., Goldline Labs.) ....40-200mg/5ml  
..... Pediatric Suspension

## VALPROIC ACID

## Capsules

Abbott Labs., Inc. .... Depakene 250mg  
Par Pharm., Inc. ....250mg  
Pharm. Basics, Inc. ....250mg  
Scherer, Inc. (International Labs.) ....250mg

## VERAPAMIL HCl Tablets

Danbury Pahrmacal, Inc. .... 80mg, 120mg

## DELETIONS FROM 1986 VIRGINIA VOLUNTARY FORMULARY

## OXYPHENBUTAZONE Tablets

Ciba-Geigy Pharm. (USV Pharm.) ....100mg  
Geigy Pharm. .... Tandearil 100mg

# FINAL REGULATIONS

For information concerning Final Regulations, see information page.

## Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates new text. Language which has been stricken indicates text to be deleted. [Bracketed language] indicates a substantial change from the proposed text of the regulations.

## VIRGINIA AUCTIONEERS BOARD

**Title of Regulation:** VR 150-01-2. Rules and Regulations of the Virginia Auctioneers Board.

**Statutory Authority:** §§ 54-824.9:2 and 54-824.9:3 of the Code of Virginia.

**Effective Date:** July 28, 1986

### Summary:

*The regulations establish criteria for certification of auctioneers in accordance with §§ 54-824.9:2 and 54-824.9:3 of the Code of Virginia. It is in the interest of the public to provide a category of auctioneers who, because of their attainment of experience, examination and education are certified as having minimal competency as auctioneers in Virginia. The objective of these regulations is to assure that auctioneers have met the desired competence through the least burdensome and most cost-effective method available. It should be emphasized that the program is voluntary and that its value is in its potential for reciprocity with other jurisdictions.*

VR 150-01-2. Rules and Regulations of the Virginia Auctioneers Board.

## SECTION ONE

### PART I. GENERAL.

#### § 1.1. Board of Auctioneers.

~~1.1.1~~ A. Officers. The board will elect the following officers for a term of one year beginning July 1 and ending June 30:

Chairman

Vice-Chairman

~~1.1.2~~ B. Term of chairman. No board member shall serve more than two consecutive terms as chairman.

~~1.1.3~~ C. Committees. The board may establish from its membership committees to conduct business for specific purposes.

~~1.1.4~~ D. Quorum. Three members of the board shall constitute a quorum for the purpose of transaction of official business.

## SECTION TWO

### PART II. ENTRY REQUIREMENTS.

#### § 2.1. Registration.

All persons or firms as defined in § 54-824.2 of the Code of Virginia who conduct auctions or offer their services to sell at auction in this Commonwealth are required to file a registration application and pay the specified fee to the board. Applicants shall be at least 18 years of age.

~~2.1.1~~ A. Notarized information required. Information necessary to obtain registration shall include, but not be limited to the following:

~~2.1.1.1~~ 1. Name of individual or firm;

~~2.1.1.2~~ 2. Name and address where the business is located [ and/ ] or home address if individual;

~~2.1.1.3~~ 3. Any trading as name;

~~2.1.1.4~~ 4. Type of legal entity;

~~2.1.1.5~~ 5. Name of owner;

~~2.1.1.6~~ 6. Statement that the applicant has read the statutes and regulations governing auctioneers;

~~2.1.1.7~~ 7. Statement of no criminal convictions related to past auction activity;

~~2.1.1.8~~ 8. Number of auctioneers employed in the firm.

~~2.1.2~~ B. Bond required. All applicants shall submit evidence that a surety bond in at least the amount of \$10,000 has been obtained.

~~2.1.3~~ C. Insurance in lieu of bond. In lieu of the bond required in Section ~~2.1.2~~ subsection B above, applicants may show evidence that a liability insurance policy in at least the amount of \$10,000 has been obtained.

~~2.1.4~~ D. Fees. The application fee for registration shall be \$75.

~~2.1.5~~ E. Renewal registration fee. Registrations issued under these regulations shall be issued for a two year period and will expire on September 30 of each even numbered year. Each registration holder will be required to renew the registration by submitting a fee of \$75, made



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payable to the Treasurer of Virginia, to the Director of the Department of Commerce. The renewal fee is to be paid before the expiration date shown on the last valid registration. At least 45 days prior to the date of expiration, a renewal notice will be mailed to each registration holder reminding him of the amount due and the method for renewing the registration. Failure to receive written notice from the Director of the Department of Commerce does not relieve the registration holder from the requirement to renew the registration.

If the registration holder fails to renew the registration within 30 days after the expiration date, a penalty fee of twice the renewal fee will be assessed at the time of reregistration.

If the registration holder fails to renew the registration within six months following the expiration date of the last valid registration, he will be required to apply for reinstatement. The applicant will be required to present reasons for reinstatement and the board may grant reinstatement of the registration in conformity with existing regulations. The application fee for reinstatement shall be an amount equal to twice the renewal fee.

~~3-1-6~~ F. Change of address. Written notice shall be given within 30 days to the board by each registrant of any change of principal business location, whereupon the board shall issue an amended registration without fee for the unexpired portion of the biennial period.

## SECTION THREE

### PART III. STANDARDS OF PRACTICE.

#### § 3.1. Advertising.

All advertising must be truthful and contain no false or misleading statements with respect to types or conditions of goods offered at auction.

#### § 3.2. Contracts.

When an auctioneer agrees to conduct an auction, a contract will be drawn setting forth particulars for the disbursement of the proceeds and the terms and conditions under which the auctioneer received the goods for sale.

~~3-2-1~~ A. A list of the type of goods received for sale shall be made a part of the contract.

~~3-2-2~~ B. Each contract shall include above the signature line: "I have read and accepted the terms of this contract."

~~3-2-3~~ C. Each contract shall include the name, address, telephone number and registration number of the auctioneer.

~~3-2-4~~ D. The seller shall be given a legible executed copy of the contract at time of signature.

#### § 3.3. Conduct of auctions.

No auctioneer shall attempt to escalate bidding through false bids, or through collusion with another (shills).

#### § 3.4. Display of registration.

Auctioneers shall carry their pocket card on their person and shall produce them on request; auction houses shall display their registration in conspicuous locations.

#### § 3.5. Documentation.

Upon completion of the auctioneer's services each seller shall be given legible copies of bills of sale, clerk sheets/consignment sheets, settlement papers, balance sheets or other evidence to properly account for all items sold at auction.

#### § 3.6. Escrow funds.

Proceeds of a personal property auction not disbursed to the seller on auction day shall be deposited in an escrow account by the auctioneer no later than the next banking day. Auctioneers shall use federally insured depositories in this Commonwealth. Proceeds due shall be disbursed to the seller not to exceed 30 days after completion of the auctioneer's services. Funds from a real estate auction shall be held in escrow until settlement in accordance with the agreement of sale.

#### § 3.7. Records.

The contract drawn with each seller, auction records and final settlement papers shall be retained for a period of two years from the date of settlement. Such records shall be available for inspection by the board or its designated agent as deemed appropriate and necessary.

#### § 3.8. Use of designation certified Virginia auctioneer.

No person may hold himself out to the public as a Certified Virginia Auctioneer until regulations pertaining to such certification have been promulgated by the board and such person has been certified under those regulations.

#### § 3.9. Revocation, suspension, failure to renew.

The board may suspend, revoke or not renew a registration or certificate for auctioneers or impose fines and hearing costs on registrants for the following causes:

~~3-9-1~~ 1. Failure to pay the seller for goods sold at auction;

~~3-9-2~~ 2. Permitting a nonregistered individual to cry bids at their auction;

~~3.0.3~~ 3. Conviction in a court of this Commonwealth or of any state of a criminal offense directly relating to the auction business.

~~3.0.4~~ 4. Violation of any of these regulations or of the provisions of Chapters 1, 1.1, and 20.1, of Title 54, of the Code of Virginia.

## PART IV. CERTIFICATION.

### § 4.1. Qualifications for certification.

Those registered individuals who desire to be designated CERTIFIED VIRGINIA AUCTIONEERS, unless exempt under [ ~~Virginia Code~~ ] § 54-824.17(ii) [ of the Code of Virginia ], shall have the following qualifications:

A. The applicant shall not have been convicted within the past five years of a criminal offense related to auction activity in Virginia or any other jurisdiction.

B. The applicant shall not have had a registration, certificate or license as an auctioneer revoked within the past five years in Virginia or any other jurisdiction.

C. The applicant shall meet one of the experience levels set forth below:

1. Have conducted at least 25 auctions within the past eight years at which [ ~~he the applicant~~ ] has cried the bids; or

2. Have, in lieu of the above, successfully completed a course of study at a school of auctioneering which has obtained course approval from the board, or an equivalent course, and have conducted at least 12 auctions within the past eight years at which [ ~~he the applicant~~ ] cried the bids.

D. The applicant shall take and pass a written examination offered by the board unless exempt as set forth below:

[ ~~±~~ ] Those applicants who have been practicing auctioneers for at least two years under a Virginia revenue license and make application prior to January 1, 1987, shall be exempt from the examination.

### § 4.2. Application.

Applicants shall submit an application either for examination and certification, or for certification, as applicable, and shall pay the proper fees to the board.

A. Notarized information required. Information necessary to obtain certification shall include, but not be limited to the following:

1. Name and registration number of the individual.

2. Address of the individual as appearing on the applicant's registration.

3. Statement of no criminal conviction related to auction activity within the past five years.

4. Statement of no revocation of registration, certificate or license within the past five years.

5. Statement of experience level.

6. Statement, when applicable, of exemption from examination.

B. Attachments required. Attachments to the application shall include, as applicable, copies of satisfactory auction school completion, newspaper advertisements, hand bills, direct mail advertising, brochures, [ ~~auction~~ ] catalogs, contracts with settlement papers, or notarized statements from clients making evident the applicant meets the required experience level.

[ ~~±~~ ] Applicants exempt from examination under subsection D of § [ ~~4. 4.1~~ ] shall, in addition to providing attachments required by [ this ] subsection, [ ~~B of § 2~~ ] attach copies of their state revenue licenses or checks therefor.

### § 4.3. Examination.

The examination shall test the applicant's knowledge of the following:

A. The auction business including fundamentals of auctioneering, elementary principals or real estate, brokerage, contract drawing, [ ~~agency,~~ ] advertising, [ ~~sale preparation auction~~ ], bid calling, arithmetic and percentages, settlement statements, ethics; and

B. The Virginia statutes entitled Auctioneers' Registration and Certification Act, [ ~~Virginia Code~~ ] §§ 54-824.1 through 54-824.21 [ of the Code of Virginia ]; bulk transfers, [ ~~Virginia Code~~ ] §§ 8.6-101 through 8.6-111 and § 8.2-328 [ of the Code of Virginia ], and the rules and regulations of the board.

### § 4.4. Certification through reciprocity.

Applicants shall submit an application for certification and pay the proper fee to the board.

A. Notarized information required. Information necessary to obtain certification shall include, but not be limited to the following:

1. Name and registration number of the individual.

2. Address of the individual as appearing on the applicant's registration.

B. Attachment required. A copy of the applicant's valid

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*auctioneer license or certification shall be attached to the application.*

## **§ 4.5. Fees.**

*All fees are nontransferable or nonrefundable.*

*A. The fee, good for one year for examination, shall be \$50 and submitted with the application.*

*B. The fee, good for one year for reexamination, shall be \$50 and submitted with the application.*

*C. The fee for certification shall be \$75 and submitted upon notice of passing the examination or with the application if exempt from examination.*

## **§ 4.6. Duration of certification.**

*Certification on an individual shall remain in effect so long as the registration of such auctioneer has not been revoked, suspended or allowed to expire without renewal.*

## **§ 4.7. Schools of auctioneering.**

*A. Application for course approval. Schools seeking approval of their courses shall file a request with the board. The request shall include the following information:*

- 1. Name and address of the school.*
- 2. Locations where classes will be held.*
- 3. Length of the course and total number of hours of instruction.*
- 4. Subjects covered together with number of instruction hours assigned.*
- 5. Names and qualifications of instructors (areas of expertise and experience).*

*B. Requirements for course approval. To receive course approval the institution must offer a minimum of 80 hours of classroom and field instruction in the conduct of auction business to include fundamentals of auctioneering, elementary principles of real estate, brokerage, contract drawing, advertising, sale preparation, bid calling, settlement statements and ethics. There must be at least five instructors who have been licensed/certified auctioneers for at least five years and who specialize in different fields of the auction business.*



COMMONWEALTH of VIRGINIA

Department of Commerce

DAVID R. HATHCOCK
Director

3600 WEST BROAD STREET, RICHMOND, VIRGINIA 23230 - 4917

TELEPHONE: (804) 257-8500
TOLL FREE: 1 (800) 552-3016

APPLICATION FOR EXAMINATION AND/OR CERTIFICATION
(Individuals Only)

Examination Fee: \$50.00
Certification Fee: \$75.00
(Make checks payable to the Treasurer of Virginia)

- 1. Name \_\_\_\_\_ Registration Number \_\_\_\_\_
2. Address \_\_\_\_\_ Telephone \_\_\_\_\_
(As shown on registration)
(City, State, Zip)

- 3. Darken completely the appropriate box if the answer is "YES."
I have had no criminal conviction within the past five years related to auction activity.
I have had no auctioneer registration, certification or license revoked within the past five years.

FOR EXAMINATION AND CERTIFICATION

(Remit fee for examination with application.)
(Remit fee for certification when notified examination was passed.)

- 4. Darken completely the appropriate box.
I meet the requirements of Section 4.1.3.1 and have attached the proper evidence.
I meet the requirements of Section 4.1.3.2 and have attached the proper evidence.

(CONTINUED ON BACK)

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## FOR CERTIFICATION (EXEMPT FROM EXAMINATION)

(Remit fee with application.)

5. Darken completely the appropriate box.

I am a resident of a state with which the Board has established reciprocity, a registered auctioneer in Virginia, and have attached the proper evidence.

I meet the requirements of Section 4.1.3.1 or 4.1.3.2, am exempt from examination under Section 4.1.4, and have attached the proper evidence.

\*\*\*\*\*

### 6. AFFIDAVIT

State of \_\_\_\_\_

County or City of \_\_\_\_\_

The undersigned being duly sworn, deposes and says that he/she is the person who executed this application, that the above statements are true, and that no information has been suppressed which might affect this application.

\_\_\_\_\_  
Signature of Applicant

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

## COMMISSION OF GAME AND INLAND FISHERIES

NOTE: The Commission of Game and Inland Fisheries is exempted from the Administrative Process Act, (§ 9-6.14:4.1 of the Code of Virginia); however, it is required by § 9-6.14:22 to publish all proposed and final regulations. These regulations are numbered to conform to the new classification system established by the Virginia Code Commission.

### Title of Regulation: VR 325-04-1. In General.

Statutory Authority: §§ 29-125, 29-126, 29-127 and 62.1-172.1 of the Code of Virginia.

Effective Date: July 1, 1986

### Summary:

*Summaries are not provided since, in most instances, the summary would be as long or longer than the full text.*

### VR 325-04-1. In General.

§ 1. Adoption of federal regulations and statutes applicable to boating safety equipment and lights; "recreational boat" defined.

A. Federal requirements applicable to boating safety equipment and lights required to be installed or carried in or on motorboats, and vessels propelled by sail, being operated on waters subject to the jurisdiction of the United States, as set forth in Titles 33 and 46 of the Code of Federal Regulations, and in Sections 2020 through 2030 of Title 33 of the United States Code, are hereby adopted by the commission as its regulations applicable to boating safety equipment and lights required to be installed or carried in or on such vessels being operated on all waters within the territorial limits of this Commonwealth.

B. Notwithstanding any contrary or inconsistent provision of federal law, the term "recreational boat" as used in these regulations shall mean any motorboat or vessel manufactured, used, leased, rented or chartered primarily for non-commercial use.

§ 1. Adoption of federal regulations and statutes concerning boating safety equipment and lights to apply to vessels in Virginia.

A. The following federal rules and regulations are hereby adopted by the commission as its regulations. These rules and regulations shall apply by their own terms to all vessels within the Commonwealth. As used in 33 CFR, § 175.3, the word "engaged" shall mean "hired for use."

1. 33 U.S.C.A., §§ 2001, 2002, 2003, 2020 through 2030 (1976 and supplement 1985).

2. 33 C.F.R., Part 175 (1985), except § 175.17.

3. 46 C.F.R., Subparts 25.25, 25.30, 25.35, 25.40-1(a) and (b) (1985).

B. These regulations are adopted under the authority of § 62.1-172.1 of the Code of Virginia.

## GOVERNOR'S EMPLOYMENT AND TRAINING DIVISION

Title of Regulation: VR 350-01-2. Management Requirements for Job Training Partnership Act Programs and Activities.

Statutory Authority: § 2.1 - 708 (3) of Code of Virginia.

Effective Date: July 1, 1986

### Summary:

*These regulations set forth criteria for use in the management of Job Training Partnership Act activities. The regulations are applicable to Service Delivery Areas and their contractors.*

*The regulations are being revised in order to correct technical errors, to clarify certain provisions, and to ensure compliance with revised federal requirements. The regulations are divided into eight parts. Parts I - III present general information; no substantive changes were made to existing material. Part IV, Equal Opportunity/Affirmative Action, was minimally expanded to ensure compliance with federal requirements. No substantive changes were made in Parts V, VI, and VII.*

*In Part VIII, Contract Management, the first article was deleted. Additionally minor revisions were made in this part to clarify some provisions. Only Article 3, Audit Requirements, was substantially revised to reflect current federal requirements.*

VR 350-01-2. Management Requirements for Job Training Partnership Act Programs and Activities.

### PART I. PURPOSE AND AUTHORITY.

§ 1.1. Preamble.

These regulations are promulgated by the Governor's Employment and Training Department pursuant to § 2.1-708 (3) of the Code of Virginia. These regulations supplement regulations of the United States Department of Labor for programs under the Job Training Partnership Act, (20 CFR Parts 626 through 629). They must be read with the Job Training Partnership Act (PL 97-300) and the regulations of the Department of Labor.

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## PART II. DEFINITIONS.

§ 2.1. The following words and terms, when used in these regulations, shall have the following meaning, unless the context clearly indicates otherwise.

**"Contractor"** means a person or entity under contract to the SDA to provide a service or training to participants. The term shall also include those persons or organizations of whatsoever nature who receive funds from an SDA and are deemed to be employers of participants, or who provide customized training to participants who, upon successful completion of that training, are employed by the provider in accordance with an agreement with the SDA.

**"DOL"** means United States Department of Labor.

**"Family"** means for the purpose of determining participant eligibility:

1. Two or more persons living in a single residence related by blood, marriage, or adoption. A step-child or a step-parent may be considered to be related by marriage.

2. An adult handicapped individual shall be considered a family of one when applying for programs under the act. A handicapped youth (age 14-21) shall be considered a family of one when applying for programs under the act.

3. An individual, 18 or older, except as provided in 1 above, who receives less than 50% of support from the family, and who is not the principal earner nor the spouse of the principal earner, is not considered a member of the family. Such an individual is considered a family of one *when applying for programs under the Act*.

4. An individual, 14 years of age or older, living in a single residence/household and not related to the family by blood, marriage, or adoption shall be considered a family of one when applying for programs under the act.

5. An individual released from an institution or facility within six months of the date of applying for programs under the act may be considered a family of one, provided that such confinement status presents a significant barrier to employment and the person is not claimed as a dependent on a family member's income tax return.

6. An older worker, aged 55 or older, whether living in the residence or not, may be considered a family of one when applying for programs under the act.

**"Family income"** means income received from all sources for the six-month period prior to eligibility determination by persons who are family members at the

time of eligibility determination and who have been family members for the six-month period prior to eligibility determination.

**"Family size"** means the maximum number of family members at time of eligibility determination who have been family members for six months prior to eligibility determination.

**"Food stamp recipient"** means any person listed on the certified or approved food stamp application as a member of the household

**"GETD"** means Governor's Employment and Training Department.

**"JTPA"** means Job Training Partnership Act, Public Law 97-300, *sometimes referred to as "Act"*.

**"Participant"** means any person who has been determined eligible for participation and receives services funded under the JTPA, other than outreach, intake and assessment and post-termination services.

**"SDA"** means the administrative entity, the grant recipient and the Private Industry Council that cooperatively manage the Job Training Partnership programs and activities in a geographic area designated as a JTPA Service Delivery Area.

**"State agency"** means any agency of state government under contract to the GETD to operate JTPA programs; and, any agency of state government which receives JTPA funds through the GETD and has responsibility for operation of JTPA programs by virtue of an executive order. Reference to state agencies in these regulations is made for the purpose of delineating rules applicable to the two classes of agencies specified above in common. Other requirements are supplied by contract in the case of agencies first above specified and, by contract and the internal authority of agencies in the second instance.

## PART III. GENERAL PROVISIONS.

§ 3.1. Right to review and require compliance.

GETD reserves the right to review all actions, procedures and materials submitted, implemented or utilized in response to these regulations and to require modifications ~~and~~ or amendment to bring those actions, procedures, and materials into compliance with these regulations and applicable laws.

§ 3.2. Failure to comply.

Failure to comply with the provisions of these regulations may result in loss of funding.

§ 3.3. Evaluations.

At least every two years following the adoption of these regulations, the GETD will provide for and publicly announce a procedure to be used to evaluate their effectiveness. The evaluation will include a process by which the public will be invited to comment on the regulations in writing and through a public hearing.

## § 3.4. Clarification of JTPA and related regulations.

Pursuant to the agreement between the Governor and the U. S. Secretary of Labor regarding the implementation of JTPA, the GETD from time to time, at its discretion, shall issue interpretations of the Job Training Partnership Act and related regulations issued by DOL. These interpretations shall be issued by the GETD and "JTPA Interpretations," and compliance with the "JTPA Interpretations" is required of SDAs and their contractors.

## § 3.5. Conflicts and severability; application

A. Any provision contained in these regulations which is found to be unlawful shall be severable from the remaining provisions.

B. These regulations shall not be applicable prior to the effective date.

## PART IV. EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION.

§ 4.1. In accordance with the Job Training Partnership Act, § 167, Nondiscrimination, all recipients of federal funds under the Act must comply with the laws prohibiting discrimination as follows:

1. Age Discrimination Act of 1975 - Age,
2. Rehabilitation Act, § 504 - Handicap,
3. Education Amendments of 1972, Title IX - Sex,
4. Civil Rights Act of 1964, Title VI and Title VII as amended - Race, Color, National Origin;

Each SDA shall include assurances of compliance with these laws in any contracts developed for funding under the JTPA.

§ 4.2. Each SDA operating JTPA programs must formulate personnel policies and procedures and an ~~EEO~~ Affirmative Action Plan to serve the requirements of § 167 of the JTPA. *Each SDA shall designate in writing an individual responsible for EO compliance.* Copies of these documents and information on staff characteristics shall be filed with the Governor's Employment and Training Department and updated as changes are made.

§ 4.3. SDAs shall monitor program operations to ensure that the processes for hiring staff and selecting participants are in compliance with nondiscrimination

provisions.

§ 4.4. Each SDA must maintain and shall require their contractors to maintain a procedure conforming to the requirements of 29 CFR § 32.45 Investigations, as presently exists or may be amended, for the prompt and equitable resolution of complaints alleging any action prohibited by 29 CFR Part 32 Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefitting from Federal Financial Assistance, implementing § 504 of the Rehabilitation Act. *All participants shall be informed of the process for submitting complaints on discrimination to DOL Office of Civil Rights. Such complaints must be submitted on the appropriate forms within 180 days of the alleged incident of discrimination. A copy of any filed complaint must be simultaneously forwarded to the personnel director of the GETD.*

## PART V. GRIEVANCE AND COMPLAINT PROCEDURES.

### Article 1. SDA Procedure and Review.

§ 5.1. A grievance and complaint procedure shall be established by SDAs for the resolution of grievances or complaints about JTPA programs and activities. This procedure shall be approved by the Private Industry Council.

§ 5.2. The procedure shall be available to:

1. Any person alleging a violation of the JTPA, the implementing regulations of the DOL and the GETD, the terms of any agreement between an SDA and a contractor, the procedures of an SDA or any contractor, including any such violation alleged to have arisen in connection with their JTPA programs and activities. The violation may be alleged against either the SDA or its contractors.

2. Any participant engaged in an activity which constitutes employment for the purpose of resolving grievances of such participants concerning the application of the employer's terms and conditions of employment to them. This provision shall not require abrogation or abridgement of the customary prerogatives of management.

3. A contractor, person or entity deemed to be an employer of participants shall receive grievances relating solely to terms and conditions of employment. The employer may utilize either the SDA procedure or the employer's procedure. All participants shall be advised of the procedure to be followed and shall be afforded recourse to the SDA procedure in the event that the employer's decision is unsatisfactory to the participant or a decision is not forthcoming in accordance with the procedure utilized by the employer.



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§ 5.3. The procedure shall also be available for the resolution of issues arising from audit disallowances and findings, investigations, monitoring reports or the imposition of any sanction made, conducted, or imposed by an SDA.

§ 5.4. This procedure shall not be available for:

1. The resolution of complaints alleging irregularities in the procurement of goods and services.
2. The resolution of grievances of SDA or contractor employees, other than participants, relating solely to terms and conditions of their employment.

§ 5.5. The procedure shall:

1. Provide for a hearing within 30 days of the filing of a complaint or grievance.
2. Provide for adequate written notice of the date, time, and place of hearing.
3. Provide for an opportunity to present evidence. Any evidence presented shall be preserved in a form suitable for subsequent review.
4. Provide for a written decision by the SDA. The decision must include a statement of the issues, the relief sought by the grievant or complainant, and findings of fact which shall be furnished to the grievant or complainant within 60 days after the grievance or complaint was filed.

§ 5.6. A. All hearings pursuant to the procedure shall be conducted by the PIC, the administrative entity, or by an outside hearing officer appointed as the procedure may prescribe.

B. All grievances and complaints shall be filed with the SDA in the manner, form, and at an office of the SDA prescribed in the SDA's procedure, regardless of whether the subject of the grievance or complaint is a contractor, a unit of the SDA, or an officer or employee thereof.

§ 5.7. A. Grievants or complainants desiring review of decisions unsatisfactory to them, or who do not receive a written decision within the period prescribed in § 5.5 may file a request for review with the GETD. A request for review shall be filed within 10 days of receipt of the written decision or within 10 days from the date on which the grievant or complainant should have received the decision. The grievant or complainant shall simultaneously file a copy of the request for review with an individual designated for this purpose by the SDA.

B. The request for review shall be addressed to the Personnel Director, GETD, P.O. Box 12083, Richmond, Virginia, 23241, or delivered to the office of the GETD, 417 East Grace Street, Richmond, Virginia, and shall contain the following information:

1. The full name, address and telephone number of the grievant or complainant.

2. The name and address of the employer or the name of the SDA with which the grievance or complaint was originally filled.

3. The name and address of the party or organization responsible for issuing the written decision.

4. The date the grievance was filed and the date that the written decision was or should have been received by the grievant or complainant.

5. The relief or outcome sought by the grievant or complainant.

C. The SDAs shall designate an individual to receive copies of requests for review by the GETD. This individual shall transmit the evidence introduced at the hearing and any other papers forming a part of the hearing record *along with an index of the record* to the personnel director of the GETD as directed by the personnel director.

D. The executive director of the GETD shall issue a written decision within 30 days from the date of receipt of the request for review. This decision shall be based on the record before the GETD; however, the GETD reserves the discretion in unusual cases to receive argument within the period of time established for review by the GETD. A prior written decision shall be set aside if erroneous as a matter of law, if unsupported by the evidence, or if plainly wrong as a matter of fact. The GETD disposition of the matter may include remand of the same to the SDA with direction for further proceedings. The decision of the GETD shall be final and shall not be reopened unless shown to have been procured by fraud, or for the purpose of correcting clerical errors.

§ 5.8. A. Grievants or complainants who do not receive a written decision from the GETD within the period prescribed may request from the Secretary of Labor a determination whether reasonable cause exists to believe that the act or its regulations have been violated.

B. The request shall be filed no later than 10 days from the date on which the complainant should have received a decision. The request should contain the following information:

1. A copy of information filed with the GETD.

2. A clear and concise statement of the facts, including pertinent dates, constituting the alleged violations.

3. A statement on the provisions of the act, regulations, grant or other agreements under the act believed to have been violated.

4. A statement of the date the complaint was filed with the GETD, the date on which the GETD should have issued a decision and an attestation that no decision was issued.

C. The request will be considered to have been filed when the Secretary of Labor receives from the complainant a written statement sufficiently precise to evaluate the complaint and grievance procedures used by the state and the SDA.

## Article 2. GETD Procedure.

§ 5.9. The procedure of the GETD shall be available to any person alleging a violation of the JTPA, the implementing regulations of the DOL and the GETD, the terms of any agreement between the GETD and an SDA, procedures adopted by the GETD in response to the requirements of the JTPA, and regulations or agreements, including any violation alleged to have arisen in connection with JTPA programs and activities of the GETD.

§ 5.10. The procedure of the GETD shall be available to:

1. Resolve issues arising from audit disallowances and findings, investigations, monitoring reports or the imposition of any sanction made, conducted, or imposed by the GETD.

2. Resolve complaints alleging that any action of the GETD is prohibited by the provisions of 20 CFR Part 32, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance." Any such complaint shall be filed with GETD within 180 days from the date of the alleged discrimination. Sections 5.14 and 5.15 of these regulations shall have no application to such complaints. Any appeals on these complaints shall be made to the Secretary of Labor.

§ 5.11. This procedure shall not be available for:

1. The resolution of complaints alleging irregularities in procurement of goods and services.

2. The resolution of grievances of GETD employees relating solely to terms and conditions of their employment.

§ 5.12. Grievances and complaints falling within the purview of this Article shall be filed with the personnel director of the GETD and shall state (i) the grievant's full name, address and telephone number, (ii) the full particulars of the grievance or complaint, (iii) the date when the same arose or is believed to have arisen, (iv) the interest of the grievant or complainant in the matter, and (v) the specific relief or outcome sought.

§ 5.13. The GETD shall furnish written notice of the date,

time and place of the hearing on the matter which shall be held within 30 days following the filing of the grievance or complaint. The hearing shall be conducted in accordance with the provisions of § 9-6.14:12 of the Code of Virginia and the grievant or complainant shall receive the written decision of the GETD within 60 days after the grievance or complaint is filed.

§ 5.14. Grievants or complainants desiring further review, or who do not receive a written decision from the GETD within 60 days may file a request for review by the executive director of the GETD with the personnel director of the GETD. A request for review shall be filed within 10 days of receipt of the written decision or within 10 days of the date the decision was due. The executive director shall review the record and issue a final decision within 30 days following receipt of the request by the personnel director. Section 5.7 D shall govern review by the executive director.

§ 5.15. A. Grievants or complainants who do not receive a written decision within the period prescribed may request from the Secretary of Labor a determination as to whether reasonable cause exists to believe that the act or its regulations have been violated.

B. The request for determination shall be filed in accordance with procedures outlined in § 5.8.

## Article 3. State Agency Procedures.

§ 5.16. Appropriate state agencies shall establish grievance procedures which parallel the requirements of Articles one and two. The procedures and any subsequent changes shall be submitted to the GETD.

§ 5.17. The GETD shall be immediately notified of appeals made under the procedures. A summary of the grievance and decision shall be furnished to the personnel director of the GETD upon disposition.

## Article 4. Limitations; Posting of Procedures.

§ 5.18. SDAs and state agencies shall post and ensure that their contractors post their applicable grievance and complaint procedures, together with those of the GETD and this Part V for the benefit of participants, employees and other interested persons.

§ 5.19. Grievances and complaints shall be filed within one year of the occurrence of the event; except under § 5.10 B, relating to discrimination on the basis of handicap.

## PART VI. FRAUD AND ABUSE.

§ 6.1. Duty to report instances for fraud and abuse.

To ensure the integrity of JTPA programs, efforts are

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necessary to prevent fraud and other program abuses. Fraud includes deceitful practices and intentional misconduct, such as willful misrepresentation in accounting for the use of program funds. Abuse is a general term which encompasses improper conduct which may or may not be fraudulent in nature. All instances of fraud and of abuse, to include violations of §§ 141(f) and (j), 142(a), 143(b) and (c)(1), 165(a)(1), 167 and 182, amending Title 18, United States Code, § 665 contained in § 182 of the JTPA, shall be reported within one work day to the executive director of the GETD by the SDA or the state agency cognizant of the occurrence.

## § 6.2. Political activities.

The following provisions pertaining to political activities shall be enforced:

1. No person may engage in partisan or nonpartisan political activities during hours for which that person is paid with, or receives training supported by, JTPA funds.
2. No person may engage, at any time, in partisan political activities in which such participant represents himself as a spokesperson of a JTPA program, activity or organization.
3. No participant may be employed in a position involving political activities in the office of an elected official.

## § 6.3. Sectarian activities.

Participants shall not be employed in the construction, operation, or maintenance of any facility that is used, or is to be used, for sectarian instruction or as a place for religious worship, nor trained in any sectarian activity.

## § 6.4. Unionization and antiunionization activities.

A. JTPA funds shall not be used in any way to promote or oppose union activities.

B. No individual shall be required to join a union as a condition for enrollment in a JTPA program.

C. No participant may be placed into, or remain working in, any position which is affected by labor disputes involving a work stoppage. If such a work stoppage occurs, participants in affected positions shall:

1. Be relocated to positions not affected by the dispute; or
2. Be placed on leave.

D. If participants belong to the labor union involved in a work stoppage, they must be treated in the same manner as any union member. Such members must not remain working in the affected position. The contractor

shall make every effort to relocate participants who wish to remain working into suitable positions unaffected by the work stoppage.

## § 6.5. Nepotism.

A. The following words and terms, for the purpose of this section; shall have the following meaning:

1. "Employ" means to hire, or ~~place by transfer or any other means of whatsoever nature to provide with a job that pays wages or a salary~~.
2. "Immediate family" means a person's spouse and any other relative, by blood, marriage (including step-children and step-parents) or adoption, who resides in the person's household.
3. "Person in an administrative capacity" means a member of a public or private governing board or council. It also includes a person having overall administrative responsibility, and a person having selection, hiring, placement or supervisory responsibilities.
4. "Staff position" means any position filled by a person other than a person in an administrative capacity.

B. The GETD shall not employ a person in an administrative capacity or staff position funded in whole or in part under the FTPA if a member of that person's immediate family is engaged in an administrative capacity for the GETD.

C. An SDA shall not employ a person in an administrative capacity or staff position funded in whole or in part under JTPA if a member of that person's immediate family is engaged in an administrative capacity for that SDA.

D. An SDA contractor shall not employ a person in an administrative capacity or staff position funded in whole or in part under the JTPA if a member of that person's immediate family is engaged in an administrative capacity for the contractor.

## PART VII. ELIGIBILITY FOR SERVICES.

§ 7.1. When computing family income, include all income for each family member at the time of eligibility determination who have been family members for the entire six months.

§ 7.2. A. For the purposes of determining eligibility, family income shall include:

1. Gross wages and salaries (before deductions).
2. Net self-employment income (gross receipts minus

operating expenses).

3. Other money income received from sources such as net rents, old age and survivors insurance, social security benefits, pensions, alimony, periodic income from insurance policy annuities, and other sources of income.

**B. Family income shall not include:**

1. Noncash income such as food stamps, or compensation received in the form of food or housing.

2. Rental value of owner-occupied property.

3. Public assistance payments.

4. Cash payments received pursuant to a state plan approved under Titles I, IV, X or XVI of the Social Security Act, or disability insurance payment received under Title II of the Social Security Act.

5. Federal, state or local unemployment benefits.

6. Payments made to participants in employment and training programs.

7. Capital gains and losses.

8. One-time unearned income, such as, but not limited to:

a. Payments received for a limited fixed term under income maintenance programs and supplemental (private) unemployment benefits plans.

b. One-time or fixed-term scholarship and fellowship grants.

c. Accident, health, and casualty insurance proceeds.

d. Disability payments.

e. One-time awards and gifts.

f. Inheritance, including fixed term annuities.

g. Fixed term workers' compensation awards.

h. Terminal leave pay.

i. Soil bank payments.

j. Agriculture crop stabilization payments.

9. Pay or allowances received by any veteran while serving on active duty in the Armed Forces.

10. Educational assistance and compensation payments to veterans and other eligible persons under Chapters 11, 13, 31, 34, 35, and 36 of Title 38, United States

Code.

11. Payments received under the Trade Act of 1974, as amended.

12. Black Lung payments received under the Benefits Reform Act of 1977, Public Law 95-239 20 USC 901.

13. Child support payments.

§ 7.3. Each SDA has the responsibility for establishing criteria for enrolling those "most in need" within the parameters established by the act and federal and state regulations. Applicants shall be enrolled in accordance with these criteria.

§ 7.4. Any eligible individual who maintains a bona fide residence within the geographic boundaries of a Service Delivery Area is eligible for the services and programs of the SDA.

§ 7.5. Applicants required to register under § 3 of the Military Selective Service Act must comply with registration requirements prior to enrollment in the JTPA programs. Verification of registration must be a part of the official file of all participants subject to these requirements.

§ 7.6. The entrance requirements for any activity funded in whole or in part by JTPA shall be in writing. Competency levels rather than formal education diplomas or other such criteria shall be used. In no instance is high school graduation or possession of a GED to be cited as a prerequisite for participation. In each instance where a competency or skill level is a prerequisite and method(s) used to assess the competency must be included in the written eligibility requirements.

## PART VIII. CONTRACT MANAGEMENT.

### Article 1-

#### § 8.1. Expiration.

Part VIII Contract Management in its entirety will expire on July 1, 1986.

### Article 2- 1. Financial Management.

#### § 8.2- 8.1. Accounting standards.

A. SDAs shall maintain a written accounting system that will present fairly and with full disclosure the financial position and results of the financial operation of the SDA in conformity with generally accepted accounting principles and enable the users of financial reports to determine the compliance with legal and contractual provisions.

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B. Written fiscal controls and accounting procedures shall be developed by SDA and their contractors to:

1. Permit the preparation and timely submission of reports.
2. Permit the tracing of funds to a level of detail adequate to establish that funds have not been expended in violation of the restrictions imposed by federal, state and local laws, regulations and procedural requirements.
3. Provide reports and records that are:
  - a. Uniform in definition.
  - b. Accessible to authorized federal and state officials.
  - c. Verifiable for monitoring, auditing and evaluation purposes.

C. At a minimum, SDAs, and contractors must develop standards of internal control which assure the following:

1. Competent key personnel.
2. Qualified supervision with clear lines of responsibility and accountability.
3. Properly recorded and executed transactions.
4. Clear documentation and accountability for resources and financial transactions.
5. Separation of duties.
6. Limitation in access to resources.

SDAs, and contractors shall also include as part of their standards for administrative control the provisions of Subpart C - "Administrative Standards and Procedures," 48 Federal Register 11082, of March 15, 1983, to the extent practical given staff size.

## ~~§ 8-2.~~ 8.2. Administrative requirements.

A. The GETD shall be advised of the identity of any officer(s) or officials(s) of any SDA or state agency who is authorized to bind that SDA or state agency to agreements with the GETD, or request funds pursuant to such agreement. The GETD may require an SDA to provide a duly authenticated copy of the resolution or other instrument conferring that authority. Thereafter, it shall be the responsibility of the SDA or state agency to promptly notify the GETD of any subsequent change in, or withdrawal of, such authority.

B. The SDAs and state agencies operating JTPA programs shall designate an individual responsible for their accounting and fiscal operations and notify the GETD

in writing of the name, title, and phone number of the individual. This person will be the contact person utilized by the GETD fiscal staff in the event fiscal questions arise.

C. The SDA and state agencies must ensure that their contractors adhere to all applicable federal and state laws and regulations, as well as SDA or state agency procedures, for operation of JTPA programs. To implement the above policy, each SDA and state agency shall train contractors in all relevant technical matters. The SDAs and state agencies shall also ensure that each contractor has timely access to all written materials bearing on its administration and performance under the contract.

## ~~§ 8-4.~~ 8.3. Bonding and insurance.

A. The GETD assumes no liability for bodily injury, illness or any other damages or losses, or any claims arising out of any activity under a JTPA contract or agreement whether concerning persons or property in the SDA's, state agency's, or contractor's organizations or any third party.

B. SDAs and contractors shall secure reasonable insurance coverage for injuries suffered by participants who are not covered by existing worker's compensation.

C. A blanket fidelity bond shall be secured for all officers, directors, agents and employees of the SDA with authority over and accessibility to JTPA funds. Coverage shall be in the sum of \$100,000 or an amount equal to the highest request for funds from the GETD during the immediately preceding program year. The GETD may require an SDA to furnish evidence of bonding.

D. General liability insurance *and* unemployment insurance ~~monies and securities coverage~~ must be secured by the SDA.

## ~~§ 8-5.~~ 8.4. Accounting requirements.

A. The SDAs and state agencies shall maintain accounting records and other necessary supporting documents and ledgers in sufficient detail to provide the following information in an accurate and timely fashion:

1. Budgetary control and analysis.
2. Cash forecasting and reporting.
3. Proper matching of cost categories and expenditures.
4. Accurate report preparation, based on accrual accounting concepts.
5. Proper reconciliation of account balances.
6. Determination of allowable costs.

**§ 8.6- 8.5. Cash.**

The SDAs and state agencies shall forecast cash needs to enable the disbursement of JTPA funds within three days of receipt. Failure to develop and adhere to this procedure will result in the SDAs and state agencies being funded on a reimbursement method. All JTPA cash provided to the SDAs and state agencies must be deposited into an FDIC insured bank within one working day of receipt of the check. The SDAs or state agencies shall ensure that its contractors adhere to the GETD's cash management policies.

**§ 8.7- 8.6. Program income.**

Income generated in a program operated by an SDA or state agency may be retained by the SDA, or state agency, or contractor at the direction of the SDA and shall be utilized to further program objectives. The SDA or state agency may allow a contractor to retain income generated under the contract provided that the money is used to further the JTPA program objectives. Program income may be used to satisfy the matching requirements of § 123(b) and 304 of the act. Program income returned to the GETD shall be used to provide technical assistance.

**§ 8.8- 8.7. Property management standards.**

A. Property acquired by the Service Delivery Area shall be classified as the following:

1. Real property: Land, land improvements, structures and appurtenances thereto, excluding moveable machinery and equipment.
2. Personal property: Property of any kind, except real property. It may be tangible—having physical existence, or intangible—having no physical existence, such as patents and copyright.
3. Nonexpendable personal property: Tangible personal property having a useful life of more than one year and an acquisition cost of \$300 or more per unit.
4. Expendable personal property: Anything less than nonexpendable personal property.
5. Excess property: Property no longer needed for the purpose for which it was purchased.
6. Federally-owned property: Government furnished property or property acquired with federal funds to which the government holds title.

B. Personal or real property procured with JTPA funds or transferred from programs under the Comprehensive Employment and Training Act (CETA) must be used for purposes authorized by the JTPA.

C. CETA property with an acquisition cost of \$1,000 or more must be transferred to JTPA in accordance with §

181(g) of the Act. The Secretary of Labor reserves the right to take title of this property at disposition time. Permission to dispose of this property shall be granted by DOL. All proceeds shall revert to JTPA.

D. All property purchased with CETA or JTPA funds with an acquisition cost of \$300-\$999 shall become the property of the Service Delivery Area and be used in the administration of JTPA. If the SDA does not have a need for such property in the JTPA programs, then the property shall be used in other federally funded programs. If no need exists, the property may be disposed. Disposal shall be through competitive sale by the SDA. All proceeds shall revert to JTPA.

E. All property purchases with CETA or JTPA funds with an acquisition cost of less than \$300 shall become the property of the Service Delivery Area. Disposal of this property shall be at the discretion of the SDA. All proceeds shall revert to JTPA.

F. The SDA shall maintain accountability for all property. Property with an acquisition cost of \$300 or more must be maintained on the GETD's Automated Property Management System, all property inventory may be maintained on the automated system for management purposes.

G. The request to purchase or dispose of nonexpendable property having an acquisition cost of \$1,000 per unit, including lease/purchase and/or lease agreements with aggregate payments exceeding \$1,000, shall be submitted to the GETD for prior approval before the purchase or disposal of such property is entered into by the SDA or any subcontractor of the SDA.

H. The SDA shall ensure that the Virginia Procurement Act has been adhered to for all aspects of the purchase and/or lease of nonexpendable property. The GETD approval to purchase and/or lease property costing \$1,000 shall not ensure that the SDA and/or the subcontractor has complied with the Virginia Procurement Act.

I. All acquired property shall be approved by authorized personnel through some type of qualified purchasing procedure or system.

J. The SDA shall conduct an annual physical inventory to reconcile property records, verify existence, current utilization, and continued need. A copy of the updated master list shall be submitted to the GETD at the close of each fiscal year.

K. The SDA shall maintain a control system which ensures adequate safeguards to prevent property damage, loss, or theft, and shall investigate and document any loss or theft to local and state authorities. The GETD shall be notified in writing as to any loss, damages or theft of property.

**§ 8.9- 8.8. Allowable costs.**

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A. To be allowable, a cost must be necessary and reasonable for proper and efficient administration of the program; be allocable thereto under these principles, and, except as provided, not be a general expense required to carry out non-JTPA activities of the SDA or subrecipient. Costs charged to the program shall be consistent with those normally allowed in like circumstances in nonfederally sponsored activities.

B. Direct and indirect costs shall be charged in accordance with 41 CFR 29-70.102.

C. Office of Management and Budget Circular A-87 dated January 15, 1981, details those costs which are allowable or unallowable charges to grant recipients of federal funds. SDA shall comply with OMB-A-87 when determining the allowability of charges to the grant. Additional direction is provided as follows:

1. Costs resulting from violations of, or failure to comply with, federal, state or local laws and regulations are not allowable.
2. Entertainment costs are not allowable.
3. Insurance policies offering protection against debts established by the federal government are not allowable JTPA costs.
4. Interest cost, explicit or implicit, associated with lease-purchase and other capital lease arrangements are not allowable except for interest costs associated with certain buildings as noted in OMB Circular A-87, Attachment B, paragraph C 2a.
5. Personal liability insurance for PIC members is allowable.

D. The cost of legal expenses required in the administration of grant programs is allowable. Legal services furnished by the chief legal officer of a state or local government or staff solely for the purpose of discharging general responsibilities as a legal officer are unallowable. Legal expenses for the prosecution of claims against the federal government are unallowable.

## ~~§ 8-10.~~ 8.9. Needs-based payments.

A. Subject to the provisions of §§ 106 and 142(a) (1) of the act and in accordance with an SDA or state agency developed formula or procedure, payments based on need may be provided to individual participants in cases where such payments are necessary to enable individuals to participate in a training program funded under the JTPA.

B. The formula or procedure for needs-based payments shall be detailed in the SDA Job Training Plan or in the state agency's plan for JTPA services.

C. The formula or procedure shall provide for the maintenance of an individual record of the determination

of the need for, and the amount of, any participant's needs-based payment.

## ~~§ 8-11.~~ 8.10. Classification of costs.

A. To comply with the limitations on certain costs contained in § 108 of the act, allowable costs shall be charged against the following cost categories: training; administration; and participant support. SDAs, state agencies, and their contractors shall plan, control, and charge expenditures against these cost categories.

B. Costs are allocable to a particular cost category to the extent that benefits are received by such category. Refer to 20 CFR, §§ 629.37 through 629.39, (48 Federal Register 11081 - 11084, March 15, 1983), and to the "Classification of Costs" table (Appendix A) for additional guidance on charging costs to particular JTPA categories.

C. Training costs shall not include the direct or indirect costs associated with the supervision and management of the program.

D. Training costs shall not include supportive service costs as defined in § 4 of the JTPA or other participant support costs which are determined to be necessary by the SDA.

E. All costs of employment generating activities to increase job opportunities for eligible individuals in the area and the remaining 50% of the costs of a limited work experience program, as well as 100% of the costs of other work experience programs, are not allowable training costs (Sec. 108(b) (2)(A), JTPA).

F. The salaries and fringe benefits of project directors, program analysts, labor market analysts, supervisors and other administrative positions shall not be charged to training. The compensation of individuals who both instruct and supervise other instructors shall be prorated among the training and administration cost categories based on time records or other verifiable means.

G. Construction costs may be allowable training or participant support costs only when funds are used to:

1. Purchase equipment, materials and supplies for use by participants while on the job and for use in the training of the participants. Examples of such equipment, materials and supplies are handtools, workclothes and other low cost item.
2. Cover costs of a training program in a construction occupation, including costs such as instructors' salaries, training tools, books, and needs-based payments and compensation to participants.

H. Any single cost which is properly chargeable to training and to one or more other cost categories shall be prorated among training, and the other appropriate cost categories according to a method which is both

documented and verifiable.

~~§ 8.12~~ 8.11. Fixed unit cost contracts.

A. Costs which are billed as a single unit charge do not have to be allocated or prorated among the several cost categories, but may be charged entirely to training when the agreement:

1. Is for training.
2. Is a fixed unit price.
3. Stipulates that full payment for the full unit price will be made only upon completion of training by a participant; and placement of the participant into unsubsidized employment in the occupation trained for, and at not less than a wage specified in the agreement.

B. In the case of youth activities, payment for training packages purchased competitively, pursuant to § 141 (d) (3) of the JTPA, shall include payment for the full unit price if the training results in either placement in unsubsidized employment, or the attainment of an outcome specified in § 106 (b) of the JTPA.

C. Fixed unit cost contracts should, at a minimum:

1. Specify the exact price to be paid for a specific amount of work, or for the attainment of desired outcomes. Such a contract may not be advisable if reliable pricing information is unavailable, or if the fixed unit cost exceeds usual and customary charges for similar services.
2. Contain language which clearly and explicitly spells out the terms of the agreement and defines the terms used in the agreement.
3. Define the specific occupation for which training is to be provided.
4. Define training-related placement.
5. Define for youth activities the successful attainment of specified outcomes.

~~§ 8.12~~ 8.12. Administrative cost pool.

A. Administrative funds within a Service Delivery Area may be pooled and used for all administrative costs of JTPA programs within the service delivery area.

B. Each SDA using an administrative cost pool shall submit information on the use of the pool as a part of its job training plan. SDA shall report expenditures from the administrative cost pool according to instructions issued by the GETD.

~~§ 8.14~~ 8.13. Record retention.

A. All SDAs and state agencies shall retain financial, statistical, and participant records and supporting documentation for a period of three years following the date of the grant closing report *except as provided in subsection C*.

B. Records for nonexpendable property shall be retained for three years after final disposition of the property.

C. All records will be retained beyond the three years if any litigation or audit is begun or if a claim is instituted involving the grant or agreement covered by the records. In these instances, the records will be retained until the litigation, audit or claim has been finally resolved.

D. In the event of the termination of the relationship between the SDA or state agency and a contractor, the SDA or state agency shall be responsible for the maintenance and retention of all of the contractor's relevant records.

E. The GETD may request the transfer of records to its custody from SDAs and state agencies when it determines that the requested records possess long-time retention value.

Article 2- 2.

Procurement of property and services; contracts.

~~§ 8.16~~ 8.14. All procurement of property and services with JTPA funds shall be in accordance with the provisions of the Virginia Public Procurement Act (§§ 11-36 through 11-71, of the Code of Virginia), except as hereinafter provided.

A. For the purposes of this article, "services" shall not include on-the-job training or any participant employment authorized by the JTPA, or contracts for customized training, the successful completion of which results in employment of the participant by the contractor.

1. *On-the-job training is training given in the private or public sector to an eligible individual who has been hired by an employer. The training occurs while the individual is engaged in productive work that provides knowledge and skills essential to adequate performance of the job.*

2. *Customized training is training designed to meet the special requirements of an employer who agrees to hire eligible individuals successfully completing the program. Training may also be designed for groups of employers with similar skill needs.*

B. For the purposes of this article, the board of directors of a Private Industry Council shall be the "governing body," and the administrative entity, if separate from the Private Industry Council, shall be the "public body" as these terms are used in the provisions of the Virginia Public Procurement Act.



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C. Subsections A and B shall have no application where the administrative entity is an agency of a city or county which is otherwise subject to the provision of the Virginia Public Procurement Act.

~~§ 8-16.~~ 8.15. Every entity responsible for procurement under this article shall adopt and enforce a code of procurement ethics which embodies the principles articulated in §§ 11-73 through 11-79 of the Code of Virginia.

~~§ 8-17.~~ 8.16. All procurement activity shall avoid conflict of interest and be conducted in a manner that provides for free and open competition.

~~§ 8-18.~~ 8.17. All procurement activity shall comply with each SDA's written procedures, as approved by the appropriate Private Industry Council, for assessing potential effectiveness based on demonstrated performance and for assuring that duplication of effort does not occur.

~~§ 8-19.~~ 8.18. A. All agreements which require expenditure of JTPA funds shall contain standards for ensuring accountability and establish clear goals and obligations in unambiguous terms.

B. All contracts or agreements which require the expenditure of JTPA funds, directly or indirectly, shall contain a term whereby the contract or agreement may be terminated without penalty in the event that JTPA funds become unavailable to the SDA or state agency for performance under the contract.

## Article 4- 3.

### Audit Requirements for JTPA Programs.

~~§ 8-20.~~ 8.19. A. Annual audits will be conducted based on the availability of administrative funds. Should funds not be available for annual audits, audits will be performed at least once every two years as directed by the GETD. The GETD reserves the right to audit any or all of the SDAs as the need is determined. Audits will be conducted by one of the following methods:

~~1. For those SDAs processing financial transactions through a unit of local government, at the option of the SDAs and local governments, audits of JTPA programs may be conducted in conformance with OMB Circular A-102, Attachment P audit to satisfy the cognizant agency as to the sufficiency of the review. Attachment P audits will be affected by the requirements of the single Audit Act of 1984, P.L. 98-502.~~

~~2. 1. For those SDAs not included in an Attachment P audit, Unified audits may be performed by the GETD. In a unified audit, requires that one audit firm will conduct the entire audit for all SDAs. The audit coverage shall will be for a uniform time period for all entities covered in the audit; a proper sampling of contractors shall will be audited. Audits conducted~~

~~under OMB Circular 128 may be accepted as a part of a unified audit. and One audit report shall be issued for each SDA including and all entities audited thereunder contractors included in the sample .~~

~~2. 2. For those SDAs not included in an Attachment P audit, Individual audits may be performed by the SDAs. In an individual audit, one firm will conduct the audit of each SDA and a sampling of its contractors plans for individual audits must be approved in advance by the GETD. Audits conducted under OMB Circular 128 may be included as a part of an individual audit. The SDA must assure adequate and complete audit coverage that is consistent with § 164 of the JTPA and with audit guides developed by the GETD.~~

B. The GETD will bear the audit fees associated with auditing expenditures of funds by the SDA. The GETD will not bear the fees associated with auditing JTPA expenditures by SDA contractors. The SDA will bear the audit fees associated with auditing expenditures of funds by contractors within the SDA.

~~§ 8-21.~~ 8.20. Neither the GETD nor the SDAs shall audit state agencies receiving JTPA funds which are audited through the normal state auditing process, if these normal state audit processes specifically include financial and compliance testing that meet JTPA standards. Should normal state audit processes not include JTPA funds, the state agencies' JTPA programs shall be included in the unified audit or the state agencies shall secure an individual audit . The state agencies shall be responsible for all audit fees, whether associated with state or unified or individual audits.

~~§ 8-22.~~ 8.21. Each audit shall be conducted in accordance with applicable auditing standards set forth in § 164(a) of the JTPA. Copies of Attachment P Circular 128 audit reports will be submitted to the cognizant federal audit agency and to the GETD by the unit of local government involved.

~~§ 8-23.~~ 8.22. Unified audits will be arranged by the GETD on a statewide basis . SDAs, and applicable state agencies will be notified who the auditors are and when the audit for each SDA and state agency is scheduled to begin. A draft audit report will be issued and the SDA and, as applicable, state agencies will be given 30 days to respond to the draft report. The final report will incorporate the SDA's and state agency's paraphrased comments.

~~§ 8-24.~~ 8.23. The SDAs and state agencies operating JTPA programs shall be responsible for the following:

1. Notifying, immediately, the GETD in writing of possible acts of fraud discovered during the performance of an audit.

2. Providing, upon availability, the GETD with audit report(s) covering all JTPA funded programs. The

Auditor of Public Accounts will determine the acceptability of the audit reports.

3. Disposing of all questioned costs and administrative findings in the audit. The disposition must show the action (i.e. either allowance or disallowance). If costs are allowed, appropriate supportive documentation must be provided. All administrative findings must be addressed to the satisfaction of the GETD

§ 8-26- 8.24. The audit resolution process shall be as follows:

1. The SDA or state agency shall provide each contractor with appropriate sections of the final audit report dealing with administrative findings and questioned costs.

2. Within 30 days from the date receipt of the final audit report, the SDA or state agency shall issue an initial determination on the administrative findings and questioned costs to each contractor.

3. Within 60 days from the date receipt of the final audit report, the SDA or state agency shall issue a final determination on the administrative findings and questioned costs to each contractor. The SDA or state agency shall include in the final determination notice of the right to appeal the determination using the GETD Grievance Procedures as specified in Part V. Included in the notice of the right to appeal shall be instructions on initiation of the appeal.

4. Within 90 days from the date receipt of the final audit report, the SDA or state agency will provide the GETD written responses to all administrative findings and questioned costs. A 30-day informal resolution process will allow the SDA or state agency and GETD to attempt to resolve informally any differences at this point.

5. Within 120 days from the date receipt of the final audit report, the GETD will issue a final determination to the SDA or state agency on the entire audit report. A copy of the final determination will be provided to the Secretary of the DOL with support documentation and, if appropriate, a request for waiver of liability under § 164(e) (2) of the act.

6. The determination, by the GETD, SDA, or state agency, to allow questioned costs, does not preclude the Secretary of the DOL from making a determination that the costs are unallowable and demanding a refund from nonfederal funds at a later date. Consequently, a determination of allowability of costs shall not be final until disposition by DOL.

#### Article 5- 4.

Monitoring and Evaluation Responsibilities of the Service Delivery Areas and State Agencies.

§ 8-26- 8.25. A. SDAs and state agencies operating JTPA programs shall be responsible for eliminating abuses in programs and preventing misuse of funds. Each SDA and state agency shall establish and adhere to an appropriate system for the monitoring of contracts. Appropriate monitoring activities shall be carried out at reasonable interval. SDAs and state agencies shall require immediate remediation of deficiencies.

B. The GETD shall monitor SDAs and, as appropriate, state agencies and may monitor their contractors. Monitoring by the GETD shall not relieve SDAs of their duties under the JTPA and implementing regulations. Financial agreements between the SDAs, state agencies, and their contractors, shall make specific provision for entry by GETD monitors upon contractor premises for the purpose of inspecting JTPA records and activities. To the extent possible, the GETD will coordinate its monitoring visits to contractors with those of the SDA and, as appropriate, will provide advance notice of the monitoring schedule.

§ 8-27- 8.26. SDAs and state agencies shall maintain a system for on-going monitoring/verification of participant eligibility. The system shall provide for a 100%, 30-day review of participant records after intake by someone other than the verification official be designed to provide reasonable assurances that all participants are eligible and shall be consistent with JTPA Interpretations issued by the GETD . The system shall be detailed in the Job Training Plan as provided for in the JTPA, § 104(b) (3). Ineligible participants shall be terminated immediately following discovery, as shall participants who are proven knowingly to have provided false information at the time of application. Any liability incurred as a result of an ineligible participant shall be the responsibility of the SDA or state agency.

§ 8-28- 8.27. Evaluation of programs funded under the JTPA shall be an integral part of the operation of each SDA and state agency operating JTPA programs. Program evaluation efforts must be designed and conducted so as to accomplish the following:

1. To assist in future planning by providing information on the outcome of programs, including the degree to which planning objectives are being accomplished and the identification of programs that are particularly successful in aiding participants in obtaining established goals.

2. To assist in selecting capable service providers. § 107(a) of the Job Training Partnership Act requires "effectiveness . . . based on demonstrated performance" to be considered when selecting service providers within an SDA.

3. To measure an SDA's progress in meeting established performance standards.

#### Article 6- 5.

# Final Regulations

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## Submission of Job Training Plans.

§ ~~8-28~~. 8.28. Job Training Plans will be submitted to the GETD not later than 80 days before the first of the two program years covered by the plan. Each plan shall be submitted in ~~four~~ three copies, one of which shall bear original signatures. Plans shall be addressed to Program Services Unit, GETD, P.O. Box 12083, Richmond, Virginia 23241, or delivered to the office of the GETD, 417 E. Grace Street, Richmond, Virginia.

§ ~~8-29~~. 8.29. The Job Training Plan shall be prepared and submitted in the proper format, and in accordance with the instructions for preparation issued by the GETD.

§ ~~8-31~~. 8.30. Review of SDA plans.

The GETD has the primary responsibility for reviewing each SDA's Job Training Plan, and each state agency's plan, for JTPA programs to ensure compliance with the JTPA and all other applicable rules and regulations.

Upon completion of the review by the GETD staff, the plans will be forwarded to the Governor's Job Training Coordinating Council for review. The GJTCC then will forward its recommendations to the Governor through the Secretary of Human Resources for final action which shall occur within 30 days after the date the plans are submitted.

In the event that disapproval of a plan is recommended, the plan will be returned to the SDA or state agency for correction. The SDA or state agency shall have 20 days to correct its plan and return it for further consideration. The SDA will be notified in writing within 15 days after resubmittal of final action. In the event of a final disapproval, the SDA may appeal the decision to the DOL within 30 days of receipt of notice of final disapproval. The appeal must be submitted by both the Private Industry Council and appropriate chief elected official(s) for the SDA. Simultaneously, a copy of the appeal must be provided to the Governor. No JPTA funds will be allotted to an SDA or state agency without an approved job training plan.

## Article 7. 6. Modifications to Job Training Plans.

§ ~~8-32~~. 8.31. In the event of substantial deviation from an approved Job Training Plan, modification to the plan must be submitted to the GETD for approval. The following circumstances will be deemed to be substantial deviation:

1. A change in designation of either the grant recipient and/or the administrative entity.
2. An increase or decrease of 15% or more in the number of participants planned to be served, in estimated training cost per participant, or in the approved budget.

3. Increases or decreases in the unemployment rate during the base period for establishing the JTPA funding formula factors which, during the first year of the two program years covered by the plan, changes the SDA's status as a designated "Area of Substantial Unemployment".

4. Increases or decreases of 15% or more in the SDA's JTPA allocation.

5. An increase or decrease of five percentage points or more in an SDA's unemployment rate during the first year of the two program years covered by the plan.

6. Failure to meet three or more of the seven required performance standards during the first of the two program years covered by the approved plan.

7. Each modification shall be submitted in ~~four~~ three copies, one of which shall bear original signatures. Modifications shall be addressed to Program Services Unit, GETD, P.O. Box 12083, Richmond, Virginia, 23241, or delivered to the office of the GETD, 417 E. Grace Street, Richmond, Virginia.

§ ~~8-33~~. 8.32. The GETD reserves the right, in its sole discretion, to waive the criteria of § 8. ~~22~~ 31 on a case by case basis for good cause shown.

§ ~~8-34~~. 8.33. The first substantive item of a modification shall be the reason, or reasons, for the modification. Elements of the Job Training Plan which are modified shall be clearly identified and explained in detail.

§ ~~8-35~~. 8.34. The GETD has the primary responsibility for reviewing all modifications to Job Training Plans to ensure compliance with the JTPA and all other applicable rules and regulations.

Upon completion of the review by the GETD staff, the modification will be forwarded to the Governor's Job Training Coordinating Council for review. The GJTCC then will forward its recommendations to the governor through the Secretary of Human Resources for final action which shall occur within 30 days after the date the modification is submitted.

In the event that disapproval of the modification is recommended, the modification will be returned to the SDA or state agency for correction. The SDA or state agency shall have 20 days to correct its modification and return it for further consideration. The SDA will be notified in writing within 15 days after resubmittal of final action. In the event of a final disapproval, the SDA may appeal the decision to the DOL within 30 days of receipt of notice of final disapproval. The appeal must be submitted by both the Private Industry Council and appropriate chief elected official(s) for the SDA. Simultaneously, a copy of the appeal must be provided to the Governor.

~~§ 8.36.~~ 8.35. Modifications shall become effective on the date they are approved by the Governor.

~~§ 8.37.~~ 8.36. The GETD may require SDAs and state agencies to submit annual revisions to the job training plans. Revised plans will be submitted as specified in instructions issued by the GETD.

## Article 8- 7.

### JTPA Management Information System

~~§ 8.38.~~ 8.37. All SDAs shall use the GETD's Participant Information System to enter and to maintain data on JTPA participants.

~~§ 8.39.~~ 8.38. All SDAs shall use the GETD's Property Inventory System to enter and to maintain information on JTPA property.

~~§ 8.40.~~

At their option, SDAs may participate in the GETD's Financial Information System.

~~§ 8.41.~~ 8.39. Each SDA shall establish procedures to ensure that the information is entered into the Management Information System accurately, completely, and in a timely manner.

~~§ 8.42.~~ 8.40. The GETD will provide offsite storage for data collected on the Management Information System. Monthly, each SDA shall submit data cartridges to the GETD as instructed.

## Article 9- 8.

### Required Reports.

~~§ 8.43.~~ 8.41. The following reports shall be submitted to the GETD:

1. Cash Forecast Report-submitted monthly according to the schedule developed by the GETD.
2. Quarterly Expenditure Report-submitted the last day of the month immediately following the end of each quarter.
3. Quarterly Status Report-submitted the last day of the month immediately following the end of each quarter.
4. Annual Status Report-submitted 30 days following the close of the contract.

# Final Regulations

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## Appendix A

### CLASSIFICATION OF COSTS

#### Administration

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Activity	Reference to JTPA Section	Reference to 29 CFR
Labor Market Info. Surveys PIC Incorporation	204 (a)	629.38e(6)
Participant Eligibility Determination		629.37 (a)
Participant Eligibility Verification		629.37 (a)

#### Training

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Activity	Reference	Justification
Job Search Assistance	204 (1)	629.38e(1)
Job Counseling	204 (2)	629.38e(1)
Remedial Education	204 (3)	629.38e(1)
Basic Skills Training	204 (3)	629.38b
Institutional Skills Training	204 (4)	629.38b
On-The-Job-Training	204 (5)	629.38e(1)
Advanced Career Training	204 (6)	629.38b
Private Sector Training	204 (7)	629.38b
Work Readiness Training	204 (10)	629.38e(1)
Upgrading & Retraining	204 (12)	629.38b
Education to Work Transition Training	204 (13)	629.38b
Literacy and Bilingual Training	204 (14)	629.38b
Vocational Exploration		
GED Training	204 (17)	629.38b
Job Development	204 (18) & (23)	629.38e(1)
Employer Outreach	204 (21)	629.38e(1)
Advanced Learning Techniques For Education, Job Preparation & Skills Training	204 (22)	629.38b

## Appendix B

### Training

Activity	Reference to JTPA Section	Reference to 29 CFR
On-site Industry Specific		
Training	204(24)	629.38b
Customized Training	204(28)	629.38b
Assessment		629.38e(1)
Follow-up	204(25)	629.38b
Work Experience/Related Skills		
Training (50% for 6 months)		629.38e(1)
Cost of Trainers	629.38e(1)	629.38e(1)
Training Equipment & Supplies	629.38e(1)	629.38e(1)
Classroom Space & Utility Costs	629.38e(1)	629.38e(1)
Tuition	629.38e(1)	629.38e(1)
Instruction Costs	629.38e(1)	629.38e(1)
Single Unit Fixed Priced		
Training	629.38e(1)	629.38e(2)
Evaluation of Training		

### Participant Support

Activity	Reference to JTPA Section	Reference to 29 CFR
Supportive Services	204(11), 108(iii)	
Work Experience	204(15), 108(ii)	108(ii)
Needs Based Payments	204(27), 108(iv)	108(iv)
Work Experience/Related Skills Training (50% for 6 months)	108(i)	
Employment Generating Activities	204(19)	629.38(5)
Outreach	204(8), 108(b)(2)(A)	

NOTE: Care shall also be taken to consider the applicability of su provisions of the JTPA as, for example, Sections 141 and 143.

# Final Regulations

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## MARINE RESOURCES COMMISSION

NOTE: The Marine Resources Commission is exempted from the Administrative Process Act (§ 9-6.14:4 of the Code of Virginia); however, it is required by § 9-6.14:22 B to publish all final regulations.

**Title of Regulation:** VR 450-01-0034. Pertaining to the Taking of Striped Bass.

**Statutory Authority:** § 28.1-23 of the Code of Virginia.

**Effective Date:** June 1 through November 30, 1986

### Preamble:

*This regulation amends § 5 of VR 450-01-0034, Pertaining to the Taking of Striped Bass. The amendments eliminate the allowable bycatch of striped bass less than 18 inches and increases the minimum size limit for striped bass taken from the Territorial Sea from 24 inches to 30 inches. The purpose of this regulation is to provide sufficient protection for the Chesapeake Bay stocks of striped bass to ensure that 95% of the females of the 1982 and subsequent year classes have an opportunity to reproduce at least once. These changes comply with the recommendations of the Interstate Fishery Management Plan for Striped Bass.*

*This regulation is promulgated pursuant to the authority contained in § 28.1-23 of the Code of Virginia. The effective date of this regulation is June 1, 1986.*

### § 1. Authority, prior regulations, effective date:

A. This emergency regulation is promulgated pursuant to the authority contained in §§ 28.1-23, 28.1-25 and 28.1-50 of the Code of Virginia.

B. This emergency regulation repeals regulation VR 450-01-0029, Pertaining to the Taking of Striped Bass, and regulation VR 450-01-0032, Pertaining to the Potomac River Tributaries.

C. The effective date of this emergency regulation is June 11, 1985.

### § 2. Purpose:

The purpose of this regulation is to provide for the immediate protection of Virginia's striped bass stocks and to reduce harvest pressure on the 1982 year class and subsequent year classes of striped bass, while maintaining a viable commercial and recreational fishery for striped bass. This regulation responds to the request of the Atlantic States Marine Fisheries Commission Interstate Striped Bass Plan and the Atlantic Striped Bass Conservation Act by reducing striped bass fishing effort by at least 55%.

### § 3. Definitions:

A. Striped bass - any fish of the species *Morone saxatilis* including any hybrid striped bass.

B. Spawning rivers - the James, Pamunkey, Mattaponi and Rappahannock Rivers including all their tributaries.

C. Spawning reaches - sections within the spawning rivers as follows:

1. James River: From a line connecting Dancing Point and New Sunken Meadow Creek upstream to a line connecting City Point and Packs Point;

2. Pamunkey River: From the Route 33 bridge at West Point upstream to a line connecting Liberty Hall and the opposite shore;

3. Mattaponi River: From the Route 33 bridge at West Point upstream to the Route 360 bridge at Aylett;

4. Rappahannock River: From the Route 360 bridge at Tappahannock upstream to the Route 3 bridge at Fredericksburg.

### § 4. Closed areas, seasons, and gear limitations:

A. During the period December 1 to May 31, inclusive, a person may not take, catch, possess, transport, process, sell or offer for sale any striped bass.

B. During the period April 1 to May 31, inclusive, a person may not set or fish any anchored or staked gill net within the spawning reaches. Drift (float) gill nets may be set or fished within the spawning reaches during the closed season, but the fisherman must remain with such net while that net is in the fishing position.

### § 5. Minimum size limits:

A. During the open season, June 1 to November 30, inclusive, it shall be unlawful for any person to take, catch, [ ~~and~~ ] or have in possession [ ~~more than 5% or two by count, whichever is greater, of~~ ] any striped bass less than 18 inches in length, except as provided in paragraph B, below.

B. During the open season, June 1 to November 30, inclusive, it shall be unlawful for any person to take, catch, [ ~~and~~ ] or retain possession of any striped bass from the Territorial Sea that is less than [ ~~24~~ 30 ] inches in length.

C. Length is measured in a straight line from tip of nose to tip of tail.

### § 6. Creel limit:

A possession limit of five striped bass per person per day is imposed on all hook-and-line fishermen taking

striped bass from the tidal waters of Virginia during the open season, June 1 to November 30, inclusive.

§ 7. Penalty:

As set forth in § 28.1-23 of the Code of Virginia, any person, firm, or corporation violating any provision of this regulation shall be guilty of a Class I misdemeanor.

/s/ William A. Pruitt, Commissioner

\*\*\*\*\*

NOTE: The Virginia Marine Resources Commission's proposed Regulation VR 450-01-0037 Pertaining to the Making of Oyster Planting Ground is hereby withdrawn.

Title of Regulation: VR 450-01-0037. Pertaining to Speckled Trout and Red Drum.

Statutory Authority: § 28.1-23 of the Code of Virginia.

Effective Date: June 1, 1986 through November 30, 1986.

PREAMBLE

This regulation establishes minimum size limits for the taking or possession of speckled trout and red drum by commercial and recreational fishermen. The purpose of the minimum size limits is to protect the spawning stocks and increase yield in the fishery. This regulation responds to the recommendations of the Atlantic States Marine Fisheries Commission's Interstate Fishery Management Plans for Speckled Trout and Red Drum. The goal of these plans is to perpetuate the speckled trout and red drum resources in fishable abundance throughout their range and generate the greatest possible economic and social benefits from their harvest and utilization over time.

VR 450-01-0037. Pertaining to Speckled Trout and Red Drum.

§ 1. Authority, prior regulations, effective date.

A. This regulation is promulgated pursuant to the authority contained in § 28.1-23 of the Code of Virginia.

B. No prior regulations pertain to speckled trout or red drum. Section 28.1-50 of the Code of Virginia establishes a possession limit of two red drum over 32 inches in length.

C. The effective date of this regulation is June 1, 1986.

§ 2. Purpose.

The purpose of this regulation is to protect the spawning stocks of speckled trout and red drum, minimizing the possibility of recruitment failure, and to increase yield in their fisheries.

§ 3. Minimum size limits.

A. Speckled trout. It shall be unlawful for any person to take, catch, or have in possession any speckled trout less than 12 inches in length.

B. Red drum. It shall be unlawful for any person to take, catch or have in possession any red drum less than 14 inches in length.

C. Length is measured in a straight line from tip of nose to tip of tail.

§ 4. Penalty.

As set forth in § 28.1-23 of the Code of Virginia, any person, firm, or corporation violating any provision of this regulation shall be guilty of a Class I Misdemeanor.

/s/ William A. Pruitt  
Commissioner



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# STATE CORPORATION COMMISSION

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AT RICHMOND, MAY 16, 1986

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

CASE NO. PUC860003

**Ex Parte:** In the matter of adopting procedures to implement Virginia Code § 56-508.5 to establish competitive rates for radio common carriers

## ORDER OF PUBLICATION

On January 30, 1986, the Commission entered an Order soliciting comments regarding implementation of Virginia Code § 56-508.5(B). Subsection B of § 56-508.5 authorizes the Commission, if it determines that radio common carrier service is to be provided on a competitive basis, to approve rates, charges, and regulations as it might deem appropriate for any public service company furnishing such competitive service, provided such rates, charges and regulations are nondiscriminatory and in the public interest. Five parties filed comments relative to the statute and the state of the industry, and suggested ways in which this statute could be implemented.

On April 18, 1986, the staff filed its report in this proceeding. In its report, the staff analyzed the comments of interested parties and suggested that the Commission adopt a policy favoring the establishment of competitive rates for radio common carrier services. The staff also drafted proposed rules which it believes would implement Virginia Code § 56-508.5. The staff suggested that the Commission renotice its proposed rules and solicit comments. We agree. However, we will make minor amendments to the rules prior to their publication.

We propose to change the scope of the purpose of the rules to make them applicable to all public service companies found to be providing radio common carrier service on a competitive basis. This change is consistent with the language appearing in Virginia Code § 56-508.5(B).

We will also change the proposed language appearing in § 6 of Appendix A to accommodate small radio common carriers whose securities are not publicly traded. These carriers will file current financial statements in lieu of SEC Form 10K. Finally, we will delete the reference in § 6 to assessment of taxes since RCCs do not currently pay gross receipts taxes.

Accordingly, IT IS ORDERED:

(1) That the Commission's Division of Communications forthwith cause a copy of the following notice to be published one time during a single week in newspapers having general circulation throughout the State:

NOTICE BY THE STATE CORPORATION  
COMMISSION OF ITS CONSIDERATION OF  
RULES TO IMPLEMENT VIRGINIA CODE §  
56-508.5(B) FOR RADIO COMMON CARRIER  
SERVICE DETERMINED BY THE COMMISSION  
TO BE PROVIDED ON A COMPETITIVE BASIS :  
CASE NO. PUC860003

The Virginia State Corporation Commission's staff has presented the Commission with proposed rules which are designed to implement Virginia Code § 56-508.5(B). This subsection of the Code deals with approval of rates, charges and regulations of public service companies which the Commission determines are providing radio common carrier services on a competitive basis.

The Commission invites interested persons, including radio common carriers and telephone companies offering radio common carrier services, to comment in writing or request a hearing on certain rules which the Commission is now considering to implement Virginia Code § 56-508.5. A copy of these rules may be examined at the Commission's Document Control Center, Floor B-1, Jefferson Building, Bank and Governor Streets, Richmond, Virginia, Monday through Friday, during the hours of 8 a.m. and 5 p.m., or during regular business hours at the business offices where customers may pay bills of each telephone company offering radio common carrier service or during the regular business hours at the business offices of radio common carriers where customers may pay their bills.

Interested persons may submit written comments addressing the proposed rules on or before July 2, 1986, by filing an original and 15 copies of same with George W. Bryant, Jr., Clerk, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23216, making reference to Case No. PUC860003. Anyone who wishes to be heard by the Commission regarding these issues must file not later than June 27, 1986, with George W. Bryant, Jr., Clerk, as above specified, an original and 15 copies of a request for a hearing. Requests for hearing and comments on the proposed rules must make reference to Case No. PUC860003. In the absence of requests for hearing, the Commission may be expected to act on the proposed rules after considering all written comments.

STATE CORPORATION COMMISSION

(2) That any person, including any public service corporation subject to the rules, may file comments regarding the proposed Rules set forth in Appendix A hereto, and may request a hearing thereon, provided an original and 15 copies of such comments and any requests for hearing are filed no later than July 2, 1986, with George W. Bryant, Jr., Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23216. Comments and requests for hearing shall refer to Case No. PUC860003. In the absence of a request for hearing - evidentiary or argument - the Commission may act on

# State Corporation Commission

the proposed rules set out in Appendix A hereto after considering all written comments;

(3) That, on or before July 11, 1986, the Commission's staff may file a report, analyzing the comments and suggesting further revisions to the rules;

(4) That each telephone company offering radio common carrier service and each radio common carrier shall forthwith make available for public inspection during normal business hours at its business offices where bills may be paid a copy of the proposed rules set forth in Appendix A attached hereto; and

(5) That, on or before July 7, 1986, the Division of Communications provide proof of publication as required therein.

AN ATTESTED COPY hereof shall be sent by the the Clerk of the Commission to: all local exchange telephone companies subject to the Commission's regulation, including telephone cooperatives; all radio common carriers subject to the Commission's regulation; the Division of Consumer counsel, Office of the Attorney General, 101 North 8th Street, Richmond, Virginia 23219; Joseph E. Blackburn, Jr., Esquire, White, Blackburn & Conte, P.C., 300 West Main Street, Richmond, Virginia 23220; Richard D. Gary, Esquire, Hunton & Williams, P.O. Box 1535, Richmond, Virginia 23212; Allen Layman, Executive Vice President, Roanoke & Botetourt Telephone Company, P.O. Box 174, Daleville, Virginia 24083; Edward L. Flippen, Esquire, Mays & Valentine, P.O. Box 1122, Richmond, Virginia 23208; Warren F. Brundage, Jr., Esquire, C&P Telephone Company, 703 East Grace Street, Richmond, Virginia 23219; Gregory L. Wells, Business Affairs Manager, Central Telephone Company, P.O. Box 6788, Charlottesville, Virginia 22906; and to the Commission's Divisions of Accounting and Finance, Communications, and Economic Research and Development.

\* \* \*

## APPENDIX A

### PROPOSED RULES GOVERNING ESTABLISHMENT OF COMPETITIVE RATES PURSUANT TO VIRGINIA CODE § 56-508.5B

#### Purpose

The purpose of these rules is to facilitate the filing of applications pursuant to Virginia Code § 56-508.5(B) by public service companies, as defined in Code § 56-508.1, desiring to have their rates established on a competitive basis rather than pursuant to Chapter 10 of Title 56 of the Code of Virginia.

#### Rules

##### § 1.

An original and 15 copies of the application for competitive rates shall be filed with the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23216, and shall contain all the information and exhibits required herein.

##### § 2.

Notice of the application shall be given to each existing radio common carrier operating within the applicant's service area(s) and shall be provided to governmental officials as required by the Commission in its initial order setting the case for hearing. Each applicant shall publish notice in newspapers having general circulation throughout the service area(s) held by applicant in a form to be prescribed by the Commission. Applicants shall submit information which identifies the applicant including:

A. Its name, address and telephone number;

B. The certificated areas it serves;

C. The radio paging services it offers or will offer in that area(s);

D. The frequencies allocated to applicant by the Federal Communications Commission (FCC);

E. The name, address, and telephone number of its corporate parent or parents, if any; and

F. The name, address, and telephone number of its legal counsel.

##### § 3.

Applicant shall identify the existing radio common carriers serving in its certificated area, and the types of services these carriers offer, as well as the frequencies available for assignment in that area.

##### § 4.

If the Commission finds that competition exists in substantially all of the applicant's service area(s), applicant's rates may be established by the market place. An applicant must give notice to its customers of its intended rate changes for all rate changes subsequent to the finding of competition. Such notice must identify the old rate for service and the new rate. A copy of the changed rates must be filed with the Commission's Division of Communications no later than 10 days after they are effective.

##### § 5.

If a radio common carrier ("RCC") provides regulated services and is permitted to implement competitively established rates, it may establish a separate subsidiary for its detariffed radio common carrier operations or it may, at its option, carry such operations as below the line

# State Corporation Commission

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items. Any assets directly related to its radio common carrier operations must be transferred below the line at net book value adjusted for deferred taxes and unamortized investment tax credits. All costs attributable to the RCC operations must be allocated on a fully distributed basis. RCCs must submit their allocation plans for approval by the Commission. If a separate subsidiary is used, both the transfer of assets and cost allocation procedures must be approved in an affiliate agreement.

## § 6.

Each radio common carrier shall file annually a current stockholder's report, a SEC Form 10K (or if the carriers' securities are not publicly traded, current financial statements), and an income statement of the carrier's Virginia radio common carrier operations. The carrier's books shall be maintained in accordance with generally accepted accounting principles.

## § 7.

Applicant shall not unreasonably discriminate among subscribers requesting service. Any finding of such discrimination may result in suspension or revocation of the certificate of public convenience and necessity, and result in the regulation of the applicant's rates according to Virginia Code Title 56, Chapter 10, or result in such other action as the Commission deems appropriate under the circumstances of the case.

## § 8.

Should the Commission ever determine, after notice to the public and any affected radio common carriers and after an opportunity is afforded for any interested party to be heard, that competition, although previously found by the Commission to exist among certain radio common carriers no longer exists, it may require that the rates of such carriers be determined pursuant to Chapter 10 of Title 56 of the Code of Virginia.

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# GOVERNOR

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## GOVERNOR'S COMMENTS ON PROPOSED REGULATIONS

(Required by § 9-6.14:9.1 of the Code of Virginia)

### VIRGINIA AUCTIONEERS BOARD

Title of Regulation: VR 150-01-2. Rules and Regulations of the Virginia Auctioneers Board.

Governor's Comment:

I have no objections to the proposed regulations as presented

/s/ Gerald L. Baliles  
June 3, 1986

final adoption. As I indicated in my announcement upon my appointment of Dr. Buttery as Commissioner of Health effective July 1, 1986, I remain most interested in the new Commissioner undertaking an analysis of the justification of the Certificate of Public Need law to determine whether it continues to serve the purpose of bringing health care services closer to the people while controlling the cost of that care, or if it needs to be modified in order to achieve that goal.

/s/ Gerald L. Baliles  
May 27, 1986

### CRIMINAL JUSTICE SERVICES BOARD

Title of Regulation: VR 240-01-6. Rules Relating to Compulsory Minimum Training Standards for Courthouse and Courtroom Security Officers/Deputy Sheriffs Designated to Serve Process.

Governor's Comment:

No objections to the proposed regulations as presented.

/s/ Gerald L. Baliles  
May 29, 1986

\* \* \* \* \*

Title of Regulation: VR 240-01-12. Rules Relating to Certification of Criminal Justice Instructors.

Governor's Comment:

No objections to the proposed regulations as presented.

/s/ Gerald L. Baliles  
May 29, 1986

### STATEWIDE HEALTH COORDINATING COUNCIL

Title of Regulation: VR 360-01-02. Statewide Health Coordinating Council Standards for Evaluating Certificate of Public Need Applications to Establish or Expand Computed Tomography or Magnetic Resonance Imaging Services.

Governor's Comment:

I encourage the Virginia Statewide Health Coordinating Council to carefully consider any comments received from interested parties on these proposed standards prior to

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# GENERAL NOTICES/ERRATA

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<b>Symbol Key †</b>
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† Indicates entries since last publication of the Virginia Register
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## NOTICES OF INTENDED REGULATORY ACTION

### DEPARTMENT FOR THE AGING

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department for the Aging intends to consider the promulgation of regulations entitled: **Regulations Implementing Title V of the Older Americans Act and Section 124 of the Job Training Partnership Act**. The purpose of the proposed regulations is to determine resource allocations to Virginia's 25 Area Agencies on Aging under Title V of the Older Americans Act (as amended) and Section 124 of the Job Training Partnership Act.

Public hearings will be held. Copies of the proposed regulations to be considered are available after April 14, 1986.

Statutory Authority: § 2.1-373 of the Code of Virginia.

Written comments may be submitted until June 27, 1986.

Contact: William Peterson, Human Resources Developer, Virginia Department for the Aging, 101 N. 14th St., 18th Floor, Richmond, Va. 23219-2797, telephone (804) 225-3140.

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department for the Aging intends to consider amending regulations entitled: **State Plan for Aging Services funded under Title III of the Older Americans Act, as amended - October 1, 1985, through September 30, 1987**. The purpose of the proposed regulations is to revise the intrastate formula for allocation of Title III Older Americans Act funds to the 25 Area Agencies on Aging throughout Virginia. Public hearings will be held.

Statutory Authority: § 2.1-373 of the Code of Virginia.

Written comments may be submitted until June 27, 1986.

Contact: Williams Peterson, Human Resources Developer, Virginia Department for the Aging, 101 N. 14th St., 18th

Floor, Richmond, Va., telephone (804) 225-3140.

### DEPARTMENT OF CRIMINAL JUSTICE SERVICES

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Criminal Justice Services intends to consider amending regulations entitled: **Compulsory Minimum Training Standards for Jailors or Custodial Officers of Local Criminal Justice Agencies**. The purpose of the proposed amendment is to update existing requirements for the entry level training of these officers.

Statutory Authority: § 9-170(1) of the Code of Virginia.

Written comments may be submitted until July 15, 1986.

Contact: L. T. Eckenrode, Division Director, 805 E. Broad St., Richmond, Va. 23219, telephone (804) 786-8475

### STATE EDUCATION ASSISTANCE AUTHORITY

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the State Education Assistance Authority intends to consider promulgating regulations entitled: **Regulations Governing the Virginia Guaranteed Student Loan Program and PLUS Loan Program**. The purpose of the proposed regulation is to establish policies governing the administration of the Virginia student loan programs.

Statutory Authority: § 23-38.64(2) of the Code of Virginia.

Written comments may be submitted until August 12, 1986.

Contact: Regina D. Williams, Director, Marketing/Communications, State Education Assistance Authority, 6 N. 6th St., Suite 300, Richmond, Va. 23219, telephone (804) 786-2035 (toll-free number 1-800-792-5626)

## VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS

### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Board of Funeral Directors and Embalmers intends to consider promulgating regulations entitled: **VR 320-01-1. Regulations Governing the Practice of Funeral Services in the Commonwealth.** The purpose of the proposed regulations is to begin the promulgative process of board rules and regulations governing funeral practice in the Commonwealth. Substantial amendments and proposals include (i) reorganization of regulations in accordance with § 9-6.20 of the Code of Virginia; (ii) deletion of unnecessary, archaic, or duplicative language; (iii) promulgation of Public Participation Guidelines; and (iv) proposal of a fee increase for professional licenses and permits.

Statutory Authority: § 54-260.69 of the Code of Virginia.

Written comments may be submitted until July 23, 1986.

Other pertinent information: The board has completed a comprehensive study of these rules and regulations in conjunction with the Governor's Regulatory Review Process.

Contact: Mark L. Forberg, Executive Secretary, 517 W. Grace St., P.O. 27708, Richmond, Va. 23261, telephone (804) 786-0076 (toll-free number 1-800-533-1560)

## DEPARTMENT OF HEALTH

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Health intends to consider amending regulations entitled: **Hazardous Waste Management Regulations.** The purpose of the proposed amendment is in response to changes in the federal regulations governing hazardous waste management promulgated since July 1, 1985, implementing requirements of the Hazardous and Solid Waste Amendments of 1984. The proposed amendment will maintain the Virginia program fully equivalent to the federal Resource Conservation and Recovery Act.

Statutory Authority: Chapter 6, Art. 3 (§ 32.1-177 et seq.) of Title 32.1 of the Code of Virginia.

Written comments may be submitted until July 1, 1986.

Contact: Wladimir Gulevich, Director, Bureau of Hazardous Waste Management, 101 N. 14th St., Richmond, Va. 23219,

telephone (804) 225-2667 (toll-free number 1-800-552-2075)

## STATE WATER CONTROL BOARD

### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the State Water Control Board intends to consider amending regulations entitled: **Commonwealth of Virginia's Water Quality Standards.** The purpose of considering proposed amendments to Water Quality Criteria for Surface Waters (Chronic Criteria for Protection of Aquatic Life) is to make these criteria compatible with the Environmental Protection Agency's (EPA) new criteria values published in the Federal Register July 29, 1985.

Statutory Authority: § 62.1-44.15(3) of the Code of Virginia.

Written comments may be submitted until July 15, 1986.

Contact: Stu Wilson, Water Resources Ecologist, State Water Control Board, P.O. Box 11143, Richmond, Va. 23230, telephone (804) 257-0387

## GENERAL NOTICES

### NOTICE TO STATE AGENCIES

RE: Forms for filing material on dates for publication in The Virginia Register of Regulations.

All agencies are required to use the appropriate forms when furnishing material and dates for publication in The Virginia Register of Regulations. The forms are supplied by the office of the Registrar of Regulations. If you do not have any forms or you need additional forms, please contact: Ann M. Brown, Assistant Registrar of Regulations, Virginia Code Commission, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

### FORMS:

PROPOSED (Transmittal Sheet) - RR01  
FINAL (Transmittal Sheet) - RR02  
NOTICE OF MEETING - RR03  
NOTICE OF INTENDED REGULATORY ACTION - RR04  
NOTICE OF COMMENT PERIOD - RR05  
AGENCY RESPONSE TO LEGISLATIVE  
OR GUBERNATORIAL OBJECTIONS - RR06

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# CALENDAR OF EVENTS

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**Symbol Key †**

† Indicates entries since last publication of the Virginia Register  
☒ Location accessible to handicapped

## THE VIRGINIA CODE COMMISSION

**NOTICE:** Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the Virginia Register deadline may preclude a notice of such cancellation.

For additional information on open meetings and public hearings held by the Standing Committees of the Legislature during the interim, please call Legislative Information at (804) 786-6530.

## EXECUTIVE

### STATE BOARD OF ACCOUNTANCY

**August 11, 1986 - 10 a.m. – Public Hearing**  
Department of Commerce, Travelers Building, 3600 West Broad Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-16.14:7.1 of the Code of Virginia that the State Board of Accountancy intends to amend regulations entitled: **Virginia State Board of Accountancy Rules and Regulations.** These regulations govern the profession of certified public accountants.

Statutory Authority: §§ 54-1.28 (5) and 54-84 of the Code of Virginia.

Written comments may be submitted until August 8, 1986.

**Contact:** Roberta L. Banning, Assistant Director, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8505 (toll-free number 1-800-552-3016)

### GOVERNOR'S ADVISORY BOARD ON AGING

**July 17, 1986 - 8:30 a.m. – Open Meeting**  
Sheraton Airport Inn, (Hershberger Road West), 2727 Ferndale Drive, Roanoke, Virginia. ☒

A meeting to discuss issues and topics of relevance to older Virginians. The board will also welcome new

board members and provide an orientation to services and programs for older Virginians to these new members.

**Contact:** William Peterson, Assistant to the Commissioner, Virginia Department for the Aging, 18th Floor, 101 N. 14th St., Floor, Richmond, Va. 23219, telephone (804) 225-2271/3140

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Virginia Winegrowers Advisory Board

† **July 10, 1986 - 10 a.m. – Open Meeting**  
State Capitol, House Room 2, Richmond, Virginia. ☒

This is the annual meeting of the Virginia Winegrowers Advisory Board. The agenda will include election of officers and review of submitted project proposals.

**Contact:** Lou Ann Ladin, Secretary-Treasurer, Virginia Winegrowers Advisory Board, Virginia Department of Agriculture and Consumer Services, P.O. Box 1163, Richmond, Va. 23209, telephone (804) 786-0481

### DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

† **July 1, 1986 - 9:30 a.m. – Open Meeting**  
† **July 15, 1986 - 9:30 a.m. – Open Meeting**  
† **July 29, 1986 - 9:30 a.m. – Open Meeting**  
2901 Hermitage Road, Richmond, Virginia. ☒

A meeting to receive and discuss reports on activities from staff members. Other matters not yet determined.

**Contact:** Robert N. Swinson, 2901 Hermitage Rd., Richmond, Va. 23220, telephone (804) 257-0617

# Calendar of Events

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

### Board of Certified Landscape Architects

† June 23, 1986 - 9 a.m. - Open Meeting  
June 24, 1986 - 9 a.m. - Open Meeting  
Department of Commerce, Travelers Building, 5th Floor,  
3600 West Broad Street, Richmond, Virginia. ☒

The agenda will include grading of examinations as well as other business incidental to the operation of the board, excepting any consideration of proposed changes in regulations.

Contact: Jennifer S. Wester, Acting Assistant Director, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8506

### Board of Professional Engineers

July 30, 1986 - 9 a.m. - Open Meeting  
Department of Commerce, Travelers Building, 5th Floor,  
3600 West Broad Street, Richmond, Virginia. ☒

The board will meet to (i) approve minutes of the February 19, 1986, meeting; (ii) review investigative cases; (iii) review applications; (iv) conduct oral examinations; and (v) possibly discuss regulations.

Contact: Johnnie Williams, Assistant Director, APELSCLA, Department of Commerce, Travelers Bldg., Room 507, 3600 W. Broad St., Richmond, Va. 23220, telephone (804) 257-8512

### VIRGINIA ATHLETIC BOARD

June 30, 1986 - 9 a.m. - Open Meeting  
Department of Commerce, Travelers Building, Board Room 1, 3600 West Broad Street, Richmond, Virginia. ☒

An annual board meeting in addition to reviewing existing regulations.

Contact: Doug Beavers, Assistant Director, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8507

### VIRGINIA AUCTIONEERS BOARD

July 1, 1986 - 9 a.m. - Open Meeting  
Department of Commerce, Travelers Building, Conference Room 1, 3600 West Broad Street, Richmond, Virginia. ☒

An open board meeting to consider (i) status of

certification examination; (ii) development of examination; and (iii) complaints.

This notice hereby cancels the meeting originally scheduled for June 24, 1986.

Contact: Gerald W. Morgan, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230-4917, telephone (804) 257-8508

### VIRGINIA AVIATION BOARD

† June 30, 1986 - 10 a.m. - Open Meeting  
Byrd International Airport, Airport Managers Conference Room, Richmond, Virginia. ☒

A meeting to discuss current aviation matters.

Contact: Kenneth A. Rowe, Director, Department of Aviation, 4508 S. Laburnum Ave., P.O. Box 7716, Richmond, Va. 23231, telephone (804) 786-6284

### VIRGINIA BOARD OF BARBER EXAMINERS

† June 23, 1986 - 9 a.m. - Open Meeting  
Department of Commerce, Travelers Building, Conference Room 3, 5th Floor, 3600 West Broad Street, Richmond, Virginia. ☒

A meeting to (i) review investigative reports of complaints and determine disposition; and (ii) consider general correspondence pertinent to the operation of the board.

Contact: Olliver O. Trumbo, II, Assistant Director, Travelers Building, 5th Floor, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8509

### BOARD OF COMMERCE

† June 30, 1986 - 10 a.m. - Public Hearing  
General Assembly Building, House Room D, Capitol Square, Richmond, Virginia. ☒

† July 1, 1986 - 10 a.m. - Public Hearing  
Arlington County Court House, Arlington County Board Room, 1400 Courthouse Road, Arlington, Virginia. ☒

Informal fact finding hearing on HJR 122 (Study of need to regulate residential planned community developments). The board will hear views on the need to regulate the sale and operation of residential planned communities. All interested parties or individuals are invited to attend and present testimony. Written comments may be submitted in addition to or in lieu of verbal testimony by 5 p.m. on July 7, 1986.



## Calendar of Events

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**Contact:** Lucia Anna Trigiani, Property Registration Administrator, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8510

† **June 30, 1986 - 2 p.m.** – Public Hearing  
General Assembly Building, House Room D, Capitol Square, Richmond, Virginia. ☒

† **July 1, 1986 - 2 p.m.** – Public Hearing  
Arlington County Courthouse, Arlington County Board Room, 1400 Courthouse Road, Arlington, Virginia. ☒

Informal fact finding hearing on SJR 51 (Study of need to regulate towing and recovery industry). The board will hear views on the need to regulate towing and recovery operators in Virginia. All interested parties or individuals are invited to attend and present testimony. Written comments may be submitted in addition to or in lieu of verbal testimony by 5:00 p.m. on July 7, 1986.

**Contact:** Catherine M. Walker, Policy Analyst, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8564

### DEPARTMENT OF COMMERCE

† **August 26, 1986 - 10 a.m.** – Public Hearing  
Department of Commerce, Travelers Building, Room 395, 3600 West Broad Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Commerce intends to adopt, amend and repeal regulations entitled: VR 190-04-1. Private Security Services Business Regulations. These regulations affect businesses offering private security services and their employees.

### STATEMENT

Pursuant to Chapter 17.3 (§ 54-729.27 et. seq) of Title 54 of the Code of Virginia, the Department of Commerce proposes to amend, by adding to, repealing and reorganizing, its existing regulations governing Private Security Services Businesses.

The regulations require those businesses offering private security services to be licensed, to employ a qualified compliance agent responsible for the business' compliance with law and regulations and to employ only individuals properly trained and registered to provide those services.

The regulations apply directly to approximately 320 private security services businesses and their approximately 15,000 registered employees, and indirectly to those licensees clients and to individuals who may come into contact with licensees or their employees.

The proposed revisions change the method of issuing

registrations; create a biennial registration renewal; create a firearms certification which requires biennial retraining; create a registration renewal and penalty fee, a training certification fee and an examination fee; create a means of issuing registration contingent upon completion of a background investigation; eliminate the \$50 late registration fee; eliminate the employment termination reporting requirements; and require licensees who fail to renew to apply for licensure anew.

A summary of the major proposed changes and their estimated impact is as follows:

1. Proposed § 1.6 of these regulations is a new provision which requires licensees who fail to renew their license within six months to apply for licensure anew. It is estimated that five licensees will fail to renew within six months after expiration which will result in a cost of approximately \$800 each. In addition, those licensees may be subject to criminal prosecution for operating without a license and civil action by clients or members of the public for damages resulting from unlicensed activity. Those who renew in a timely manner will not be affected.

2. Proposed § 2.7 is a new provision which requires a fee of \$25 to sit for the Compliance Agent Examination. It is estimated that approximately 100 persons will sit for the examination yearly creating a total financial impact of \$2,500 yearly. In addition, those sitting will incur travel, meal and lodging expense which is estimated to be \$2,500 yearly in addition to the fee.

3. Proposed § 3.1 is a new provision which requires individuals desiring to be employed to provide security services to apply for an individual registration. Current regulations make the individual's employing licensee responsible for compliance with this provision and requires each employee to apply for registration with each employing licensee regardless of whether he was registered in the past. Also, current regulations allow a licensee to assign an individual to work duties as soon as the registration application is mailed to the department. Under the proposed regulation, licensees shall still assure all employees have proper registration and training before being assigned work duties. Licensees will incur no compliance costs when a registered and trained individual is hired. However, it is estimated that two-thirds of those hired by licensees will not be registered and that licensees will still have to aid them in applying for registration and completing training. In addition, licensees will incur the expense of a two-week delay necessary for the department to process a registration application.

4. Proposed § 3.2 of these regulations is a revision of a current regulation which continues the registration fee at \$30 and creates a new \$15 training certification fee. It is estimated the change in the registration requirements addressed in item three above will result in a statewide elimination of 7,000 registration fees (or \$21,000) annually. That savings will be offset by an estimated 7,000 training certification fees (or \$105,000) annually for a net savings

## Calendar of Events

of \$150,000.

5. Proposed § 3.5 is a revision of a current regulation which reduces from one year to six months the amount of time a temporary registrant has to complete training and qualify for a registration. No significant impact is anticipated.

6. Section 3.7 is a revision of a current regulation which provides for the issuance of registrations and firearms training certifications in response to application and training certification.

Proposed § 3.7 subsection A provides for issuance of a registration to a temporary registrant upon receipt by the department of a training certification and fee. No adverse impact (other than that addressed for the fee under item four above) is anticipated as the current regulations have a similar requirement.

Proposed § 3.7 subsection B provides for the issuance of a registration to an unregistered individual upon receipt by the department of an application, training certification and fee of \$30. Training schools will certify training completion on the application form itself. Individuals who complete training before being employed will incur less delay in being issued a registration in comparison to the current regulations under which the application and certification are handled with two separate forms. Also under the proposed regulations, these individuals will pay at least \$15 less in fees to become registered than those who apply for temporary registration.

Proposed § 3.7 subsection C provides for issuance of a registration in additional categories upon receipt by the department of a training certification and fee of \$15. Under current regulations, those registrants who have training in an additional category(s) certified to the department shall also apply for registration in the additional category(s) and pay a \$30 fee for each employing licensee.

Proposed §§ 3.7 subsection D and 3.7 subsection E are new provisions which create a handgun certification and shotgun certification, respectively, to provide a means of compliance with the Department of Criminal Justice Services (DCJS) firearms training and retraining regulations. For convenience and clarity both subsections describe the DCJS mandated training which shall be completed to qualify for each certification. No impact (other than the fee addressed in item four above) is anticipated as the DCJS training and retraining regulations have been in effect since January 1, 1986.

7. Proposed § 3.10 is a major revision of a current regulation. The current regulation permits the department to refuse to issue registrations to those not legally eligible to possess firearms. The revision permits the department to also deny and withdraw a registration when the applicant for same failed to disclose his criminal conviction record or has been convicted of an occupation

related criminal offense as well as when the applicant is not eligible to possess a firearm. Licensees and the department will benefit by being able to issue registrations without waiting for the background investigation to be completed. Adverse impact is anticipated only for the approximately 10% who misrepresent on their application forms or have conviction records. Both formal and informal redress from departmental action is available.

8. Proposed § 3.11 is a new provision replacing the current registration (which is valid for the tenure of employment with a licensee) with a registration which expires and shall be renewed at two-year intervals. All current registrations are made to expire on December 31, 1986, and shall be replaced by that date with a registration bearing an expiration date between July 31, 1987, and June 30, 1989, thus implementing a staggered renewal whereby a more or less equal number of registrations will expire each month. Renewal registrations issued after the first renewal registration expires will be valid for 24 months. Those registering after the proposed regulations become effective will be issued a registration valid for 24 months. Those failing to renew within 30 days after expiration shall pay a \$25 penalty fee in addition to the \$25 renewal fee. Those failing to renew within six months after renewal shall complete the training requirements and pay a \$50 reinstatement fee and may not apply for registration anew. It is estimated this provision will result in an increased cost to registrants and licensees of \$125,000 a year in renewal fees.

9. Proposed § 3.12 is a new provision establishing expiration dates and requiring retraining to renew handgun certifications and shotgun certifications. The procedure for certifying retraining and paying a \$15 fee are specified. No impact (other than the fee addressed in item four above) is anticipated as the DCJS retraining requirement has been in effect since January 1, 1986.

10. Section 4.1 contains revisions deleting the current requirement that each individual be separately registered with each employing licensee. Instead, licensees are required to employ only those possessing a valid registration or temporary registration. No impact other than that addressed in item three above is anticipated.

11. Proposed § 4.2 is a revision of a current regulation requiring licensees to maintain evidence that each employee is properly trained and registered and to make that evidence available to the department. No significant impact is anticipated.

12. Proposed §§ 4.7, 4.8, 4.9 and 4.10 are revisions of current regulations implementing the change from registrations issued through licensees to renewable registrations issued directly to registrants. No significant impact is anticipated.

13. Current §§ 4.7, 4.8, 4.12 and 4.13 are deleted thereby eliminating the late charge for unregistered employees, the requirement for licensees to maintain a copy of each

# Calendar of Events

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employee's registration card and the requirement for licensees to report employee termination and retrun registrations to the department. Significant savings in administrative costs and late fees to licensees is anticipated through elimination of costly requirements.

Additional changes include the addition of and revision to a number of definitions to § 1.1. All are for the purpose of improving clarity and have no impact.

The significant nature of the above summarized proposed regulations and their impact can be appreciated only when considered as a whole. The method of regulating private security employees is being changed from an employing licensee responsibility to an individual responsibility. No longer shall employing licensees incur registration costs and fees for each individual they employ. Rather, they shall assure each employee has complied with the individual registration and training requirements. Since a significant number of those affected are employed at or just above minimum wage, licensees may have to pay a portion of the fees and costs involved in obtaining and maintaining individual registration. The lowest additional costs will result from the registration renewal requirement for those already registered when employed. The highest additional costs will result when an unregistered person is employed. While the initial temporary registration fee is unchanged, a training certification fee of \$15 shall be paid to obtain full registration. More than one training certification fee is necessary if the individual shall attend more than one training school to qualify. A training certification fee only is required to add another category (i.e. add private investigator to a guard registration) rather than the \$30 registration fee now required. Elimination of the late registration fee, registration card maintenance and employee termination reporting requirements should significantly offset the above increased impact. The actual cost of compliance will depend directly upon the licensee's ability to retain and recruit registered individuals. The dollar amounts of fees are set to cover the processing costs incurred by the department.

In addition to these substantive changes, many of the proposed changes contain minor language revisions to improve clarity without altering the current substantive requirements.

Statutory Authority: Chapter 17.3 (§ 54-729.27 et seq.) of Title 54 of the Code of Virginia.

Written comments may be submitted until August 22, 1986.

Contact: David E. Dick, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8515 (toll-free number 1-800-552-3016)

## DEPARTMENT OF CONSERVATION AND HISTORIC RESOURCES

### Upper James Advisory Board

† June 26, 1986 - 12 Noon - Open Meeting  
Sunnybrook Inn, Plantation Road, Roanoke, Virginia

A quarterly business meeting of the Upper James Advisory Board to discuss matters pertaining to that section of the Scenic River.

Contact: Richard G. Gibbons, Virginia Division of Parks and Recreation, Washington Bldg., Room 1201, Richmond, Va. 23219, telephone (804) 225-3004

### Virginia Soil and Water Conservation Board

July 9, 1986 - 2 p.m. - Open Meeting  
Blacksburg Marriott Inn, 900 Prices Fork Road N.W., Blacksburg, Virginia. ☒

A regular bimonthly business meeting.

Contact: Donald L. Wells, Suite 206, 203 Governor St., Richmond, Va. 23219-2094, telephone (804) 786-2064

## STATE BOARD FOR CONTRACTORS

June 30, 1986 - 10 a.m. - Open Meeting  
Department of Commerce, Travelers Building, Board Room 1, 5th Floor, 3600 West Broad Street, Richmond, Virginia. ☒

A meeting to review and discuss all existing State Board for Contractor Regulations as to effectiveness, efficiency, necessity, clarity, and to identify possible alternatives.

July 24, 1986 - 10 a.m. - Open Meeting  
Department of Commerce, Travelers Building, Board Room 1, 5th Floor, 3600 West Broad Street, Richmond, Virginia. ☒

A quarterly meeting to review applications, complaints, findings on disciplinary hearings conducted, imposition of sanctions, Contractor Recovery Fund Report, and to discuss existing regulations of the board and to consider alternatives.

Contact: E. G. Andress, Assistant Director, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8511

# Calendar of Events

## BOARD OF CORRECTIONS

July 16, 1986 - 10 a.m. - Open Meeting  
August 13, 1986 - 10 a.m. - Open Meeting  
September 17, 1986 - 10 a.m. - Open Meeting  
Department of Corrections, 4615 West Broad Street,  
Richmond, Virginia. ☒

A regular monthly meeting to consider such matters  
as may be presented to the Board of Corrections.

Contact: Vivian Toler, Secretary to the Board, 4615 W.  
Broad St., P.O. Box 26963, Richmond, Va. 23261, telephone  
(804) 257-6274

## CRIMINAL JUSTICE SERVICES BOARD

### Committee on Criminal Justice Information Systems

June 26, 1986 - 10 a.m. - Open Meeting  
Ninth Street Office Building, Governor's Cabinet  
Conference Room, 6th Floor, 9th & Grace Streets,  
Richmond, Virginia. ☒

A meeting to discuss projects and business of the  
committee.

Contact: Dr. Jay W. Malcan, Staff Executive, Department  
of Criminal Justice Services, 805 E. Broad St., Richmond,  
Va. 23219, telephone (804) 786-4000

## VIRGINIA BOARD OF DENTISTRY

July 30, 1986 - 2 p.m. - Open Meeting  
July 31, 1986 - 9 a.m. - Open Meeting  
Sheraton Hotel, Ball Room, 4700 South Laburnum Avenue,  
Richmond, Virginia. ☒

The board will consider proposed changes to the  
regulations governing the practice of dentistry and  
dental hygiene heard at its public hearing on April 10,  
1986.

Contact: Nancy T. Feldman, Executive Director, 517 W.  
Grace St., Richmond, Va. 23220, telephone (804) 786-0311

## STATE BOARD OF EDUCATION

June 25, 1986 - 1 p.m. - Open Meeting  
June 26, 1986 - 9 a.m. - Open Meeting  
Hugh Mercer Elementary School, 2100 Cowan Boulevard,  
Fredericksburg, Virginia. ☒ (Interpreter for deaf provided  
if requested)

A regularly scheduled meeting to conduct business  
according to items listed on the agenda. The agenda is  
available upon request. The public is reminded that  
the Board of Vocational Education may convene, if  
required.

† July 31, 1986 - 1 p.m. - Open Meeting  
† August 1, 1986 - 9 a.m. - Open Meeting  
General Assembly Building, Senate Room B, 1st Floor,  
Capitol Square, Richmond, Va. ☒ (Interpreter for deaf  
provided if requested)

The State Board of Education will hold its regularly  
scheduled meeting on July 31 and August 1. Business  
will be conducted according to items listed on the  
agenda. The agenda is available upon request. The  
public is reminded that the Board of Vocational  
Education may convene, if required.

Contact: Margaret N. Roberts, James Monroe Bldg., 25th  
Floor, 101 N. 14th St., Richmond, Va. 23219, telephone  
(804) 225-2540

## STATE EDUCATION ASSISTANCE AUTHORITY

† September 3, 1986 - 10 a.m. - Public Hearing  
State Capitol, House Room 1, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-16.14:7.1  
of the Code of Virginia that the State Education  
Assistance Authority intends to adopt regulations  
entitled: **Regulations Governing the Virginia  
Guaranteed Student Loan Program and PLUS Loan  
Program.** These regulations establish policies  
governing the administration of the Federal  
Guaranteed Student Loan Program and PLUS Loan  
Program in the Commonwealth of Virginia.

### STATEMENT

Basis and Purpose: The State Education Assistance  
Authority is the designated guarantor of the Federal  
Guaranteed Student Loan Program and PLUS Loan  
Program in Virginia. The purpose of these regulations is to  
establish policies which govern the administration of the  
Virginia student loan programs on the part of participating  
lenders and institutions of higher education.

Impact: The regulations will affect the 155 lenders and 150  
Virginia schools as well as 1200 out-of-state schools  
participating in the Virginia student loan programs.

Statutory Authority: § 23-38.64 of the Code of Virginia.

Written comments may be submitted until September 3,  
1986.

Contact: Regina D. Williams, Director,  
Marketing/Communications, State Education Assistance

# Calendar of Events

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Authority, Suite 300, 6 N. 6th St., Richmond, Va. 23219, telephone (804) 786-2035 (toll-free number 1-800-792-5626)

## GOVERNOR'S COMMISSION ON EFFICIENCY IN GOVERNMENT

**July 24, 1986 - 10 a.m. - Open Meeting**  
General Assembly Building, Speaker's Conference Room, 6th Floor, Capitol Square, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)  
**September 17, 1986 - 10 a.m. - Open Meeting**  
**October 15, 1986 - 10 a.m. - Open Meeting**  
**November 18, 1986 - 10 a.m. - Open Meeting**  
**December 17, 1986 - 10 a.m. - Public Hearing**  
General Assembly Building, House Room D, Capitol Square, Richmond, Virginia. ☒

The Governor's Commission on Efficiency in Government has established its 1986 meeting schedule as follows:

7/24/86: Work session and discussion of recommendations and procedures.  
9/17/86: Implementation of commission procedures and July meeting decisions.  
10/15/86: Implementation of commission procedures and September meeting decisions.  
11/18/86: Review results of work conducted in September and October; prepare recommendations.  
12/17/86: Public hearing on recommendations to Governor and 1987 General Assembly; finalize recommendations.

**Contact:** Alan Albert OR Leonard Hopking, Office of the Governor, State Capitol, Richmond, Va. 23219, telephone (804) 786-2211

## STATE BOARD OF ELECTIONS

† **June 24, 1986 - 12 noon - Open Meeting**  
Ninth Street Office Building, Room 101, 9th & Grace Streets, Richmond, Virginia ☒

Canvass of June 10, 1986, primary election and determination by the board of handicapped accessibility exemptions.

**Contact:** M. Debra Mitterer, Room 101, Ninth Street Office Bldg., Richmond, Va. 23219, telephone (804) 786-6551

## VIRGINIA COUNCIL ON THE ENVIRONMENT

† **July 15, 1986 - 10 a.m. - Open Meeting**  
State Capitol, House Room 1, Richmond, Virginia ☒

This is a quarterly meeting of the council. Topics to

be discussed and considered by the council will include a state river policy and freshwater wetlands. The meeting is open to the public. Citizens will be given an opportunity to present comments to the council on issues discussed at the meeting and any other environmental issues.

**Contact:** Hannah Crew, Council on the Environment, Room 903, Ninth Street Office Bldg., Richmond, Va. 23219, telephone (804) 786-4500

## GOVERNOR'S COMMISSION ON EXCELLENCE IN EDUCATION

**June 24, 1986 - 9 a.m. - Open Meeting**  
**June 25, 1986 - 9 a.m. - Open Meeting**  
Hugh Mercer Elementary School, 2100 Cowan Boulevard, Fredericksburg, Virginia. ☒ (Interpreter for deaf provided if requested)

The commission will meet to consider recommendations which it has received from the public and professional groups concerning educational excellence.

† **July 30, 1986 - 9 a.m. - Open Meeting**  
† **July 31, 1986 - 9 a.m. - Open Meeting**  
General Assembly Building, Senate Room B, 1st Floor, Capitol Square, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested)

The commission will meet to consider recommendations which it has received from the public and professional groups concerning educational excellence.

**Contact:** Margaret N. Roberts, James Monroe Bldg., 25th Floor, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-2540

## VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS

**June 26, 1986 - 12 Noon - Open Meeting**  
**June 27, 1986 - 2 p.m. - Open Meeting**  
Holiday Inn-Midtown, 3200 West Broad Street, Richmond, Virginia

Annual convention of the Virginia Morticians Association. The Virginia Board of Funeral Directors and Embalmers will present an annual address to the association, participate in general open session, and maintain an exhibition booth for informational purposes on behalf of the Commonwealth.

Open board session on Friday, June 27, 1986, at 3 p.m. at the hotel; room to be announced on hotel

# Calendar of Events

video.

**Contact:** Mark L. Forberg, Executive Secretary, 517 W. Grace St., P.O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0076

## DEPARTMENT OF GENERAL SERVICES

### Art and Architectural Review Board

† **July 11, 1986 - 10 a.m. - Open Meeting**  
Virginia Museum of Fine Arts, Main Conference Room, Boulevard and Grove Avenue, Richmond, Virginia. ☐

The board 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:** Dorothy E. Ivankoe, Department of General Services, Ninth Street Office Bldg., Room 209, Richmond, Va. 23219, telephone (804) 786-3311

## DEPARTMENT OF HEALTH

**July 15, 1986 - 10 a.m. - Open Meeting**  
Abingdon Council Chambers, 133 West Main Street, Abingdon, Virginia. ☐

**July 16, 1986 - 10 a.m. - Open Meeting**  
Roanoke Council Chambers, 215 Church Street S.W., Roanoke, Virginia. ☐

**July 17, 1986 - 10 a.m. - Open Meeting**  
Warrenton Council Chambers, Municipal Building, 18 Court Street, Warrenton, Virginia. ☐

**July 18, 1986 - 10 a.m. - Open Meeting**  
Williamsburg/James City Court House, 321-45 Court Street West, Williamsburg, Virginia. ☐

This joint meeting/workshop is being held by the State Water Control Board and the Department of Health in order to discuss with the public proposed amendments to the Commonwealth of Virginia Sewerage Regulations. The joint regulations originally became effective on February 1, 1977, and these amendments primarily reflect advances in technology including ultraviolet light irradiation, composting, and rotating biological contractors and significant revisions to sections on land application of sludge, land application of wastewater, aerated lagoons, disinfection, and sludge handling processes. Drafts of the regulations are available upon request. Comments may be also be submitted in writing through July 18, 1986.

**Contact:** Paul Farrell, Department of Health, Division of Water Programs, Madison Bldg., Room 927, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-1758

## Bureau of Pharmacy Services

† **August 26, 1986 - 10 a.m. - Public Hearing**  
James Madison Building, Main Floor Auditorium, 109 Governor Street, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Health, Bureau of Pharmacy Services, intends to amend regulations entitled: **Virginia Voluntary Formulary**. This Formulary is a list of drugs of accepted therapeutic value, commonly prescribed and available from more than one source of supply.

### STATEMENT

Subject, Substance, Issues, Basis and Purpose: The purpose of the Virginia Voluntary Formulary is to provide a list of drugs of accepted therapeutic value, commonly prescribed within the state which are available from more than one source of supply, and a list of chemically and therapeutically equivalent drug products which have been determined to be interchangeable. Utilization of the Formulary by practitioners and pharmacists enables citizens of Virginia to obtain safe and effective drug products at a reasonable price consistent with high quality standards.

The proposed revised Virginia Voluntary Formulary adds and deletes drugs and drug products to the Formulary that become effective May 15, 1986. These additions and deletions are based upon recommendations of the Virginia Voluntary Formulary Council following its review of scientific data submitted by pharmaceutical manufacturers. The Council makes its recommendations to the State Board of Health.

The Virginia Voluntary Formulary is needed to enable citizens of Virginia to obtain safe and effective drug products at a reasonable price consistent with high quality standards. Without the Formulary physicians, dentists, and pharmacists in Virginia would not have the assurance that those generic drug products that may be substituted for brand name products have been evaluated and judged to be interchangeable with the brand name products.

Statutory Authority: §§ 32.1-12 and 32.1-79 et seq. of the Code of Virginia.

Written comments may be submitted until August 26, 1986.

**Contact:** James K. Thomson, Director, Bureau of Pharmacy Services, Department of Health, James Madison Bldg., 109 Governor St., Richmond, Va. 23219, telephone (804) 786-4326

# Calendar of Events

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## **BOARD ON HEALTH REGULATORY BOARDS (COUNCIL ON HEALTH REGULATORY BOARDS) Eff. 7/1/86**

**July 15, 1986 - 1:30 p.m. - Open Meeting**  
Virginia Center for Health Affairs, 4200 Innslake Drive,  
Glen Allen, Virginia. ☒ (Interpreter for deaf provided if  
requested)

A regular quarterly meeting of the council (formerly  
Board) on Health Regulatory Boards. The agenda will  
include discussion and adoption of new committee  
structures and appointments of council members to  
standing and ad-hoc committees.

**July 15, 1986 - 1:30 p.m. - Open Meeting**  
Virginia Center for Health Affairs, 4200 Innslake Drive,  
Glen Allen, Virginia. ☒ (Interpreter for deaf provided if  
requested)

A regular quarterly meeting of the council (formerly  
board) on Health Regulatory Boards. The council will  
receive and review the report of the Bylaws  
Committee recommending: (i) a new committee  
structure to align council functions with revised  
authority and responsibilities assigned by actions of  
the 1986 Session of the General Assembly, and (ii)  
changes in council bylaws required to implement new  
responsibilities and authority.

**Contact:** Richard D. Morrison, Policy Analyst, Department  
of Health Regulatory Boards, P.O. Box 27708, Richmond,  
Va. 23261, telephone (804) 786-0822

## **VIRGINIA HEALTH SERVICES COST REVIEW COUNCIL**

**June 25, 1986 - 9:30 a.m. - Open Meeting**  
**July 23, 1986 - 9:30 a.m. - Open Meeting**  
Virginia Hospital Association Headquarters, 4200 Innslake  
Drive, Glen Allen, Virginia. ☒

A monthly business meeting of the council for the  
purpose of addressing financial, policy or technical  
matters which may have arisen since the last meeting.

**Contact:** Ann Y. McGee, Director, 9th Floor, 805 E. Broad  
St., Richmond, Va. 23219, telephone (804) 786-6371

## **INTERAGENCY COORDINATING COUNCIL ON DELIVERY OF RELATED SERVICES TO HANDICAPPED CHILDREN**

† **June 24, 1986 - 1:30 p.m. - Open Meeting**  
† **July 22, 1986 - 1:30 p.m. - Open Meeting**  
Commission for the Visually Handicapped, 397 Azalea  
Avenue, Richmond, Virginia ☒

A regular monthly meeting of the 10 agency  
representatives that comprise the council. The council  
is designed to facilitate the timely delivery of  
appropriate services to handicapped children and  
youth in Virginia.

**Contact:** Dr. Michael M. Fehl, Department of Mental  
Health and Mental Retardation, P.O. Box 1797, Richmond,  
Va. 23214, telephone (804) 786-3710

## **INTERDEPARTMENTAL LICENSURE AND CERTIFICATION OF CHILDREN'S RESIDENTIAL FACILITIES**

### **Coordinating Committee**

† **July 11, 1986 - 8 a.m. - Open Meeting,**  
Department of Corrections, Room 105, 4615 West Broad  
Street, Richmond, Virginia. ☒

A meeting to (i) consider structured interim  
monitoring strategies for residential facilities; (ii)  
discuss the training plan; and (iii) to consider the  
progress report of the advisory committee.

**Contact:** Sandra G. Davis, Blair Bldg., 8007 Discovery Dr.,  
Richmond, Va. 23229-8699, telephone (804) 281-9025

## **VIRGINIA STATE LIBRARY BOARD**

**June 24, 1986 - 11 a.m. - Open Meeting**  
Virginia State Library, State Librarian's Office, 11th Street  
at Capitol Square, Richmond, Virginia. ☒

A regular quarterly meeting to discuss administrative  
matters.

† **July 29, 1986 - 11 a.m. - Open Meeting**  
State Librarian's Office, Virginia State Library, 11th Street  
at Capitol Square, Richmond, Virginia. ☒

A regular meeting to discuss administrative matters.

**Contact:** Jean Reynolds, Virginia State Library, 11th St. at  
Capitol Square, Richmond, Va. 23219, telephone (804)  
786-2332

## **COMMISSION ON LOCAL GOVERNMENT**

**July 21, 1986 - 10:30 a.m. - Open Meeting**  
General District Courtroom, Ground Floor, Richmond  
County Office Building, Warsaw, Virginia

Oral presentation regarding the Town of Warsaw -

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Richmond County Agreement Defining Annexation Rights.

**July 21, 1986 - 3 p.m. - Open Meeting**  
Town of Warsaw (site to be determined)

A regular bimonthly meeting of the Commission on Local Government to consider such matters as may be presented.

**July 21, 1986 - 7:30 p.m. - Public Hearing**  
General District Courtroom, Ground Floor, Richmond County Office Building, Warsaw, Virginia

Public hearing regarding the Town of Warsaw - Richmond County Agreement Defining Annexation Rights.

**Contact:** Barbara Bingham, Room 901, Ninth Street Office Building, Richmond, Va. 23219, telephone (804) 786-6508

**Contact:** Eugenia K. Dorson, Executive Secretary, 517 W. Grace St., P.O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0575

## STATE MENTAL HEALTH AND MENTAL RETARDATION BOARD

**June 25, 1986 - 10 a.m. - Open Meeting**  
Planning District 1 CSB, Big Stone Gap, Virginia. ☒

A regular monthly meeting. The agenda will be published on June 18, 1986, and may be obtained by calling Jane Helfrich.

**Contact:** Jane V. Helfrich, State Mental Health and Mental Retardation Board Secretary, Department of Mental Health and Mental Retardation, P.O. Box 1797, Richmond, Va. 23214, telephone (804) 786-3921

## VIRGINIA STATE BOARD OF MEDICINE

**June 27, 1986 - 10 a.m. - Open Meeting**  
Department of Health Regulatory Boards, 517 West Grace Street, Richmond, Virginia

The Executive Committee of the Board of Medicine will meet in open and closed session to conduct general business and to review case decisions.

† **July 17, 1986 - 8:30 a.m. - Open Meeting**  
† **July 18, 1986 - 8:30 a.m. - Open Meeting**  
† **July 19, 1986 - 8:30 a.m. - Open Meeting**  
Hotel Roanoke, Roanoke, Virginia. ☒

The board will meet to review reports, interview licensees and make decisions on discipline matters before the board on Thursday, Friday and Saturday morning. At 1:30 p.m., Saturday, July 18th, the full board will meet in open session to conduct general board business. The following committees may convene at the request of the board; Legislative, Credentials, Physicians Assistants, and Finance Committee.

### Advisory Board on Physical Therapy

† **July 18, 1986 - 10 a.m. - Open Meeting**  
† **July 20, 1986 - 9 a.m. - Open Meeting.**  
Hotel Roanoke, Roanoke, Virginia. ☒

The Advisory Board on Physical Therapy will meet to conduct general board business and respond to correspondence. The Advisory Board may reconvene on Sunday to respond to inquiries and requests made by the full board on Saturday.

## VIRGINIA STATE BOARD OF OPTICIANS

**August 12, 1986 - 9:30 a.m. - Public Hearing**  
Department of Commerce, Travelers Building, Conference Room 1, 5th Floor, 3600 West Broad Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia, that the Virginia State Board of Opticians intends to amend regulations entitled: **Rules and Regulations of the Board of Opticians.** The proposed amendment will decrease the license renewal fee from \$80 to \$65.

Statutory Authority: § 54-1.28(5) of the Code of Virginia.

Written comments may be submitted until August 8, 1986.

**Contact:** Olliver O. Trumbo, II, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8509

## VIRGINIA BOARD OF OPTOMETRY

**July 16, 1986 - 8 a.m. - Open Meeting**  
R. Blackwell Smith Pharmacy Building, 410 North 12th Street, Richmond, Virginia. ☒

The board will administer the State Practical Examination.

**July 17, 1986 - 9 a.m. - Open Meeting**  
Department of Health Regulatory Boards, Board Room, 517 West Grace Street, Richmond, Virginia

A general business meeting.



# Calendar of Events

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**Contact:** Moria C. Lux, Executive Director, Virginia Board of Optometry, P.O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0131

## STATE BOARD OF PHARMACY

**June 24, 1986 - 8 a.m. - Open Meeting**  
**June 25, 1986 - 8 a.m. - Open Meeting**  
Richmond Marriott Hotel, 500 East Broad Street, Richmond, Virginia. ☒

Board examinations and board meeting.

**Contact:** J. B. Carson, Executive Director, 517 W. Grace St., P.O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0182

## VIRGINIA BOARD OF PROFESSIONAL COUNSELORS

† **June 26, 1986 - 1 p.m. - Open Meeting**  
† **June 27, 1986 - 9 a.m. - Open Meeting**  
John Marshall Hotel, 5th and Franklin Streets, Richmond, Virginia

A meeting to (i) conduct general board business; (ii) review applications; (iii) respond to board correspondence; and (iv) make board policy.

**Contact:** John W. Braymer, 517 W. Grace St., Richmond, Va. 23261, telephone (804) 786-7516

## VIRGINIA REAL ESTATE BOARD

**June 23, 1986 - 9 a.m. - Open Meeting**  
Department of Commerce, Travelers Building, Conference Room 1, 5th Floor, 3600 West Broad Street, Richmond, Virginia. ☒

A regulatory review work session. A general discussion by the board and interested parties regarding revisions to regulations of the Virginia Real Estate Board.

**June 24, 1986 - 9 a.m. - Open Meeting**  
Department of Commerce, Travelers Building, Conference Room 1, 3600 West Broad Street, Richmond, Virginia. ☒

A regular business meeting. The agenda will consist of investigative cases (files) to be considered, files to be reconsidered, matters relating to fair housing, property registration and licensing issues (e.g., reinstatement, eligibility requests.)

**Contact:** Florence R. Brassier, Assistant Director, Real Estate, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8552

## BOARD OF REHABILITATIVE SERVICES

**June 27, 1986 - 10 a.m. - Open Meeting**  
Department of Rehabilitative Services, 4901 Fitzhugh Avenue, Richmond, Virginia. ☒

The board will hold a regular meeting to conduct the business of the department.

† **July 25, 1986 - 10 a.m. - Open Meeting**  
Department of Rehabilitative Services, 4901 Fitzhugh Avenue, Richmond, Virginia. ☒

The board will hold a regular meeting to conduct the business of the department.

### Evaluation Committee

† **July 18, 1986 - 1 p.m. - Open Meeting**  
Department of Rehabilitative Services, 4901 Fitzhugh Avenue, Richmond, Virginia ☒

A meeting to discuss policy and procedures.

### Finance Committee

**June 26, 1986 - 3 p.m. - Open Meeting**  
† **July 24, 1986 - 1 p.m. - Open Meeting**  
Department of Rehabilitative Services, 4901 Fitzhugh Avenue, Richmond, Virginia ☒

A meeting to discuss budgetary matters.

### Program Committee

**June 26, 1986 - 1 p.m. - Open Meeting**  
† **July 24, 1986 - 1 p.m. - Open Meeting**  
Department of Rehabilitative Services, 4901 Fitzhugh Avenue, Richmond, Virginia ☒

A meeting to review, discuss and, when appropriate, recommend to the board necessary policies governing the vocational rehabilitation and independent living rehabilitation programs and services administered and coordinated by the Department of Rehabilitative Services.

**Contact:** Jim Hunter, 4901 Fitzhugh Ave., Richmond, Va. 23220, telephone (804) 257-6446 (toll-free number 1-800-522-5019)

## VIRGINIA RESOURCES AUTHORITY

**July 1, 1986 - 10 a.m. - Open Meeting**  
Mutual Building, Authority Board Room, Suite 305, 909 East Main Street, Richmond, Virginia. ☒

The board will meet (i) to approve minutes of the May 13, 1986, board meeting; (ii) to review the authority's operations for the prior months; and (iii) 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: Shockley D. Gardner, Jr., Executive Director, P. O. Box 1300, Richmond, Va. 23219, telephone (804) 644-3100

## STATE SEWAGE HANDLING AND DISPOSAL APPEALS REVIEW BOARD

June 25, 1986 - 9 a.m. - Open Meeting  
James Monroe Building, Conference Room 3, 101 North 14th Street, Richmond, Virginia. ☐  
† July 16, 1986 - 9 a.m. - Open Meeting  
General Assembly Building, Senate Room A, Capitol Square, Richmond, Virginia ☐

A meeting to hear and render a decision on all appeals of denials of on-site sewage disposal system permits.

Contact: P. M. Brooks, 502 Madison Bldg., Richmond, Va. 23219, telephone (804) 786-1750

## VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

August 14, 1986 - 9 a.m. - Open Meeting  
General Assembly Building, House Room C, Capitol Square, Richmond, Virginia. ☐

The authority will conduct a public hearing to consider Industrial Development Bond applications received by the authority, and for which public notice has appeared in the appropriate newspapers of general circulation. Prior to the public hearing, which starts at 10 a.m., the authority will conduct its regular business meeting.

Contact: Nic Walker, Executive Director, Virginia Small Business Financing Authority, 1000 Washington Bldg., Richmond, Va. 23219, telephone (804) 786-3791

## BOARD OF SOCIAL SERVICES

July 16, 1986 - (Time to be announced) - Open Meeting  
July 17, 1986 - (Time to be announced) - Open Meeting  
Department of Social Services, Blair Building, 8007 Discovery Drive, Richmond, Virginia. ☐

A work session and business meeting.

Contact: Phyllis Sisk, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9236

## DEPARTMENT OF SOCIAL SERVICES

### Division of Benefit Programs

July 12, 1986 - Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services intends to amend regulations entitled: **VR 615-01-9. Definition of a Home in the Aid to Dependent Children (ADC) Program.** The purpose of the regulation is to expand the disregard of the home as a resource to include property contiguous to the house and lot provided the value of the land does not exceed \$5,000.

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

Written comments may be submitted until July 12, 1986, to I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23229-8699

Contact: Carolyn Ellis, Supervisor, Economic Assistance Unit, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046

\* \* \* \* \*

July 14, 1986 - 9:30 a.m. - Public Hearing  
Blair Building, Conference Room A, 8007 Discovery Drive, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services intends to amend regulations entitled: **VR 615-08-1. Virginia Fuel Assistance Program.** Increase the age limit in the voluntary quit eligibility criteria; change the five geographic regions to six climate zones; add an eligibility criteria in ECAP and change one of the mandated type of assistance to optional one and lower the administrative cost reimbursement ceiling.

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

Written comments may be submitted until July 11, 1986.

Contact: Charlene Chapman, Supervisor, Energy and Emergency Assistance, Division of Benefit Programs, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046 (toll-free number 1-800-552-7091)

# Calendar of Events

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**August 8, 1986** - Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia, that the Department of Social Services intends to amend regulations entitled: VR 615-01-10. Job Training Partnership Act (JTPA), Title II, Part A Income Disregard in the Aid to Dependent Children (ADC) Program. This proposed amendment will disregard children's earnings derived through participation in JTPA, Title II, Part A for six calendar months per year and children's unearned income derived through participation in JTPA, Title II, Part A indefinitely.

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

Written comments may be submitted until August 8, 1986, to I. Guy Lusk, Director, Division of Benefit Programs, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

Contact: Carolyn Ellis, Supervisor, Economic Assistance Unit, Division of Benefit Programs, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046

## Division of Child Support Enforcement

**July 26, 1986** - Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services, Division of Child Support Enforcement, intends to amend regulations entitled: VR 615-70-1. State Income Tax Intercept for Child Support. The proposed regulation allows the Department of Social Services to intercept state income tax refunds for payment of certain debts.

Statutory Authority: § 63.1-25 of the Code of Virginia, and 45 CFR 303.102 of the Code of Federal Regulations effective October 1, 1985.

Written comments may be submitted until July 26, 1986, to Jean White, Director, Division of Child Support Enforcement, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23288

Contact: Jane Clements, Chief, Bureau of Program Operations, Division of Child Support Enforcement, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23288, telephone (804) 281-9074

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**July 26, 1986** - Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services, Division of Child Support Enforcement, intends to adopt regulations entitled: VR 615-70-2. Application Fee Scale. The proposed regulations provide a sliding scale for application fees for child support enforcement services.

Statutory Authority: § 63.1-250.2 of the Code of Virginia and 45 CFR 302.33 of the Code of Federal Regulations.

Written comments may be submitted until July 26, 1986 to Jean White, Director, Division of Child Support Enforcement, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23288.

Contact: Jane Clements, Chief, Bureau of Program Operations, Division of Child Support Enforcement, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23288, telephone (804) 281-9074

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**July 26, 1986** - Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services, Division of Child Support Enforcement intends to adopt regulations entitled: VR 615-70-3. Separate Fee Charged for Child Support Enforcement Services. The proposed regulation defines what separate charges will be recovered for costs incurred above the application fee for child support enforcement services.

Statutory Authority: § 63.1-250 of the Code of Virginia.

Written comments may be submitted until July 26, 1986, to Jean White, Director, Division of Child Support Enforcement, Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23288.

Contact: Jane Clements, Chief, Bureau of Program Operations, Division of Child Support Enforcement, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23288, telephone (804) 281-9074

## DEPARTMENT OF TAXATION

**July 8, 1986 - 10 a.m.** - Public Hearing  
General Assembly Building, House Room C, Capitol Square,  
Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Taxation intends to amend the regulation entitled: VR 630-2-322. Virginia Taxable Income (Individual Income Tax Regulation). This regulation sets forth the

# Calendar of Events

method for computing the Virginia taxable income of individuals, including the various additions, subtractions, deductions, and modifications provided by law.

Statutory Authority: § 58.1-203 of the Code of Virginia.

Written comments may be submitted until July 8, 1986.

**Contact:** Danny M. Payne, Director, Tax Policy Division, P.O. Box 6-L, Richmond, Va. 23282, telephone (804) 257-8010

\* \* \* \* \*

**July 8, 1986 - 10 a.m. - Public Hearing**  
General Assembly Building, House Room C, Capitol Square, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Taxation intends to amend the regulation entitled: **VR 630-3-402. Virginia Taxable Income (Corporation Income Tax Regulation)**. This regulation sets forth the method for computing the Virginia taxable income of corporations, including the various additions, subtractions, deductions, and modifications provided by law.

Statutory Authority: § 58.1-203 of the Code of Virginia.

Written comments may be submitted until July 8, 1986.

**Contact:** Danny M. Payne, Director, Tax Policy Division, P.O. Box 6-L, Richmond, Va. 23282, telephone (804) 257-8010

\* \* \* \* \*

**July 8, 1986 - 10 a.m. - Public Hearing**  
General Assembly Building, House Room C, Capitol Square, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Taxation intends to adopt the regulation entitled: **VR 630-10-24.4. Common Carriers of Property or Passengers by Railway (Retail Sales and Use Tax Regulation)**. This regulation sets forth the application of the sales and use tax to tangible personal property used or consumed by common carriers of property or passengers by railway.

Statutory Authority: § 58.1-203 of the Code of Virginia.

Written comments may be submitted until July 8, 1986.

**Contact:** Danny M. Payne, Director, Tax Policy Division, P.O. Box 6-L, Richmond, Va. 23282, telephone (804) 257-8010

\* \* \* \* \*

**July 8, 1986 - 10 a.m. - Public Hearing**  
General Assembly Building, House Room C, Capitol Square, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 19-6.14:7.1 of the Code of Virginia that the Department of Taxation intends to amend the regulation entitled: **VR 630-10-3. Advertising (Retail Sales and Use Tax Regulation)**. This regulation sets forth the application of the sales and use tax to charges for the provision of concept, writing, graphic design, mechanical art, photography, and production supervision in the planning, creating, or placing or advertising in the media.

Statutory Authority: § 58.1-203 of the Code of Virginia.

Written comments may be submitted until July 3, 1986.

**Contact:** Danny M. Payne, Director, Tax Policy Division, P.O. Box 6-L, Richmond, Va. 23282, telephone (804) 257-8010

## THE GOVERNOR'S COMMISSION ON TRANSPORTATION IN THE TWENTY-FIRST CENTURY

**July 7, 1986 - 10 a.m. - Open Meeting**  
General Assembly Building, House Room D, Capitol Square, Richmond, Virginia. ☐

**COMMISSION MEETING No. 7**  
Development of recommendations for funding transportation needs

**July 21, 1986 - 10 a.m. - Open Meeting**  
General Assembly Building, House Room D, Capitol Square, Richmond, Virginia. ☐

**COMMISSION MEETING No. 8**  
Review of final report

**Contact:** Jewel A. Paige, Administrative Assistant, 10th Floor, Ninth Street Office Bldg., Richmond, Va. 23219, telephone (804) 786-2405

## VIRGINIA BOARD FOR THE VISUALLY HANDICAPPED

**July 16, 1986 - 11 a.m. - Open Meeting**  
Administration Headquarters, 397 Azalea Avenue, Richmond, Virginia. ☐ (Interpreter for deaf provided if requested)

The board meets quarterly to review policy and procedures of the Virginia Department for the Visually Handicapped. The board reviews and approves the department's budget, executive agreement, and

# Calendar of Events

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operating plan.

Contact: Diane E. Allen, Acting Confidential Secretary, 397 Azalea Ave., Richmond, Va. 23227, telephone (804) 264-3145

## STATE WATER CONTROL BOARD

June 23, 1986 - 9 a.m. - Open Meeting  
June 24, 1986 - 9 a.m. - Open Meeting  
General Assembly Building, Senate Room B, Capitol Square, Richmond, Virginia ☐

A regular quarterly meeting.

Contact: Doneva A. Dalton, State Water Control Board, Office of Policy Analysis, 2111 N. Hamilton St., P.O. Box 11143, Richmond, Va. 23230, telephone (804) 257-6829

July 15, 1986 - 10 a.m. - Open Meeting  
Abingdon Council Chamber, 133 West Main Street, Abingdon, Virginia. ☐  
July 16, 1986 - 10 a.m. - Open Meeting  
Roanoke Council Chambers, 215 Church Street S.W., Roanoke, Virginia. ☐  
July 17, 1986 - 10 a.m. - Open Meeting  
Warrenton Council Chambers, Municipal Building, 18 Court Street, Warrenton, Virginia. ☐  
July 18, 1986 - 10 a.m. - Open Meeting  
Williamsburg/James City Courthouse, 321-45 Court Street, Williamsburg, Virginia. ☐

This joint meeting/workshop is being held by the State Water Control Board and the Department of Health in order to discuss with the public proposed amendments to the Commonwealth of Virginia Sewerage Regulations. The joint regulations originally became effective on February 1, 1977, and these amendments primarily reflect advances in technology since that time. Major changes involve the addition of regulations for newer technologies including ultraviolet light irradiation, composting, and rotating biological contractors and significant revisions to sections on land application of sludge, land application of wastewater, aerated lagoons, disinfections, and sludge handling processes. Drafts of the regulations are available upon request. Comments may also be submitted in writing through July 18, 1986.

Contact: Charley Banks, State Water Control Board, 2111 N. Hamilton St., Richmond, Va. 23230-1143, telephone (804) 257-6351

August 11, 1986 - 7 p.m. - Open Meeting  
Prince William County Complex, McCourt Building Board Room, 4850 Davis Fork Road, Woodbridge, Virginia  
August 18, 1986 - 7 p.m. - Open Meeting  
Roanoke City Council Chambers, 215 Church Avenue, Roanoke, Virginia. ☐

August 20, 1986 - 7 p.m. - Open Meeting  
Williamsburg/James City Courthouse, Council Chambers, 321-45 Court Street, Williamsburg, Virginia. ☐

The Water Quality Standards, as required by state and federal law, are reviewed every three years. As part of the review that is now underway, a series of public meetings will be held around the Commonwealth. The purpose of these meetings is to receive comments and suggestions on our standards program. These comments will be used in proposing specific changes in standards that will be considered at hearings in early 1987.

Contact: Stuart Wilson, Water Resources Ecologist, State Water Control Board, P.O. Box 11143, Richmond, Va. 23230, telephone (804) 257-0387

\* \* \* \* \*

August 11, 1986 - 7 p.m. - Public Hearing  
Prince William County Complex, 4850 Davis Ford Road, Woodbridge, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to amend regulations entitled: **Water Quality Standards, Section 4 - Basin and Section Description Tables, Potomac River Subbasin, Section 5.** Quantico Bight would be excluded from Section 5 and established as a new section 5C, Class II waters, with no special standards.

Statutory Authority: § 62.1-44.15(3a) of the Code of Virginia.

Written comments may be submitted until August 21, 1986.

Contact: Stuart Wilson, Water Resources Ecologist, State Water Control Board, P.O. Box 11143, Richmond, Va. 23230, telephone (804) 257-0387

## COLLEGE OF WILLIAM AND MARY

### Board of Visitors

June 27, 1986 - 12 Noon - Open Meeting  
Campus Center, Jamestown Road, Williamsburg, Virginia

A regularly scheduled meeting of the Board of Visitors of the College of William and Mary to act on those resolutions that are presented by the administrations of William and Mary and Richard Bland College. An informational release will be available four days prior to the board meeting for those individuals or organizations who request it.

# Calendar of Events

**August 22, 1986 - 8 a.m. - Open Meeting**  
Richard Bland College, Student Center, Petersburg, Virginia

A meeting of the Board of Visitors of the College of William and Mary called by the Rector of the college to review contracts, budget considerations, and any other matters presented by the administrations of William and Mary and Richard Bland College. An informational release will be available four days prior to the board meeting for those individuals or organizations who request it.

**Contact:** Office of University Relations, James Blair Hall, Room 308, College of William and Mary, Williamsburg, Va. 23185, telephone (804) 253-4226

## LEGISLATIVE

### JOINT SUBCOMMITTEE STUDYING BLOCK GRANTS

**July 29, 1986 - 10 a.m. - Public Hearing**  
General Assembly Building, House Room D, Capitol Square, Richmond, Virginia. ☐

A public hearing on federal block grants in the areas of (i) preventive health and health services; (ii) alcohol, drug abuse and mental health; and (iii) community services.

**Contact:** Normal Szakal, Staff Attorney, Division of Legislative Services, P.O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591 OR Jayne Thomas, Grant Director, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23288, telephone (804), 281-9217

### VIRGINIA CODE COMMISSION

**June 24, 1986 - 9:30 a.m. - Open Meeting**  
**June 25, 1986 - 9:30 a.m. - Open Meeting**  
General Assembly Building, Speaker's Conference Room, 6th Floor, Capitol Square, Richmond, Virginia. ☐

The Commission will proceed with the revisions of Title 29.1 and Title 54.

**Contact:** Joan W. Smith, Registrar of Regulations, Virginia Code Commission, General Assembly Building, 2nd Floor, Capitol Square, Richmond, Va. 23219, telephone (804) 786-3591

### HOUSE SUBCOMMITTEE STUDYING

#### PURCHASE OF FOREIGN COAL BY ELECTRIC UTILITIES

† **July 1, 1986 - 10 a.m. - Open Meeting**  
General Assembly Building, House Room C, Capitol Square, Richmond, Virginia. ☐

A meeting to discuss utility companies' right to recover costs for purchasing coal outside of the Commonwealth. (HR 21)

**Contact:** C. William Cramme', III, Staff Attorney, Division of Legislative Services, 2nd Floor, General Assembly Bldg., Capitol Square, Richmond, Va. 23219, telephone (804) 786-3591

### HUMAN RIGHTS STUDY COMMISSION

† **June 26, 1986 - 10 a.m. - Public Hearing**  
Roanoke City Council Chambers, 215 Church Avenue S.W., Roanoke, Virginia. ☐

† **June 27, 1986 - 10 a.m. - Public Hearing**  
General Assembly Building, House Room C, Capitol Square, Richmond, Virginia. ☐

The Human Rights Study Commission has scheduled two public hearings to determine the need for a Human Rights Commission in the Commonwealth (HJR 33). Additional information may be obtained from: Mary Spain, Staff Attorney or Dr. R. J. Austin, Research Associate, Division of Legislative Services.

**Contact:** Those persons wishing to speak should contact: Anne R. Howard, P.O. Box 406, Richmond, Va. 23203, telephone (804) 786-7681

#### JOINT SUBCOMMITTEE REVIEWING SAVINGS AND LOAN LAWS AND INTEREST RATE LAWS OF THE COMMONWEALTH AND INTERSTATE BANKING

#### NOTE: MEETING DATE AND ROOM CHANGED

† **July 15, 1986 - 10 a.m. - Open Meeting**  
General Assembly Building, House Room C, Capitol Square, Richmond, Virginia. ☐

Meeting previously scheduled for June 17, 1986, for update of law changes and credit card interest rates changed.

**Contact:** C. William Cramme', III, Staff Attorney, Division of Legislative Services General Assembly Bldg., 2nd Floor, Richmond, Va. 23219, telephone (804) 786-3591

# Calendar of Events

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## JOINT SUBCOMMITTEE STUDYING TANGIBLE PERSONAL PROPERTY TAX

June 26, 1986 - 10 a.m. - Open Meeting  
General Assembly Building, Senate Room B, Capitol  
Square, Richmond, Virginia. ☒

The organizational meeting of joint subcommittee  
studying SJR 28.

Contact: Thomas C. Gilman, Chief Committee Clerk, Senate  
of Virginia, P.O. Box 396, Richmond, Va. 23203, telephone  
(804) 786-5742 OR Reggie McNally, Staff Attorney, Division  
of Legislative Services, P.O. Box 3-AG, Richmond, Va.  
23208, telephone (804) 786-3591

## JOINT SUBCOMMITTEE STUDYING PROBLEMS OF TEENAGE PREGNANCY IN THE COMMONWEALTH

† June 30, 1986 - 10 a.m. - Open Meeting  
General Assembly Building, House Room C, Capitol Square,  
Richmond, Virginia. ☒

An organizational meeting of the Joint Subcommittee  
Studying Problem of Teenage Pregnancy in the  
Commonwealth (HJR 61).

Contact: Brenda H. Edwards, Research Assistant or Norma  
Szakal, Staff Attorney, Division of Legislative Services, P.O.  
Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

## JOINT SUBCOMMITTEE STUDYING VIRGINIA'S TRAUMA CARE SYSTEM

† June 23, 1986 - 10 a.m. - Open Meeting  
General Assembly Building, House Room C, Capitol Square,  
Richmond, Virginia. ☒

Presentations by staff and agency personnel studying  
HJR 65.

Contact: Norma Szakal, Staff Attorney, Division of  
Legislative Services, General Assembly Bldg., 2nd Floor,  
Richmond, Va. 23219, telephone (804) 786-3591

## CHRONOLOGICAL LIST

### OPEN MEETINGS

#### June 23

- † Architects, Professional Engineers, Land Surveyors  
and Certified Landscape Architects, State Board of  
- Board of Certified Landscape Architects
- † Barber Examiners, Virginia Board  
Real Estate Board, Virginia
- † Trauma Care System, Joint Subcommittee  
Studying Virginia's  
Water Control Board, State

#### June 24

- Architects, Professional Engineers, Land Surveyors  
and Certified Landscape Architects, State Board of  
- Board of Certified Landscape Architects  
Code Commission, Virginia  
Education, Governor's Commission on Excellence in  
† Elections, State Board of
- † Interagency Coordinating Council on Delivery of  
Related Services to Handicapped Children  
Library Board, Virginia State  
Pharmacy, State Board of  
Real Estate Board, Virginia  
Water Control Board, State

#### June 25

- Code Commission, Virginia  
Education, Governor's Commission on Excellence in  
Education, State Board of  
Health Services Cost Review Council, Virginia  
Mental Health and Mental Retardation Board, State  
Pharmacy, State Board of  
Sewage Handling and Disposal Appeals Review  
Board, State

#### June 26

- † Conservation and Historic Resources, Department of  
- Upper James Advisory Board  
Criminal Justice Services Board  
- Committee on Criminal Justice Information Systems  
Education, State Board of  
Funeral Directors and Embalmers, Virginia Board of
- † Professional Counselors, Virginia Board of  
Rehabilitative Services, Board of
  - Finance Committee
  - Programs Committee
- Tangible Personal Property Tax, Joint  
Subcommittee Studying

#### June 27

- Funeral Directors and Embalmers, Virginia Board of  
Medicine, Virginia State Board of
- † Professional Counselors, Virginia Board of  
Rehabilitative Services, Board of

# Calendar of Events

College of William and Mary, Board of Visitors

## June 30

Athletic Board, Virginia  
† Aviation Board, Virginia  
Contractors, State Board for  
† Teenage Pregnancy in the Commonwealth,  
Joint Subcommittee Studying Problems of

## July 1

† Alcoholic Beverage Control, Department of  
Auctioneers Board, Virginia  
† Foreign Coal by Electric Utilities, House  
Subcommittee  
Studying the Purchase of  
Resources Authority, Virginia

## July 7

Transportation in the Twenty-First Century, The  
Governor's Commission on

## July 9

Conservation and Historic Resources, Department of  
- Virginia Soil and Water Conservation Board

## July 10

† Agriculture and Consumer Services, Department of  
- Winegrowers Advisory Board, Virginia

## July 11

General Services, Department of  
- Art and Architectural Review Board  
† Interdepartmental Licensure and Certification of  
Children's Residential Facilities  
- Coordinating Committee

## July 15

† Alcoholic Beverages Control, Department of  
† Environment, Virginia Council on the  
Health, Department of  
Health Regulatory Boards, Council on  
† Savings and Loan Laws and Interest Rate Laws  
of the Commonwealth and Interstate Banking, Joint  
Subcommittee Reviewing  
Water Control Board, State

## July 16

Corrections, Board of  
Health, Department of  
Optometry, Virginia Board of  
† Sewage Handling and Disposal Appeals Review  
Board, State  
Social Services, Board of  
Water Control Board, State  
Visually Handicapped, Board for the

## July 17

Aging, Governors Advisory Board on  
Health, Department of  
† Medicine, Virginia State Board of  
Optometry, Virginia Board of

Social Services, Board of  
Water Control Board, State

## July 18

Health, Department of  
† Medicine, Virginia State Board of  
- Advisory Board on Physical Therapy  
† Physical Therapy, Advisory Board on  
† Rehabilitative Services, Board of  
- Evaluation Committee  
Water Control Board, State

## July 19

† Medicine, Virginia State Board of

## July 20

Medicine, Virginia State Board of  
- Physical Therapy, Advisory Board on

## July 21

Local Government, Commission on  
Transportation in the Twenty-First Century, The  
Governor's Commission on

## July 22

† Interagency Coordinating Council on Delivery of  
Related Services to Handicapped Children

## July 23

Health Services Cost Review Council, Virginia

## July 24

Contractors, State Board for  
Efficiency in Government, Governor's Commission on  
Long-Term Care Council, Virginia  
† Rehabilitative Services, Board of  
- Finance Committee  
- Program Committee

## July 25

† Rehabilitative Services, Board of

## July 29

† Alcoholic Beverage Control, Department of  
† Library Board, Virginia State

## July 30

Architects, Professional Engineers, Land Surveyors  
and Certified Landscape Architects, State Board of  
- Board of Professional Engineers  
Dentistry, Virginia Board of  
† Excellence in Education, Governor's Commission on

## July 31

Aging, Governor's Advisory Board on  
Dentistry, Virginia Board of  
† Education, State Board of  
† Excellence in Education, Governor's Commission on

## August 1

† Education, State Board of



## Calendar of Events

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**August 11**  
Water Control Board, State

**August 13**  
Corrections, Board of

**August 14**  
Small Business Financing Authority, Virginia

**August 18**  
Water Control Board, State

**August 20**  
Water Control Board, State

**August 22**  
College of William and Mary, Board of Visitors

**September 17**  
Corrections, Board of  
Efficiency in Government, Governor's Commission on

**October 15**  
Efficiency in Government, Governor's Commission on

**November 18**  
Efficiency in Government, Governor's Commission on

**August 12**  
Opticians, Virginia State Board of

**August 28**  
† Commerce, Department of  
† Health, Department of  
- Bureau of Pharmacy Services

**September 3**  
† Education Assistance Authority, State

**December 17**  
Efficiency in Government, Governor's Commission on

### PUBLIC HEARINGS

**June 26**  
† Human Rights Study Commission

**June 27**  
† Human Rights Study Commission

**June 30**  
† Commerce, Board of

**July 1**  
† Commerce, Board of

**July 8**  
Taxation, Department of

**July 14**  
Social Services, Department of  
- Division of Benefit Programs

**July 21**  
Local Government, Commission on

**July 29**  
Block Grants, Joint Subcommittee Studying

**August 11**  
Accountancy, Virginia State Board of  
Water Control Board, State