
THE VIRGINIA REGISTER INFORMATION PAGE

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 new and amended sections of regulations, both as proposed and as finally adopted, 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 and executive orders issued by the Governor, the Virginia Tax Bulletin issued periodically by the Department of Taxation, and notices of 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 intended regulatory action; a basis, purpose, substance and issues statement; an economic impact analysis prepared by the Department of Planning and Budget; the agency's response to the economic impact analysis; a summary; a notice giving the public an opportunity to comment on the proposal; and the text of the proposed regulation.

Following publication of the proposal in the *Virginia Register*, the promulgating agency receives public comments for a minimum of 60 days. The Governor reviews the proposed regulation to determine if it is necessary to protect the public health, safety and welfare, and if it is clearly written and easily understandable. If the Governor chooses to comment on the proposed regulation, his comments must be transmitted to the agency and the Registrar no later than 15 days following the completion of the 60-day public comment period. The Governor's comments, if any, will be published in the *Virginia Register*. Not less than 15 days following the completion of the 60-day public comment period, the agency may adopt the proposed regulation.

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 Registrar and the promulgating agency. The objection will be published in the *Virginia Register*. Within 21 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 agency again publishes the text of the regulation as adopted, highlighting all changes made to the proposed regulation and explaining any substantial changes made since publication of the proposal. A 30-day final adoption period begins upon final publication in the *Virginia Register*.

The Governor may review the final regulation during this time and, if he objects, forward his objection to the Registrar and the agency. In addition to or in lieu of filing a formal objection, the Governor may suspend the effective date of a portion or all of a regulation until the end of the next regular General Assembly session by issuing a directive signed by a majority of the members of the appropriate standing committees and the Governor. The Governor's objection or suspension of the regulation, or both, will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation have substantial impact, he may require the agency to provide an additional 30-day public comment period on the changes. Notice of the additional public comment period required by the Governor will be published in the *Virginia Register*.

The agency shall suspend the regulatory process for 30 days when it receives requests from 25 or more individuals to solicit additional public comment, unless the agency determines that the changes have minor or inconsequential impact.

A regulation becomes effective at the conclusion of the 30-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 21-day extension

period; (ii) the Governor exercises his authority to require the agency to provide for additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the period for which the Governor has provided for additional public comment; (iii) the Governor and the General Assembly exercise their authority to suspend the effective date of a regulation until the end of the next regular legislative session; or (iv) the agency suspends the regulatory process, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 30-day public comment period.

Proposed regulatory action may be withdrawn by the promulgating agency at any time before the regulation becomes final.

EMERGENCY REGULATIONS

If an agency demonstrates that (i) there is an immediate threat to the public's health or safety; or (ii) Virginia statutory law, the appropriation act, federal law, or federal regulation requires a regulation to take effect no later than (a) 280 days from the enactment in the case of Virginia or federal law or the appropriation act, or (b) 280 days from the effective date of a federal regulation, it then requests the Governor's approval to adopt 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 to addressing specifically defined situations and may not exceed 12 months in duration. Emergency regulations are published as soon as possible in the *Register*.

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures. To begin promulgating the replacement regulation, the agency must (i) file the Notice of Intended Regulatory Action with the Registrar within 60 days of the effective date of the emergency regulation; and (ii) file the proposed regulation with the Registrar within 180 days of the effective date of the emergency regulation. If the agency chooses not 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 (§ 9-6.14:7.1 et seq.) of Chapter 1.1:1 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. **12:8 VA.R. 1096-1106 January 8, 1996**, refers to Volume 12, Issue 8, pages 1096 through 1106 of the *Virginia Register* issued on January 8, 1996.

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PUBLICATION DEADLINES AND SCHEDULES

This schedule is available on the *Register's* Internet home page (<http://legis.state.va.us/codecomm/register/regindex.htm>).

October 1998 through September 1999

<u>Volume:Issue</u>	<u>Material Submitted By Noon*</u>	<u>Will Be Published On</u>
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15:11	January 27, 1999	February 15, 1999
15:12	February 10, 1999	March 1, 1999
15:13	February 24, 1999	March 15, 1999
15:14	March 10, 1999	March 29, 1999
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15:15	March 24, 1999	April 12, 1999
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The table printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Spring 1998 VAC Supplement includes final regulations published through *Virginia Register* Volume 14, Issue 10, dated February 2, 1998). Emergency regulations, if any, are listed, followed by the designation "emer," and errata pertaining to final regulations are listed. Proposed regulations are not listed here. The table lists the sections in numerical order and shows action taken, the volume, issue and page number where the section appeared, and the effective date of the section.

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
Title 1. Administration			
1 VAC 30-130-10	Amended	15:1 VA.R. 44 (4390)	9/15/98
1 VAC 75-30-60	Amended	14:25 VA.R. 4065	9/30/98
Title 2. Agriculture			
2 VAC 5-180-10	Amended	14:19 VA.R. 2666	7/8/98
2 VAC 5-180-20	Amended	14:19 VA.R. 2667	7/8/98
2 VAC 5-180-30	Amended	14:19 VA.R. 2668	7/8/98
2 VAC 5-180-50	Amended	14:19 VA.R. 2668	7/8/98
2 VAC 5-180-60	Amended	14:19 VA.R. 2668	7/8/98
2 VAC 5-180-80	Amended	14:19 VA.R. 2668	7/8/98
2 VAC 5-180-90	Amended	14:19 VA.R. 2669	7/8/98
2 VAC 5-180-120	Amended	14:19 VA.R. 2669	7/8/98
2 VAC 5-205-10 through 2 VAC 5-205-110	Added	14:19 VA.R. 2670	7/8/98
2 VAC 5-390-180	Amended	14:14 VA.R. 2136	3/1/98
Title 4. Conservation and Natural Resources			
4 VAC 5-20-20	Amended	14:24 VA.R. 3906	9/18/98
4 VAC 15-260-140	Amended	14:24 VA.R. 3907	9/1/98
4 VAC 15-260-170	Added	14:24 VA.R. 3907	9/16/98
4 VAC 15-290-140	Amended	14:16 VA.R. 2357	7/1/98
4 VAC 20-260-20	Amended	14:15 VA.R. 2231	3/13/98
4 VAC 20-280-10	Amended	14:16 VA.R. 2357	3/31/98
4 VAC 20-345-10	Added	14:15 VA.R. 2236	3/1/98
4 VAC 20-345-20	Added	14:15 VA.R. 2236	3/1/98
4 VAC 20-345-20	Amended	14:18 VA.R. 2513	5/4/98
4 VAC 20-345-30	Added	14:15 VA.R. 2236	3/1/98
4 VAC 20-345-40	Added	14:15 VA.R. 2237	3/1/98
4 VAC 20-345-40	Amended	14:18 VA.R. 2513	5/4/98
4 VAC 20-380-30	Amended	14:16 VA.R. 2357	3/31/98
4 VAC 20-380-60	Amended	14:16 VA.R. 2358	3/31/98
4 VAC 20-395-10 through 4 VAC 20-395-40	Added	14:22 VA.R. 3205-3206	7/1/98
4 VAC 20-500-40	Amended	14:14 VA.R. 2137	3/1/98
4 VAC 20-560-10	Amended	14:18 VA.R. 2514	5/1/98
4 VAC 20-560-20	Amended	14:18 VA.R. 2514	5/1/98
4 VAC 20-560-40	Amended	14:18 VA.R. 2515	5/1/98
4 VAC 20-560-50	Amended	14:18 VA.R. 2516	5/1/98
4 VAC 20-620-50	Amended	14:16 VA.R. 2358	4/1/98
4 VAC 20-620-60	Amended	14:16 VA.R. 2358	4/1/98
4 VAC 20-880-40	Amended	14:14 VA.R. 2137	3/1/98
4 VAC 20-880-40	Amended	14:18 VA.R. 2516	5/1/98
4 VAC 20-880-50	Amended	14:14 VA.R. 2138	3/1/98
4 VAC 20-880-50	Amended	14:18 VA.R. 2517	5/1/98

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 20-890-30	Amended	14:25 VA.R. 4065	8/5/98
4 VAC 20-910-45	Amended	14:12 VA.R. 1915	1/30/98
4 VAC 20-950-30	Amended	14:16 VA.R. 2358	4/1/98
4 VAC 20-950-45	Added	14:12 VA.R. 1915	1/30/98
4 VAC 20-950-45	Amended	14:16 VA.R. 2359	4/1/98
4 VAC 20-960-30	Amended	14:16 VA.R. 2359	4/1/98
4 VAC 20-960-45	Added	14:16 VA.R. 2359	4/1/98
4 VAC 20-1000-10	Added	14:12 VA.R. 1916	1/30/98
4 VAC 20-1000-20	Added	14:12 VA.R. 1916	1/30/98
4 VAC 20-1000-30	Added	14:12 VA.R. 1916	1/30/98
4 VAC 20-1000-40	Added	14:12 VA.R. 1916	1/30/98
4 VAC 25-35 (Forms)	Amended	15:1 VA.R. 46 (4392)	--
4 VAC 25-40-10	Amended	14:17 VA.R. 2428	7/1/98
4 VAC 25-40-20	Repealed	14:17 VA.R. 2430	7/1/98
4 VAC 25-40-25	Added	14:17 VA.R. 2430	7/1/98
4 VAC 25-40-30	Repealed	14:17 VA.R. 2430	7/1/98
4 VAC 25-40-40	Amended	14:17 VA.R. 2430	7/1/98
4 VAC 25-40-50	Amended	14:17 VA.R. 2430	7/1/98
4 VAC 25-40-60	Repealed	14:17 VA.R. 2431	7/1/98
4 VAC 25-40-70	Amended	14:17 VA.R. 2431	7/1/98
4 VAC 25-40-80	Repealed	14:17 VA.R. 2431	7/1/98
4 VAC 25-40-90	Amended	14:17 VA.R. 2431	7/1/98
4 VAC 25-40-100	Amended	14:17 VA.R. 2431	7/1/98
4 VAC 25-40-110	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-120	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-130	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-140	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-145	Added	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-180	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-200	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-210	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-220	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-250	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-270	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-300	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-310	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-320	Repealed	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-350	Amended	14:17 VA.R. 2432	7/1/98
4 VAC 25-40-385	Added	14:17 VA.R. 2433	7/1/98
4 VAC 25-40-388	Added	14:17 VA.R. 2433	7/1/98
4 VAC 25-40-390	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-400	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-440	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-450	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-460	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-490	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-500	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-510	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-520	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-530	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-540	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-550	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-590	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-630	Amended	14:17 VA.R. 2434	7/1/98

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 25-40-660	Amended	14:17 VA.R. 2434	7/1/98
4 VAC 25-40-670	Amended	14:17 VA.R. 2435	7/1/98
4 VAC 25-40-690	Amended	14:17 VA.R. 2435	7/1/98
4 VAC 25-40-710	Amended	14:17 VA.R. 2435	7/1/98
4 VAC 25-40-720	Amended	14:17 VA.R. 2435	7/1/98
4 VAC 25-40-730	Repealed	14:17 VA.R. 2435	7/1/98
4 VAC 25-40-750	Repealed	14:17 VA.R. 2435	7/1/98
4 VAC 25-40-770	Amended	14:17 VA.R. 2435	7/1/98
4 VAC 25-40-780	Amended	14:17 VA.R. 2435	7/1/98
4 VAC 25-40-790	Amended	14:17 VA.R. 2436	7/1/98
4 VAC 25-40-800	Amended	14:17 VA.R. 2436	7/1/98
4 VAC 25-40-810	Amended	14:17 VA.R. 2437	7/1/98
4 VAC 25-40-820	Amended	14:17 VA.R. 2437	7/1/98
4 VAC 25-40-830	Amended	14:17 VA.R. 2438	7/1/98
4 VAC 25-40-870	Amended	14:17 VA.R. 2438	7/1/98
4 VAC 25-40-880	Amended	14:17 VA.R. 2438	7/1/98
4 VAC 25-40-890	Amended	14:17 VA.R. 2438	7/1/98
4 VAC 25-40-895	Added	14:17 VA.R. 2438	7/1/98
4 VAC 25-40-900	Amended	14:17 VA.R. 2438	7/1/98
4 VAC 25-40-910	Amended	14:17 VA.R. 2438	7/1/98
4 VAC 25-40-920	Amended	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-930	Amended	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-940	Repealed	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-960	Repealed	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-970	Amended	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-1030	Amended	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-1060	Amended	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-1070	Amended	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-1090	Amended	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-1100	Amended	14:17 VA.R. 2439	7/1/98
4 VAC 25-40-1130	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1140	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1180	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1200	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1210	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1220	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1250	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1260	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1280	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1300	Repealed	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1310	Repealed	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1320	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1340	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1350	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1370	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1490	Repealed	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1540	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1550	Amended	14:17 VA.R. 2440	7/1/98
4 VAC 25-40-1560	Amended	14:17 VA.R. 2441	7/1/98
4 VAC 25-40-1580	Amended	14:17 VA.R. 2441	7/1/98
4 VAC 25-40-1590	Amended	14:17 VA.R. 2441	7/1/98
4 VAC 25-40-1670	Amended	14:17 VA.R. 2441	7/1/98
4 VAC 25-40-1685	Added	14:17 VA.R. 2441	7/1/98
4 VAC 25-40-1690	Amended	14:17 VA.R. 2441	7/1/98
4 VAC 25-40-1740	Amended	14:17 VA.R. 2441	7/1/98

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4 VAC 25-40-1780	Amended	14:17 VA.R. 2441	7/1/98
4 VAC 25-40-1785	Added	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-1810	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-1880	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-1940	Repealed	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2010	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2015	Added	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2040	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2080	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2100	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2140	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2170	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2180	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2210	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2220	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2250	Amended	14:17 VA.R. 2442	7/1/98
4 VAC 25-40-2260	Repealed	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2270	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2280	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2300	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2340	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2390	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2400	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2410	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2420	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2440	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2450	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2480	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2490	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2500	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2510	Repealed	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2530	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2540	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2550	Amended	14:17 VA.R. 2443	7/1/98
4 VAC 25-40-2590	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2610	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2650	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2660	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2680	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2700	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2720	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2750	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2760	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2770	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2790	Amended	14:17 VA.R. 2444	7/1/98
4 VAC 25-40-2800	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2810	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2820	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2850	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2870	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2880	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2910	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2915	Added	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2920	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-2930	Amended	14:17 VA.R. 2445	7/1/98

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4 VAC 25-40-2980	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-3000	Amended	14:17 VA.R. 2445	7/1/98
4 VAC 25-40-3030	Amended	14:17 VA.R. 2446	7/1/98
4 VAC 25-40-3050	Amended	14:17 VA.R. 2446	7/1/98
4 VAC 25-40-3070	Amended	14:17 VA.R. 2446	7/1/98
4 VAC 25-40-3080	Amended	14:17 VA.R. 2446	7/1/98
4 VAC 25-40-3110	Amended	14:17 VA.R. 2446	7/1/98
4 VAC 25-40-3120	Amended	14:17 VA.R. 2446	7/1/98
4 VAC 25-40-3160	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3170	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3220	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3230	Repealed	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3240	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3280	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3290	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3300	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3310	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3320	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3325	Added	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3328	Added	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3330	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3340	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3350	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3420	Amended	14:17 VA.R. 2447	7/1/98
4 VAC 25-40-3430	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3450	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3460	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3475	Added	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3478	Added	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3590	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3595	Added	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3620	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3660	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3680	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3690	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3700	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3710	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3720	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3830	Amended	14:17 VA.R. 2448	7/1/98
4 VAC 25-40-3840	Amended	14:17 VA.R. 2449	7/1/98
4 VAC 25-40-3855	Added	14:17 VA.R. 2449	7/1/98
4 VAC 25-40-3890	Amended	14:17 VA.R. 2449	7/1/98
4 VAC 25-40-3930	Amended	14:17 VA.R. 2449	7/1/98
4 VAC 25-40-3955	Added	14:17 VA.R. 2449	7/1/98
4 VAC 25-40-3958	Added	14:17 VA.R. 2450	7/1/98
4 VAC 25-40-3980	Amended	14:17 VA.R. 2450	7/1/98
4 VAC 25-40-3990	Amended	14:17 VA.R. 2450	7/1/98
4 VAC 25-40-4060	Amended	14:17 VA.R. 2450	7/1/98
4 VAC 25-40-4090	Amended	14:17 VA.R. 2450	7/1/98
4 VAC 25-40-4100	Amended	14:17 VA.R. 2450	7/1/98
4 VAC 25-40-4110	Amended	14:17 VA.R. 2451	7/1/98
4 VAC 25-40-4140	Amended	14:17 VA.R. 2451	7/1/98
4 VAC 25-40-4160	Amended	14:17 VA.R. 2451	7/1/98
4 VAC 25-40-4220	Amended	14:17 VA.R. 2451	7/1/98
4 VAC 25-40-4230	Amended	14:17 VA.R. 2451	7/1/98

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4 VAC 25-40-4260	Amended	14:17 VA.R. 2451	7/1/98
4 VAC 25-40-4280	Amended	14:17 VA.R. 2451	7/1/98
4 VAC 25-40-4290	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4320	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4330	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4350	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4430	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4440	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4460	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4540	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4590	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4650	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4750	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4770	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4910	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4920	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4970	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-4980	Amended	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-5040	Repealed	14:17 VA.R. 2452	7/1/98
4 VAC 25-40-5050	Repealed	14:17 VA.R. 2453	7/1/98
4 VAC 25-40-5060	Amended	14:17 VA.R. 2453	7/1/98
4 VAC 25-40-5070	Amended	14:17 VA.R. 2453	7/1/98
4 VAC 25-40-5120	Amended	14:17 VA.R. 2453	7/1/98
4 VAC 25-40-5170	Amended	14:17 VA.R. 2453	7/1/98
4 VAC 25-40-5180	Amended	14:17 VA.R. 2453	7/1/98
4 VAC 25-40-5200	Amended	14:17 VA.R. 2453	7/1/98
4 VAC 25-40-5210	Amended	14:17 VA.R. 2453	7/1/98
4 VAC 25-40-5230	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5290	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5310	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5320	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5330	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5340	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5370	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5400	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5450	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5470	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5550	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5580	Amended	14:17 VA.R. 2454	7/1/98
4 VAC 25-40-5590	Amended	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5630	Amended	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5660	Amended	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5670	Amended	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5680	Repealed	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5690	Repealed	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5710	Amended	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5720	Repealed	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5730	Repealed	14:17 VA.R. 2455	7/1/98
4 VAC 25-40-5740	Repealed	14:17 VA.R. 2456	7/1/98
4 VAC 25-40-5750	Added	14:17 VA.R. 2456	7/1/98
4 VAC 25-40-5760	Added	14:17 VA.R. 2456	7/1/98
4 VAC 25-40-5770	Added	14:17 VA.R. 2457	7/1/98
4 VAC 25-40-5780	Added	14:17 VA.R. 2457	7/1/98
4 VAC 25-150-10	Amended	15:2 VA.R. 135	11/11/98
4 VAC 25-150-50	Amended	15:2 VA.R. 138	11/11/98

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4 VAC 25-150-60	Amended	15:2 VA.R. 138	11/11/98
4 VAC 25-150-70	Repealed	15:2 VA.R. 139	11/11/98
4 VAC 25-150-80 through 4 VAC 25-150-130	Amended	15:2 VA.R. 139- 143	11/11/98
4 VAC 25-150-135	Added	15:2 VA.R. 143	11/11/98
4 VAC 25-150-160 through 4 VAC 25-150-360	Amended	15:2 VA.R. 143- 156	11/11/98
4 VAC 25-150-380 through 4 VAC 25-150-430	Amended	15:2 VA.R. 156- 159	11/11/98
4 VAC 25-150-435	Added	15:2 VA.R. 159	11/11/98
4 VAC 25-150-440 through 4 VAC 25-150-460	Amended	15:2 VA.R. 161- 162	11/11/98
4 VAC 25-150-500 through 4 VAC 25-150-530	Amended	15:2 VA.R. 162- 163	11/11/98
4 VAC 25-150-540	Repealed	15:2 VA.R. 165	11/11/98
4 VAC 25-150-560	Amended	15:2 VA.R. 167	11/11/98
4 VAC 25-150-570	Repealed	15:2 VA.R. 167	11/11/98
4 VAC 25-150-580 through 4 VAC 25-150-610	Amended	15:2 VA.R. 168- 169	11/11/98
4 VAC 25-150-640	Repealed	15:2 VA.R. 170	11/11/98
4 VAC 25-150-650 through 4 VAC 25-150-700	Amended	15:2 VA.R. 171- 172	11/11/98
4 VAC 25-150-710	Repealed	15:2 VA.R. 172	11/11/98
4 VAC 25-150-711	Added	15:2 VA.R. 172	11/11/98
4 VAC 25-150-720 through 4 VAC 25-150-740	Amended	15:2 VA.R. 173	11/11/98
Title 6. Criminal Justice and Corrections			
6 VAC 15-60-10 through 6 VAC 15-60-100	Repealed	14:17 VA.R. 2457	9/1/98
6 VAC 15-61-10 through 6 VAC 15-61-300	Added	14:17 VA.R. 2457	9/1/98
6 VAC 20-170-10	Amended	14:24 VA.R. 3908	9/16/98
6 VAC 20-170-80	Amended	14:24 VA.R. 3910	9/16/98
6 VAC 20-170-90	Amended	14:24 VA.R. 3911	9/16/98
6 VAC 20-170-270	Amended	14:24 VA.R. 3911	9/16/98
6 VAC 20-170-350	Amended	14:24 VA.R. 3912	9/16/98
6 VAC 20-170-470	Amended	14:24 VA.R. 3913	9/16/98
6 VAC 20-170-475	Amended	14:24 VA.R. 3913	9/16/98
6 VAC 20-170-520	Amended	14:24 VA.R. 3913	9/16/98
6 VAC 20-170-530	Amended	14:24 VA.R. 3913	9/16/98
6 VAC 20-170-540	Amended	14:24 VA.R. 3914	9/16/98
6 VAC 20-170-550	Amended	14:24 VA.R. 3915	9/16/98
6 VAC 20-170-615	Amended	14:24 VA.R. 3916	9/16/98
6 VAC 20-170-617	Amended	14:24 VA.R. 3919	9/16/98
6 VAC 20-170-626	Added	14:24 VA.R. 3919	9/16/98
6 VAC 20-170-627	Added	14:24 VA.R. 3919	9/16/98
6 VAC 20-170-1000	Amended	14:24 VA.R. 3919	9/16/98
6 VAC 20-170-1110	Added	14:24 VA.R. 3921	9/16/98
Title 8. Education			
8 VAC 20-20-750	Repealed	14:20 VA.R. 2754	7/22/98
8 VAC 20-20-770	Repealed	14:20 VA.R. 2754	7/22/98
8 VAC 20-20-780	Repealed	14:20 VA.R. 2754	7/22/98
8 VAC 20-20-790	Repealed	14:20 VA.R. 2754	7/22/98
8 VAC 20-21-425	Added	14:20 VA.R. 2754	7/22/98
8 VAC 20-21-430	Added	14:20 VA.R. 2755	7/22/98

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
8 VAC 20-21-435	Added	14:20 VA.R. 2756	7/22/98
8 VAC 20-21-440	Added	14:20 VA.R. 2757	7/22/98
8 VAC 20-21-445	Added	14:20 VA.R. 2758	7/22/98
Title 9. Environment			
9 VAC 5-20-203	Amended	14:11 VA.R. 1804	4/1/98
9 VAC 5-20-204	Amended	14:11 VA.R. 1804	4/1/98
9 VAC 5-20-204	Amended	15:2 VA.R. 174	1/1/99
9 VAC 5-20-205	Amended	14:11 VA.R. 1805	4/1/98
9 VAC 5-20-205	Amended	15:2 VA.R. 175	1/1/99
9 VAC 5-20-220	Added	14:11 VA.R. 1812	4/1/98
9 VAC 5-20-230	Added	14:11 VA.R. 1812	4/1/98
9 VAC 5-50-400	Amended	14:11 VA.R. 1807	4/1/98
9 VAC 5-60-60	Amended	14:11 VA.R. 1807	4/1/98
9 VAC 5-60-90	Amended	14:11 VA.R. 1807	4/1/98
9 VAC 5-60-100	Amended	14:11 VA.R. 1808	4/1/98
9 VAC 5-80-40	Repealed	14:11 VA.R. 1813	4/1/98
9 VAC 5-80-800	Added	14:11 VA.R. 1820	4/1/98
9 VAC 5-80-810	Added	14:11 VA.R. 1820	4/1/98
9 VAC 5-80-820	Added	14:11 VA.R. 1822	4/1/98
9 VAC 5-80-830	Added	14:11 VA.R. 1823	4/1/98
9 VAC 5-80-840	Added	14:11 VA.R. 1823	4/1/98
9 VAC 5-80-850	Added	14:11 VA.R. 1823	4/1/98
9 VAC 5-80-860	Added	14:11 VA.R. 1825	4/1/98
9 VAC 5-80-870	Added	14:11 VA.R. 1825	4/1/98
9 VAC 5-80-880	Added	14:11 VA.R. 1825	4/1/98
9 VAC 5-80-890	Added	14:11 VA.R. 1826	4/1/98
9 VAC 5-80-900	Added	14:11 VA.R. 1826	4/1/98
9 VAC 5-80-910	Added	14:11 VA.R. 1826	4/1/98
9 VAC 5-80-920	Added	14:11 VA.R. 1826	4/1/98
9 VAC 5-80-930	Added	14:11 VA.R. 1826	4/1/98
9 VAC 5-80-940	Added	14:11 VA.R. 1826	4/1/98
9 VAC 5-80-950	Added	14:11 VA.R. 1826	4/1/98
9 VAC 5-80-960	Added	14:11 VA.R. 1826	4/1/98
9 VAC 5-80-970	Added	14:11 VA.R. 1827	4/1/98
9 VAC 5-80-980	Added	14:11 VA.R. 1827	4/1/98
9 VAC 5-80-990	Added	14:11 VA.R. 1828	4/1/98
9 VAC 5-80-1000	Added	14:11 VA.R. 1828	4/1/98
9 VAC 5-80-1010	Added	14:11 VA.R. 1828	4/1/98
9 VAC 5-80-1020	Added	14:11 VA.R. 1829	4/1/98
9 VAC 5-80-1030	Added	14:11 VA.R. 1830	4/1/98
9 VAC 5-80-1040	Added	14:11 VA.R. 1831	4/1/98
9 VAC 5-190-80	Erratum	14:12 VA.R. 1937	--
9 VAC 25-31-800	Erratum	14:12 VA.R. 1937	--
9 VAC 25-31-800	Erratum	14:17 VA.R. 2477	--
9 VAC 25-31-840	Erratum	14:12 VA.R. 1937	--
9 VAC 25-31-900	Erratum	14:17 VA.R. 2477	--
9 VAC 25-31-920	Amended	14:16 VA.R. 2360	5/27/98
9 VAC 25-90-10 through 9 VAC 25-90-70	Repealed	14:18 VA.R. 2517	6/24/98
9 VAC 25-91-10 through 9 VAC 25-91-220	Added	14:18 VA.R. 2518	6/24/98
9 VAC 25-91-20	Erratum	14:23 VA.R. 3682	--
9 VAC 25-91-120	Erratum	14:23 VA.R. 3682	--
9 VAC 25-91-130	Erratum	14:23 VA.R. 3682	--
9 VAC 25-91-170	Erratum	14:23 VA.R. 3682	--

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 25-91-180	Erratum	14:23 VA.R. 3682	--
9 VAC 25-91-220	Erratum	14:23 VA.R. 3682	--
9 VAC 25-100-10 through 9 VAC 25-100-70	Repealed	14:18 VA.R. 2547	6/24/98
9 VAC 25-101-10 through 9 VAC 25-101-70	Added	14:18 VA.R. 2547	6/24/98
9 VAC 25-101-40	Erratum	14:23 VA.R. 3682	--
9 VAC 25-101-50	Erratum	14:23 VA.R. 3682	--
9 VAC 25-130-10 through 9 VAC 25-130-100	Repealed	14:18 VA.R. 2517	6/24/98
9 VAC 25-140-10 through 9 VAC 25-140-110	Repealed	14:18 VA.R. 2518	6/24/98
9 VAC 25-193-10 through 9 VAC 25-193-80	Added	14:24 VA.R. 3922	10/1/98
9 VAC 25-193-70	Erratum	15:2 VA.R. 241	--
9 VAC 25-196-50	Erratum	14:12 VA.R. 1937	--
9 VAC 25-196-70	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-20	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-110	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-140	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-350	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-370	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-390	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-400	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-450	Erratum	14:12 VA.R. 1937	--
9 VAC 25-260-540	Erratum	14:12 VA.R. 1937	--
9 VAC 25-590-10 through 9 VAC 25-590-230	Amended	14:23 VA.R. 3607	9/2/98
9 VAC 25-590-240	Added	14:23 VA.R. 3621	9/2/98
9 VAC 25-590-250	Added	14:23 VA.R. 3621	9/2/98
9 VAC 25-590-260	Added	14:23 VA.R. 3621	9/2/98
9 VAC 25-590, Appendix I	Amended	14:23 VA.R. 3621	9/2/98
9 VAC 25-590, Appendix II	Amended	14:23 VA.R. 3623	9/2/98
9 VAC 25-590, Appendices V through X	Amended	14:23 VA.R. 3625	9/2/98
9 VAC 25-590, Appendix XI	Added	14:23 VA.R. 3631	9/2/98
Title 10. Finance and Financial Institutions			
10 VAC 5-60-40	Amended	14:14 VA.R. 2139	3/10/98
10 VAC 5-60-50	Amended	14:14 VA.R. 2139	3/10/98
10 VAC 5-70-20	Amended	14:14 VA.R. 2140	3/10/98
10 VAC 5-70-30	Amended	14:14 VA.R. 2140	3/10/98
10 VAC 5-70-50	Amended	14:14 VA.R. 2140	3/10/98
Title 11. Gaming			
11 VAC 10-70-20	Amended	14:11 VA.R. 1831	3/19/98
11 VAC 10-70-30	Amended	14:11 VA.R. 1831	3/19/98
11 VAC 10-70-40	Amended	14:11 VA.R. 1831	3/19/98
11 VAC 10-70-50	Amended	14:11 VA.R. 1831	3/19/98
11 VAC 10-70-60	Amended	14:11 VA.R. 1832	3/19/98
11 VAC 10-70-70	Amended	14:11 VA.R. 1832	3/19/98
11 VAC 10-70-80	Amended	14:11 VA.R. 1833	3/19/98
11 VAC 10-70-110	Amended	14:11 VA.R. 1833	3/19/98
11 VAC 10-70-170	Amended	14:11 VA.R. 1833	3/19/98
11 VAC 10-70-180	Amended	14:11 VA.R. 1833	3/19/98
11 VAC 10-90-10	Amended	14:11 VA.R. 1835	3/19/98
11 VAC 10-90-20	Amended	14:11 VA.R. 1835	3/19/98

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
11 VAC 10-90-30	Amended	14:11 VA.R. 1835	3/19/98
11 VAC 10-90-40	Amended	14:11 VA.R. 1835	3/19/98
11 VAC 10-90-50	Amended	14:11 VA.R. 1835	3/19/98
11 VAC 10-90-60	Amended	14:11 VA.R. 1836	3/19/98
11 VAC 10-180-10	Amended	14:22 VA.R. 3207	8/20/98
11 VAC 10-180-20	Amended	14:22 VA.R. 3207	8/20/98
11 VAC 10-180-30	Amended	14:22 VA.R. 3208	8/20/98
11 VAC 10-180-50	Amended	14:22 VA.R. 3209	8/20/98
11 VAC 10-180-60	Amended	14:22 VA.R. 3211	8/20/98
11 VAC 10-180-70	Amended	14:22 VA.R. 3212	8/20/98
11 VAC 10-180-80	Amended	14:22 VA.R. 3213	8/20/98
11 VAC 10-180-90	Amended	14:22 VA.R. 3213	8/20/98
Title 12. Health			
12 VAC 5-90-230	Added	14:26 VA.R. 4250	10/14/98
12 VAC 5-90-240	Added	14:26 VA.R. 4250	10/14/98
12 VAC 5-90-250	Added	14:26 VA.R. 4251	10/14/98
12 VAC 5-90-260	Added	14:26 VA.R. 4251	10/14/98
12 VAC 5-90-270	Added	14:26 VA.R. 4251	10/14/98
12 VAC 5-210-10	Amended	14:15 VA.R. 2237	6/1/98
12 VAC 5-210-20	Amended	14:15 VA.R. 2243	6/1/98
12 VAC 5-220-10	Amended	14:12 VA.R. 1917	4/2/98
12 VAC 5-220-105	Added	14:12 VA.R. 1920	4/2/98
12 VAC 5-220-150	Amended	14:12 VA.R. 1920	4/2/98
12 VAC 5-220-180	Amended	14:12 VA.R. 1920	4/2/98
12 VAC 5-220-200	Amended	14:12 VA.R. 1921	4/2/98
12 VAC 5-220-230	Amended	14:12 VA.R. 1923	4/2/98
12 VAC 5-220-280	Amended	14:12 VA.R. 1924	4/2/98
12 VAC 5-220-290	Amended	14:12 VA.R. 1925	4/2/98
12 VAC 5-220-385	Amended	14:12 VA.R. 1925	4/2/98
12 VAC 5-220-500	Amended	14:12 VA.R. 1926	4/2/98
12 VAC 30-20-170	Amended	14:26 VA.R. 4252	10/15/98
12 VAC 30-50-30	Amended	14:18 VA.R. 2568	7/1/98
12 VAC 30-50-70	Amended	14:18 VA.R. 2568	7/1/98
12 VAC 30-50-100	Amended	14:18 VA.R. 2571	7/1/98
12 VAC 30-50-100 emer	Amended	14:22 VA.R. 3270	7/1/98 - 6/30/99
12 VAC 30-50-100	Amended	14:25 VA.R. 4066	9/30/98
12 VAC 30-50-105	Amended	14:18 VA.R. 2573	7/1/98
12 VAC 30-50-105 emer	Amended	14:22 VA.R. 3272	7/1/98 - 6/30/99
12 VAC 30-50-105	Amended	14:25 VA.R. 4068	9/30/98
12 VAC 30-50-140	Amended	14:12 VA.R. 1926	4/1/98
12 VAC 30-50-140	Amended	14:18 VA.R. 2574	7/1/98
12 VAC 30-50-150	Amended	14:12 VA.R. 1927	4/1/98
12 VAC 30-50-160	Amended	14:18 VA.R. 2564	7/1/98
12 VAC 30-50-160	Amended	14:26 VA.R. 4252	10/15/98
12 VAC 30-50-200	Amended	14:18 VA.R. 2579	7/1/98
12 VAC 30-50-220	Amended	14:18 VA.R. 2569	7/1/98
12 VAC 30-50-229.1	Added	14:18 VA.R. 2581	7/1/98
12 VAC 30-50-540	Amended	14:18 VA.R. 2575	7/1/98
12 VAC 30-50-550	Added	14:18 VA.R. 2576	7/1/98
12 VAC 30-50-560	Added	14:18 VA.R. 2577	7/1/98
12 VAC 30-50-570	Added	14:18 VA.R. 2578	7/1/98
12 VAC 30-60-20 emer	Amended	14:22 VA.R. 3273	7/1/98 - 6/30/99
12 VAC 30-60-25 emer	Amended	14:22 VA.R. 3274	7/1/98 - 6/30/99
12 VAC 30-60-40	Amended	14:12 VA.R. 1928	4/1/98
12 VAC 30-60-40	Amended	14:26 VA.R. 4254	10/15/98

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12 VAC 30-60-90	Repealed	14:17 VA.R. 2465	6/10/98
12 VAC 30-60-120	Amended	14:12 VA.R. 1929	4/1/98
12 VAC 30-60-320	Amended	14:26 VA.R. 4257	10/15/98
12 VAC 30-60-340	Amended	14:26 VA.R. 4259	10/15/98
12 VAC 30-70-200 through 12 VAC 30-70-500 emer	Amended	14:22 VA.R. 3275-3297	7/1/98 - 6/30/99
12 VAC 30-70-440	Repealed	14:15 VA.R. 2248	6/1/98
12 VAC 30-70-441	Added	14:15 VA.R. 2248	6/1/98
12 VAC 30-80-30	Amended	14:12 VA.R. 1933	4/1/98
12 VAC 30-80-30	Amended	14:18 VA.R. 2582	7/1/98
12 VAC 30-80-170 emer	Amended	14:22 VA.R. 3299	7/1/98 - 6/30/99
12 VAC 30-90-52	Amended	14:22 VA.R. 3220	8/19/98
12 VAC 30-90-264	Amended	14:26 VA.R. 4261	10/15/98
12 VAC 30-90-266	Added	14:22 VA.R. 3220	8/19/98
12 VAC 30-90-290	Amended	14:26 VA.R. 4264	10/15/98
12 VAC 30-90-330	Added	14:22 VA.R. 3221	8/19/98
12 VAC 30-100-120	Amended	14:18 VA.R. 2583	7/1/98
12 VAC 30-100-400	Added	14:25 VA.R. 4070	10/1/98
12 VAC 30-100-410	Added	14:25 VA.R. 4070	10/1/98
12 VAC 30-100-420*	Added	14:25 VA.R. 4071	--
12 VAC 30-100-430	Added	14:25 VA.R. 4074	10/1/98
12 VAC 30-100-440	Added	14:25 VA.R. 4074	10/1/98
12 VAC 30-100-450	Added	14:25 VA.R. 4075	10/1/98
12 VAC 30-100-460	Added	14:25 VA.R. 4075	10/1/98
12 VAC 30-100-470	Added	14:25 VA.R. 4075	10/1/98
12 VAC 30-100-480	Added	14:25 VA.R. 4076	10/1/98
12 VAC 30-100-490	Added	14:25 VA.R. 4076	10/1/98
12 VAC 30-120-360	Amended	14:18 VA.R. 2584	7/1/98
12 VAC 30-120-360 emer	Amended	14:22 VA.R. 3300	7/1/98 - 6/30/99
12 VAC 30-120-370	Amended	14:18 VA.R. 2585	7/1/98
12 VAC 30-120-370 emer	Amended	14:22 VA.R. 3301	7/1/98 - 6/30/99
12 VAC 30-120-385	Added	14:18 VA.R. 2587	7/1/98
12 VAC 30-120-410	Amended	14:18 VA.R. 2587	7/1/98
12 VAC 30-120-420	Amended	14:18 VA.R. 2587	7/1/98
12 VAC 30-120-490 through 12 VAC 30-120-550	Added	14:18 VA.R. 2590	7/1/98
Title 13. Housing			
13 VAC 5-51-135 emer	Added	14:18 VA.R. 2605	4/27/98 - 4/26/99
13 VAC 5-61-440	Amended	14:18 VA.R. 2600	7/1/98
13 VAC 5-111-10	Amended	14:24 VA.R. 3943	9/17/98
13 VAC 5-111-60	Amended	14:24 VA.R. 3947	9/17/98
13 VAC 5-111-85	Amended	14:24 VA.R. 3947	9/17/98
13 VAC 5-111-150	Amended	14:24 VA.R. 3947	9/17/98
13 VAC 5-111-170	Amended	14:24 VA.R. 3948	9/17/98
13 VAC 5-111-335	Added	14:24 VA.R. 3948	9/17/98
13 VAC 10-10-20	Amended	14:17 VA.R. 2466	5/1/98
13 VAC 10-20-20	Amended	14:17 VA.R. 2467	5/1/98
13 VAC 10-40-100	Amended	14:11 VA.R. 1838	1/28/98
13 VAC 10-40-110	Amended	14:11 VA.R. 1839	1/28/98
13 VAC 10-40-120	Amended	14:11 VA.R. 1839	1/28/98
13 VAC 10-40-130	Amended	14:11 VA.R. 1839	1/28/98
13 VAC 10-40-140	Amended	14:11 VA.R. 1841	1/28/98
13 VAC 10-40-190	Amended	14:11 VA.R. 1842	1/28/98

* 12 VAC 30-100-420 was temporarily withdrawn (see 15:2 VA.R. 177 October 12, 1998)

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
13 VAC 10-40-210	Amended	14:11 VA.R. 1843	1/28/98
13 VAC 10-40-230	Added	14:11 VA.R. 1843	1/28/98
13 VAC 10-130-30	Amended	14:17 VA.R. 2468	5/1/98
13 VAC 10-140-20	Amended	14:17 VA.R. 2469	5/1/98
13 VAC 10-180-50	Amended	14:14 VA.R. 2141	3/4/98
13 VAC 10-180-60	Amended	14:14 VA.R. 2142	3/4/98
Title 14. Insurance			
14 VAC 5-395-10	Amended	14:26 VA.R. 4266	8/20/98
14 VAC 5-395-30	Amended	14:26 VA.R. 4266	8/20/98
14 VAC 5-395-50	Amended	14:26 VA.R. 4267	8/20/98
Title 16. Labor and Employment			
16 VAC 10-20-10	Amended	14:20 VA.R. 2759	7/1/98
16 VAC 10-20-20	Amended	14:20 VA.R. 2760	7/1/98
16 VAC 10-20-30	Amended	14:20 VA.R. 2760	7/1/98
16 VAC 10-20-40	Amended	14:20 VA.R. 2760	7/1/98
16 VAC 10-20-50	Repealed	14:20 VA.R. 2760	7/1/98
16 VAC 10-20-60	Repealed	14:20 VA.R. 2760	7/1/98
16 VAC 10-20-70	Repealed	14:20 VA.R. 2760	7/1/98
16 VAC 10-20-80	Amended	14:20 VA.R. 2760	7/1/98
16 VAC 10-20-90	Repealed	14:20 VA.R. 2761	7/1/98
16 VAC 10-20-100	Repealed	14:20 VA.R. 2761	7/1/98
16 VAC 10-20-110	Amended	14:20 VA.R. 2761	7/1/98
16 VAC 10-20-140	Amended	14:20 VA.R. 2761	7/1/98
16 VAC 10-20-150	Amended	14:20 VA.R. 2761	7/1/98
16 VAC 10-20-160	Amended	14:20 VA.R. 2761	7/1/98
16 VAC 10-20-170	Amended	14:20 VA.R. 2762	7/1/98
16 VAC 10-20-180	Repealed	14:20 VA.R. 2762	7/1/98
16 VAC 10-20-190	Amended	14:20 VA.R. 2762	7/1/98
16 VAC 10-20-200	Amended	14:20 VA.R. 2762	7/1/98
16 VAC 10-20-210	Repealed	14:20 VA.R. 2763	7/1/98
16 VAC 10-20-220	Repealed	14:20 VA.R. 2763	7/1/98
16 VAC 10-20-230	Repealed	14:20 VA.R. 2764	7/1/98
16 VAC 10-20-240	Amended	14:20 VA.R. 2764	7/1/98
16 VAC 10-20-250	Repealed	14:20 VA.R. 2765	7/1/98
16 VAC 10-20-260	Repealed	14:20 VA.R. 2765	7/1/98
16 VAC 10-20-270	Repealed	14:20 VA.R. 2766	7/1/98
16 VAC 10-20-275	Added	14:20 VA.R. 2766	7/1/98
16 VAC 10-20-280	Amended	14:20 VA.R. 2766	7/1/98
16 VAC 10-20-290	Repealed	14:20 VA.R. 2766	7/1/98
16 VAC 10-20-300	Amended	14:20 VA.R. 2766	7/1/98
16 VAC 10-20-310 through 16 VAC 10-20-460	Repealed	14:20 VA.R. 2767-2770	7/1/98
16 VAC 25-90-1910.94	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.111	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.134	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.134	Amended	14:22 VA.R. 3222	9/1/98
16 VAC 25-90-1910.139	Added	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.156	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.252	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.261	Erratum	14:17 VA.R. 2477	6/1/98
16 VAC 25-90-1910.1001	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1003	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1003	Amended	14:22 VA.R. 3222	9/1/98
16 VAC 25-90-1910.1017	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1018	Amended	14:15 VA.R. 2250	6/1/98

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16 VAC 25-90-1910.1025	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1025	Amended	14:22 VA.R. 3222	9/1/98
16 VAC 25-90-1910.1027	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1028	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1028	Amended	14:22 VA.R. 3222	9/1/98
16 VAC 25-90-1910.1029	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1043	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1044	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1045	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1045	Amended	14:22 VA.R. 3222	9/1/98
16 VAC 25-90-1910.1047	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1048	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1048	Amended	14:22 VA.R. 3222	9/1/98
16 VAC 25-90-1910.1050	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1050	Amended	14:22 VA.R. 3222	9/1/98
16 VAC 25-90-1910.1051	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1052	Amended	14:14 VA.R. 2151	5/1/98
16 VAC 25-90-1910.1052	Amended	14:15 VA.R. 2250	6/1/98
16 VAC 25-90-1910.1052	Amended	14:22 VA.R. 3222	9/1/98
16 VAC 25-175-1926.1101	Amended	14:22 VA.R. 3222	9/1/98
Title 18. Professional and Occupational Licensing			
18 VAC 25-21-70	Amended	14:11 VA.R. 1845	4/1/98
18 VAC 30-20-10	Amended	14:14 VA.R. 2155	4/29/98
18 VAC 30-20-20	Repealed	14:14 VA.R. 2156	4/29/98
18 VAC 30-20-30	Repealed	14:14 VA.R. 2156	4/29/98
18 VAC 30-20-40	Repealed	14:14 VA.R. 2156	4/29/98
18 VAC 30-20-45	Added	14:14 VA.R. 2156	4/29/98
18 VAC 30-20-50	Amended	14:14 VA.R. 2156	4/29/98
18 VAC 30-20-60	Repealed	14:14 VA.R. 2156	4/29/98
18 VAC 30-20-70	Amended	14:14 VA.R. 2156	4/29/98
18 VAC 30-20-80	Amended	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-90	Repealed	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-100	Repealed	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-110	Repealed	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-120	Repealed	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-130	Repealed	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-140	Repealed	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-150	Amended	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-160	Amended	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-170	Amended	14:14 VA.R. 2157	4/29/98
18 VAC 30-20-180	Amended	14:14 VA.R. 2159	4/29/98
18 VAC 30-20-190	Repealed	14:14 VA.R. 2159	4/29/98
18 VAC 30-20-200	Repealed	14:14 VA.R. 2159	4/29/98
18 VAC 30-20-210	Repealed	14:14 VA.R. 2159	4/29/98
18 VAC 30-20-220	Repealed	14:14 VA.R. 2159	4/29/98
18 VAC 30-20-240	Amended	14:14 VA.R. 2159	4/29/98
18 VAC 30-20-250	Repealed	14:14 VA.R. 2160	4/29/98
18 VAC 30-20-260	Repealed	14:14 VA.R. 2160	4/29/98
18 VAC 30-20-270	Repealed	14:14 VA.R. 2160	4/29/98
18 VAC 30-20-280	Amended	14:14 VA.R. 2160	4/29/98
18 VAC 60-20-105	Added	14:18 VA.R. 2602	6/24/98
18 VAC 76-10-10	Amended	14:11 VA.R. 1845	1/22/98
18 VAC 85-20-10	Amended	14:21 VA.R. 2904	8/5/98
18 VAC 85-20-20	Amended	14:21 VA.R. 2904	8/5/98
18 VAC 85-20-21	Added	14:21 VA.R. 2904	8/5/98

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 85-20-22	Added	14:21 VA.R. 2904	8/5/98
18 VAC 85-20-30	Amended	14:21 VA.R. 2905	8/5/98
18 VAC 85-20-60	Repealed	14:21 VA.R. 2905	8/5/98
18 VAC 85-20-70	Repealed	14:21 VA.R. 2905	8/5/98
18 VAC 85-20-105	Added	14:21 VA.R. 2905	8/5/98
18 VAC 85-20-110	Repealed	14:21 VA.R. 2905	8/5/98
18 VAC 85-20-120	Amended	14:21 VA.R. 2905	8/5/98
18 VAC 85-20-121	Added	14:21 VA.R. 2906	8/5/98
18 VAC 85-20-122	Added	14:21 VA.R. 2906	8/5/98
18 VAC 85-20-131	Added	14:21 VA.R. 2908	8/5/98
18 VAC 85-20-140	Amended	14:21 VA.R. 2908	8/5/98
18 VAC 85-20-150	Amended	14:21 VA.R. 2909	8/5/98
18 VAC 85-20-160	Repealed	14:21 VA.R. 2909	8/5/98
18 VAC 85-20-170	Repealed	14:21 VA.R. 2910	8/5/98
18 VAC 85-20-180	Repealed	14:21 VA.R. 2910	8/5/98
18 VAC 85-20-190	Repealed	14:21 VA.R. 2911	8/5/98
18 VAC 85-20-200	Repealed	14:21 VA.R. 2911	8/5/98
18 VAC 85-20-210	Amended	14:21 VA.R. 2912	8/5/98
18 VAC 85-20-230	Amended	14:21 VA.R. 2912	8/5/98
18 VAC 85-20-240	Amended	14:21 VA.R. 2912	8/5/98
18 VAC 85-20-250	Repealed	14:21 VA.R. 2912	8/5/98
18 VAC 85-20-260	Repealed	14:21 VA.R. 2913	8/5/98
18 VAC 85-20-270	Repealed	14:21 VA.R. 2913	8/5/98
18 VAC 85-40-10	Amended	14:21 VA.R. 2915	8/5/98
18 VAC 85-40-20	Amended	14:21 VA.R. 2915	8/5/98
18 VAC 85-40-40	Amended	14:21 VA.R. 2915	8/5/98
18 VAC 85-40-50	Amended	14:21 VA.R. 2916	8/5/98
18 VAC 85-40-60	Amended	14:21 VA.R. 2916	8/5/98
18 VAC 85-40-70	Amended	14:21 VA.R. 2916	8/5/98
18 VAC 85-40-80	Amended	14:21 VA.R. 2916	8/5/98
18 VAC 85-50-10	Amended	14:21 VA.R. 2923	8/5/98
18 VAC 85-50-50	Amended	14:21 VA.R. 2924	8/5/98
18 VAC 85-50-55	Amended	14:21 VA.R. 2924	8/5/98
18 VAC 85-50-57	Amended	14:21 VA.R. 2924	8/5/98
18 VAC 85-50-101	Added	14:21 VA.R. 2924	8/5/98
18 VAC 85-50-115	Amended	14:21 VA.R. 2925	8/5/98
18 VAC 85-50-116	Added	14:21 VA.R. 2925	8/5/98
18 VAC 85-50-170	Amended	14:21 VA.R. 2925	8/5/98
18 VAC 85-80-10	Amended	14:21 VA.R. 2934	8/5/98
18 VAC 85-80-40	Amended	14:21 VA.R. 2934	8/5/98
18 VAC 85-80-50	Amended	14:21 VA.R. 2934	8/5/98
18 VAC 85-80-60	Amended	14:21 VA.R. 2935	8/5/98
18 VAC 85-80-70	Amended	14:21 VA.R. 2935	8/5/98
18 VAC 85-80-80	Amended	14:21 VA.R. 2935	8/5/98
18 VAC 85-80-120	Amended	14:21 VA.R. 2935	8/5/98
18 VAC 110-20-210	Amended	14:15 VA.R. 2253	5/13/98
18 VAC 115-40-10	Amended	14:25 VA.R. 4076	9/30/98
18 VAC 115-40-20	Amended	14:25 VA.R. 4077	9/30/98
18 VAC 115-40-22	Amended	14:25 VA.R. 4077	9/30/98
18 VAC 115-40-25	Amended	14:25 VA.R. 4077	9/30/98
18 VAC 115-40-26	Added	14:25 VA.R. 4078	9/30/98
18 VAC 115-40-27	Added	14:25 VA.R. 4078	9/30/98
18 VAC 115-40-40	Amended	14:25 VA.R. 4078	9/30/98
18 VAC 115-40-50	Amended	14:25 VA.R. 4079	9/30/98
18 VAC 120-30-100	Amended	14:11 VA.R. 1846	4/1/98

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 120-40-10 through 18 VAC 120-40-430 emer	Added	14:25 VA.R. 4088	8/11/98 - 8/10/99
18 VAC 125-20-30	Amended	14:11 VA.R. 1851	4/1/98
18 VAC 135-20-10*	Amended	14:20 VA.R. 2771	*
18 VAC 135-20-20*	Amended	14:20 VA.R. 2771	*
18 VAC 135-20-30*	Amended	14:20 VA.R. 2772	*
18 VAC 135-20-40*	Amended	14:20 VA.R. 2773	*
18 VAC 135-20-45*	Added	14:20 VA.R. 2773	*
18 VAC 135-20-50*	Amended	14:20 VA.R. 2773	*
18 VAC 135-20-60*	Amended	14:20 VA.R. 2774	*
18 VAC 135-20-80*	Amended	14:20 VA.R. 2774	*
18 VAC 135-20-90*	Amended	14:20 VA.R. 2775	*
18 VAC 135-20-100*	Amended	14:20 VA.R. 2775	*
18 VAC 135-20-110*	Amended	14:20 VA.R. 2776	*
18 VAC 135-20-120*	Amended	14:20 VA.R. 2776	*
18 VAC 135-20-150*	Amended	14:20 VA.R. 2776	*
18 VAC 135-20-160*	Amended	14:20 VA.R. 2776	*
18 VAC 135-20-170*	Amended	14:20 VA.R. 2777	*
18 VAC 135-20-180*	Amended	14:20 VA.R. 2777	*
18 VAC 135-20-190*	Amended	14:20 VA.R. 2778	*
18 VAC 135-20-200*	Amended	14:20 VA.R. 2779	*
18 VAC 135-20-210*	Amended	14:20 VA.R. 2779	*
18 VAC 135-20-220*	Amended	14:20 VA.R. 2780	*
18 VAC 135-20-240*	Amended	14:20 VA.R. 2780	*
18 VAC 135-20-250*	Amended	14:20 VA.R. 2780	*
18 VAC 135-20-260*	Amended	14:20 VA.R. 2780	*
18 VAC 135-20-270*	Amended	14:20 VA.R. 2781	*
18 VAC 135-20-280*	Amended	14:20 VA.R. 2781	*
18 VAC 135-20-290*	Amended	14:20 VA.R. 2781	*
18 VAC 135-20-300*	Amended	14:20 VA.R. 2782	*
18 VAC 135-20-310*	Amended	14:20 VA.R. 2782	*
18 VAC 135-20-320*	Amended	14:20 VA.R. 2783	*
18 VAC 135-20-350*	Amended	14:20 VA.R. 2783	*
18 VAC 135-20-360*	Amended	14:20 VA.R. 2783	*
18 VAC 135-20-370*	Amended	14:20 VA.R. 2784	*
18 VAC 135-20-380*	Amended	14:20 VA.R. 2784	*
18 VAC 135-20-390*	Amended	14:20 VA.R. 2784	*
18 VAC 135-20-400*	Amended	14:20 VA.R. 2785	*
18 VAC 135-20-410*	Amended	14:20 VA.R. 2785	*
18 VAC 135-20-420*	Repealed	14:20 VA.R. 2785	*
18 VAC 135-20-430*	Repealed	14:20 VA.R. 2785	*
18 VAC 135-20-440*	Repealed	14:20 VA.R. 2785	*
Title 19. Public Safety			
19 VAC 30-20-10	Amended	14:11 VA.R. 1853	3/18/98
19 VAC 30-20-70	Amended	14:11 VA.R. 1853	3/18/98
19 VAC 30-20-80	Amended	14:11 VA.R. 1854	3/18/98
19 VAC 30-20-140	Amended	14:11 VA.R. 1854	3/18/98
19 VAC 30-20-150	Amended	14:11 VA.R. 1854	3/18/98
19 VAC 30-20-160	Amended	14:11 VA.R. 1854	3/18/98
19 VAC 30-70-5	Amended	15:2 VA.R. 177	11/11/98
19 VAC 30-70-7	Amended	15:2 VA.R. 178	11/11/98
19 VAC 30-70-10	Amended	15:2 VA.R. 178	11/11/98
19 VAC 30-70-50	Amended	15:2 VA.R. 180	11/11/98

* The regulatory process was suspended on this section in 14:24 VA.R. 3949, and the final effective date will be delayed.

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
19 VAC 30-70-70 through 19 VAC 30-70-100	Amended	15:2 VA.R. 181- 184	11/11/98
19 VAC 30-70-140	Amended	15:2 VA.R. 185	11/11/98
19 VAC 30-70-160	Amended	15:2 VA.R. 187	11/11/98
19 VAC 30-70-180	Amended	15:2 VA.R. 190	11/11/98
19 VAC 30-70-200	Amended	15:2 VA.R. 192	11/11/98
19 VAC 30-70-440 through 19 VAC 30-70-500	Amended	15:2 VA.R. 192- 203	11/11/98
19 VAC 30-70-550	Amended	15:2 VA.R. 207	11/11/98
19 VAC 30-70-570	Amended	15:2 VA.R. 208	11/11/98
19 VAC 30-70-580	Amended	15:2 VA.R. 209	11/11/98
19 VAC 30-70-680	Amended	15:2 VA.R. 211	11/11/98
19 VAC 30-170-05	Added	14:22 VA.R. 3225	7/1/98
19 VAC 30-170-10	Amended	14:22 VA.R. 3225	7/1/98
19 VAC 30-170-20	Amended	14:22 VA.R. 3225	7/1/98
19 VAC 30-170-30	Amended	14:22 VA.R. 3226	7/1/98
19 VAC 30-170-40	Amended	14:22 VA.R. 3227	7/1/98
19 VAC 30-170-50	Amended	14:22 VA.R. 3228	7/1/98
19 VAC 30-170-60	Added	14:22 VA.R. 3228	7/1/98
Title 20. Public Utilities and Telecommunications			
20 VAC 5-310-10	Amended	14:15 VA.R. 2253	3/24/98
Title 21. Securities and Retail Franchising			
21 VAC 5-10-40	Amended	14:22 VA.R. 3240	7/1/98
21 VAC 5-20-10	Amended	14:22 VA.R. 3240	7/1/98
21 VAC 5-20-70	Amended	14:22 VA.R. 3241	7/1/98
21 VAC 5-20-80	Amended	14:22 VA.R. 3241	7/1/98
21 VAC 5-20-230	Amended	14:22 VA.R. 3243	7/1/98
21 VAC 5-20-290	Amended	14:22 VA.R. 3243	7/1/98
21 VAC 5-20-300	Amended	14:22 VA.R. 3243	7/1/98
21 VAC 5-30-20	Amended	14:22 VA.R. 3244	7/1/98
21 VAC 5-30-50	Amended	14:22 VA.R. 3244	7/1/98
21 VAC 5-30-60	Amended	14:22 VA.R. 3244	7/1/98
21 VAC 5-30-70	Amended	14:22 VA.R. 3244	7/1/98
21 VAC 5-30-80	Amended	14:22 VA.R. 3245	7/1/98
21 VAC 5-40-20	Amended	14:22 VA.R. 3245	7/1/98
21 VAC 5-40-30	Amended	14:22 VA.R. 3246	7/1/98
21 VAC 5-40-100	Amended	14:22 VA.R. 3247	7/1/98
21 VAC 5-40-120	Amended	14:22 VA.R. 3249	7/1/98
21 VAC 5-80-10	Amended	14:22 VA.R. 3249	7/1/98
21 VAC 5-80-40	Amended	14:22 VA.R. 3250	7/1/98
21 VAC 5-80-140	Amended	14:22 VA.R. 3250	7/1/98
21 VAC 5-80-160	Amended	14:22 VA.R. 3251	7/1/98
21 VAC 5-80-170	Amended	14:22 VA.R. 3253	7/1/98
21 VAC 5-80-210	Amended	14:22 VA.R. 3253	7/1/98
21 VAC 5-80-220	Amended	14:22 VA.R. 3254	7/1/98
21 VAC 5-80-250	Added	14:22 VA.R. 3255	7/1/98
21 VAC 5-85-10	Amended	14:13 VA.R. 1976	2/17/98
21 VAC 5-85-10	Amended	14:15 VA.R. 2259	3/24/98
21 VAC 5-85-10	Amended	14:22 VA.R. 3256	7/1/98
21 VAC 5-120-10 through 21 VAC 5-120-110	Added	14:22 VA.R. 3261-3264	7/1/98
Title 22. Social Services			
22 VAC 15-30-10	Amended	14:21 VA.R. 2942	9/1/98
22 VAC 15-30-20	Amended	14:21 VA.R. 2946	9/1/98
22 VAC 15-30-30	Amended	14:21 VA.R. 2946	9/1/98

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 15-30-40	Repealed	14:21 VA.R. 2946	9/1/98
22 VAC 15-30-50	Amended	14:21 VA.R. 2946	9/1/98
22 VAC 15-30-60	Repealed	14:21 VA.R. 2947	9/1/98
22 VAC 15-30-70	Amended	14:21 VA.R. 2948	9/1/98
22 VAC 15-30-80	Amended	14:21 VA.R. 2948	9/1/98
22 VAC 15-30-90	Amended	14:21 VA.R. 2948	9/1/98
22 VAC 15-30-100	Amended	14:21 VA.R. 2949	9/1/98
22 VAC 15-30-110	Amended	14:21 VA.R. 2949	9/1/98
22 VAC 15-30-120	Amended	14:21 VA.R. 2949	9/1/98
22 VAC 15-30-130	Amended	14:21 VA.R. 2950	9/1/98
22 VAC 15-30-140	Amended	14:21 VA.R. 2950	9/1/98
22 VAC 15-30-150	Amended	14:21 VA.R. 2950	9/1/98
22 VAC 15-30-160	Amended	14:21 VA.R. 2950	9/1/98
22 VAC 15-30-170	Amended	14:21 VA.R. 2951	9/1/98
22 VAC 15-30-180	Amended	14:21 VA.R. 2951	9/1/98
22 VAC 15-30-190	Amended	14:21 VA.R. 2952	9/1/98
22 VAC 15-30-200	Amended	14:21 VA.R. 2952	9/1/98
22 VAC 15-30-210	Repealed	14:21 VA.R. 2952	9/1/98
22 VAC 15-30-220	Repealed	14:21 VA.R. 2952	9/1/98
22 VAC 15-30-230	Amended	14:21 VA.R. 2953	9/1/98
22 VAC 15-30-240	Repealed	14:21 VA.R. 2953	9/1/98
22 VAC 15-30-250	Amended	14:21 VA.R. 2954	9/1/98
22 VAC 15-30-260	Amended	14:21 VA.R. 2954	9/1/98
22 VAC 15-30-270	Repealed	14:21 VA.R. 2955	9/1/98
22 VAC 15-30-280	Amended	14:21 VA.R. 2955	9/1/98
22 VAC 15-30-290	Amended	14:21 VA.R. 2955	9/1/98
22 VAC 15-30-300	Repealed	14:21 VA.R. 2955	9/1/98
22 VAC 15-30-310	Amended	14:21 VA.R. 2955	9/1/98
22 VAC 15-30-320	Amended	14:21 VA.R. 2956	9/1/98
22 VAC 15-30-330	Amended	14:21 VA.R. 2957	9/1/98
22 VAC 15-30-340	Amended	14:21 VA.R. 2958	9/1/98
22 VAC 15-30-350	Amended	14:21 VA.R. 2958	9/1/98
22 VAC 15-30-360	Amended	14:21 VA.R. 2959	9/1/98
22 VAC 15-30-370	Amended	14:21 VA.R. 2959	9/1/98
22 VAC 15-30-380	Amended	14:21 VA.R. 2959	9/1/98
22 VAC 15-30-390	Amended	14:21 VA.R. 2960	9/1/98
22 VAC 15-30-400	Repealed	14:21 VA.R. 2960	9/1/98
22 VAC 15-30-410	Amended	14:21 VA.R. 2961	9/1/98
22 VAC 15-30-420	Repealed	14:21 VA.R. 2961	9/1/98
22 VAC 15-30-430	Amended	14:21 VA.R. 2961	9/1/98
22 VAC 15-30-440	Amended	14:21 VA.R. 2962	9/1/98
22 VAC 15-30-450	Repealed	14:21 VA.R. 2963	9/1/98
22 VAC 15-30-451	Added	14:21 VA.R. 2965	9/1/98
22 VAC 15-30-460	Repealed	14:21 VA.R. 2963	9/1/98
22 VAC 15-30-461	Added	14:21 VA.R. 2965	9/1/98
22 VAC 15-30-470	Repealed	14:21 VA.R. 2964	9/1/98
22 VAC 15-30-471	Added	14:21 VA.R. 2966	9/1/98
22 VAC 15-30-480	Repealed	14:21 VA.R. 2964	9/1/98
22 VAC 15-30-481	Added	14:21 VA.R. 2966	9/1/98
22 VAC 15-30-484	Added	14:21 VA.R. 2966	9/1/98
22 VAC 15-30-487	Added	14:21 VA.R. 2966	9/1/98
22 VAC 15-30-490	Amended	14:21 VA.R. 2966	9/1/98
22 VAC 15-30-500	Amended	14:21 VA.R. 2967	9/1/98
22 VAC 15-30-510	Amended	14:21 VA.R. 2968	9/1/98
22 VAC 15-30-520	Amended	14:21 VA.R. 2968	9/1/98

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 15-30-530	Repealed	14:21 VA.R. 2969	9/1/98
22 VAC 15-30-540	Amended	14:21 VA.R. 2969	9/1/98
22 VAC 15-30-550	Amended	14:21 VA.R. 2969	9/1/98
22 VAC 15-30-560	Amended	14:21 VA.R. 2970	9/1/98
22 VAC 15-30-570	Amended	14:21 VA.R. 2970	9/1/98
22 VAC 15-30-575	Added	14:21 VA.R. 2970	9/1/98
22 VAC 15-30-580	Amended	14:21 VA.R. 2971	9/1/98
22 VAC 15-30-590	Amended	14:21 VA.R. 2971	9/1/98
22 VAC 15-30-600	Amended	14:21 VA.R. 2972	9/1/98
22 VAC 15-30-610	Amended	14:21 VA.R. 2972	9/1/98
22 VAC 15-30-620	Amended	14:21 VA.R. 2973	9/1/98
22 VAC 15-30-630	Amended	14:21 VA.R. 2973	9/1/98
22 VAC 15-30-640	Amended	14:21 VA.R. 2974	9/1/98
22 VAC 15-30-650	Amended	14:21 VA.R. 2975	9/1/98
22 VAC 15-30-660	Amended	14:21 VA.R. 2975	9/1/98
22 VAC 15-30-670	Amended	14:21 VA.R. 2975	9/1/98
22 VAC 15-30-680	Repealed	14:21 VA.R. 2976	9/1/98
22 VAC 15-30-690	Repealed	14:21 VA.R. 2976	9/1/98
22 VAC 15-30-700	Repealed	14:21 VA.R. 2977	9/1/98
22 VAC 15-30-710	Repealed	14:21 VA.R. 2977	9/1/98
22 VAC 15-30-720	Repealed	14:21 VA.R. 2978	9/1/98
22 VAC 15-30-730	Repealed	14:21 VA.R. 2978	9/1/98
22 VAC 15-40-10 through 22 VAC 15-40-730	Repealed	14:21 VA.R. 2990	9/1/98
Title 24. Transportation and Motor Vehicles			
24 VAC 22-30-20	Amended	14:24 VA.R. 3949	10/1/98
24 VAC 22-30-30	Amended	14:24 VA.R. 3950	10/1/98
24 VAC 30-71-10	Amended	14:23 VA.R. 3633	9/3/98
24 VAC 30-71-80	Amended	14:23 VA.R. 3634	9/3/98
24 VAC 30-71-130	Amended	14:23 VA.R. 3634	9/3/98
24 VAC 30-71-160	Erratum	14:13 VA.R. 2011	--
24 VAC 30-71-170	Erratum	14:13 VA.R. 2028	--
24 VAC 30-170-10	Amended	14:13 VA.R. 1992	4/15/98
24 VAC 30-200-10	Amended	14:26 VA.R. 4267	10/14/98
24 VAC 30-200-10	Erratum	15:1 VA.R. 50 (4396)	--
24 VAC 30-200-20	Amended	14:26 VA.R. 4268	10/14/98
24 VAC 30-200-30	Amended	14:26 VA.R. 4269	10/14/98
24 VAC 30-200-40	Added	14:26 VA.R. 4270	10/14/98
24 VAC 30-200-40	Erratum	15:1 VA.R. 50	--
24 VAC 30-350-10	Amended	14:23 VA.R. 3635	7/14/98
24 VAC 30-380-10	Amended	14:13 VA.R. 1992	2/24/98
24 VAC 30-390-10	Amended	14:13 VA.R. 1992	2/24/98
24 VAC 30-620-30	Amended	14:25 VA.R. 4086	9/30/98

NOTICES OF INTENDED REGULATORY ACTION

Symbol Key

† Indicates entries since last publication of the *Virginia Register*

TITLE 8. EDUCATION

STATE BOARD OF EDUCATION

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Education intends to consider amending regulations entitled: **8 VAC 20-131-10 et seq. Regulations Establishing Standards for Accrediting Public Schools in Virginia.** The purpose of the proposed action is to incorporate new language as required by § 22.1-253.13:4 F of the Code of Virginia (enacted by the 1998 Session of the General Assembly) which requires the State Board of Education to develop criteria for recognizing exemplary performance in vocational studies by students who have completed the requirements for a standard or advanced studies diploma and to award seals on the diploma of students meeting such criteria. The agency intends to hold a public hearing on the proposed action after publication.

Statutory Authority: §§ 22.1-16, 22.1-19 and 22.1-253.13:3 of the Code of Virginia.

Public comments may be submitted until October 28, 1998.

Contact: Charles Finley, Director, Division of Compliance, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2092 or FAX (804) 225-2053.

VA.R. Doc. No. R99-17; Filed September 9, 1998, 10:46 a.m.



TITLE 9. ENVIRONMENT

STATE AIR POLLUTION CONTROL BOARD

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to consider amending regulations entitled: **9 VAC 5-40-10 et seq. Regulations for the Control and Abatement of Air Pollution: Existing Stationary Sources.** The purpose of the proposed action is to develop a regulation for existing hospital/medical/infectious waste incinerators (HMIWI) that meets the requirements of the federal Clean Air Act and 40 CFR Part 63 Subpart Ce of federal regulations.

Ad Hoc Advisory Group: The department is soliciting comments on the advisability of forming an ad hoc advisory group, utilizing a standing advisory committee or consulting with groups or individuals registering interest in working with the department to assist in the drafting and formation of any proposal. The primary function of any group, committee or individuals that may be utilized is to develop recommended regulation amendments for department consideration through the collaborative approach of regulatory negotiation and consensus. Any comments relative to this issue may be submitted until 4:30 p.m., Wednesday, November 25, 1998, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240.

Public Hearing Plans: After publication in the Virginia Register of Regulations, the department will hold at least one public hearing to provide opportunity for public comment on any regulation amendments drafted pursuant to this notice.

Need: The contemplated regulation is essential (i) to protect the health, safety or welfare of citizens and (ii) for the efficient and economical performance of an important governmental function. The reasoning for this conclusion is set forth below.

HMIWI emissions are known to cause, or suspected of causing, cancer, nervous system damage, developmental abnormalities, reproductive impairment, immune suppression, liver dysfunction, hormone imbalance, and other serious health effects. Control of such emissions will reduce and prevent such serious health effects.

Failure to develop an adequate regulation will also result in imposition of a federal program. Meeting the basic requirements of the law and its associated regulations will ensure that Virginia retains its rights to govern Virginia sources.

Alternatives: Alternatives being considered by the department are discussed below.

1. Amend the regulations to satisfy the provisions of the law and associated regulations and policies. This option is being selected because it meets the stated purpose of the regulatory action: to comply with the requirements of the federal Clean Air Act.
2. Make alternative regulatory changes to those required by the provisions of the law and associated regulations and policies. This option is not being selected because it will not ensure consistency with federal requirements.
3. Take no action to amend the regulations. This option is not being selected because it will result in the imposition of a federal program.

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Costs and Benefits: The department is soliciting comments on the costs and benefits of the alternatives stated above or other alternatives.

Applicable Statutory Requirements: The contemplated regulation amendments are mandated by federal law or regulation. A succinct statement of the source (including legal citation) and scope of the mandate may be found below.

Hospital/medical/infectious waste incinerator emissions are a "designated" pollutant under § 111(d) of the Clean Air Act. Designated pollutants are pollutants which are not included on a list published under § 108(a) of the Act ("criteria" pollutants) or § 112(b)(1)(A) ("hazardous" pollutants), but for which standards of performance for new sources have been established under § 111(b). When the U.S. Environmental Protection Agency (EPA) establishes a new source performance standard, states are required to develop standards for existing facilities based on EPA emission guidelines. Designated pollutant controls are critical for two reasons. First, only a limited number of air pollutants potentially harmful to human health are regulated at the federal level. Second, health risks from small exposures to designated air pollutants can be high, depending on the substances involved.

The EPA has determined that HMIWI facilities should be regulated under § 111 (New Source Performance Standards) of the Clean Air Act because:

1. HMIWI emissions may be reasonably anticipated to contribute to the endangerment of public health and welfare.
2. The range of health and welfare effects and the range and uncertainties of estimated cancer risks do not warrant listing HMIWI emissions as a hazardous pollutant under § 112 of the Act.
3. Section 112 of the Act could not be used to address particular constituents or subgroups of emissions (such as hydrogen chloride).
4. Section 111(d) of the Act would permit a more thorough evaluation of existing HMIWIs at the state level than would be feasible in a general rulemaking at the federal level.

The 1990 Clean Air Act Amendments added a new § 129 to the Act that applies to solid waste incinerators, including municipal waste combustors, HMIWIs, and industrial waste incinerators. Section 129 of the Act and its associated standards were promulgated because EPA determined that incinerator emissions cause or contribute significantly to air pollution which may reasonably be expected to endanger public health and welfare. The intended effect of the standards and guidelines is to form a basis for state action to develop state regulations controlling HMIWI emissions to the level achievable by the best demonstrated system of continuous emission reduction, considering costs, non-air quality health and environmental impacts, and energy requirements.

Section 129 of the Act directs that the standards and guidelines for HMIWIs be broadened and provides the schedule for this activity. Regulating HMIWI emissions for new sources under § 111(b) of the Act (New Source Performance Standards) establishes HMIWI emissions as a designated pollutant, and requires the EPA to promulgate guidelines under § 111(d) for states to use in developing regulations to control pollutants from existing HMIWIs. Emissions guidelines for existing HMIWIs that began construction on or before December 20, 1989, have been promulgated under §§ 111(d) and 129 of the Act. In order for §§ 111 and 129 to be effected, the specific guidelines are promulgated in the Code of Federal Regulations (CFR) (subpart Ce of 40 CFR 63). State regulations must be at least as stringent as the guidelines.

The final rule published by the EPA in the Federal Register of September 15, 1997 (62 FR 48348), applies to existing HMIWIs built on or before June 20, 1996.

Public Meeting: A public meeting will be held by the department in the Training Room, Department of Environmental Quality, 629 East Main Street, Richmond, Virginia, at 9 a.m., Wednesday, November 25, 1998, to discuss the intended action. Unlike a public hearing, which is intended only to receive testimony, this meeting is being held to discuss and exchange ideas and information relative to regulation development.

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., Wednesday, November 25, 1998, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240.

Contact: Karen G. Sabasteanski, Policy Analyst, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4426, toll-free 1-800-592-5482, FAX (804) 698-4510 or (804) 698-4021/TTY ☎.

VA.R. Doc. No. R99-35; Filed October 6, 1998, 1:58 p.m.

STATE WATER CONTROL BOARD

Notice of Intended Regulatory Action

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 consider amending regulations entitled: **9 VAC 25-260-350. Water Quality Standards: Designation of Nutrient Enriched Waters.** The purpose of the proposed action is to consider whether the board should amend the regulation to designate Stony Creek in Shenandoah County as a nutrient enriched water.

Intent: This designation could have a significant impact on both point and nonpoint source activities in the watershed of this creek and the department intends to provide the public every avenue of public participation, beginning with this Notice of Intended Regulatory Action, in order to ensure the

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amendment is necessary to protect aquatic life and human health and provide for the maintenance of water quality in the Commonwealth of Virginia.

Need: The department's evaluation of agency in-stream nutrient monitoring data for Stony Creek for the period of July 6, 1994, through May 6, 1997, indicates nutrient enriched conditions. Consequently, the department proposes that the watershed (Stony Creek and its tributaries) qualifies for regulatory designation as a nutrient enriched water. The basis for this determination was monitoring data for total phosphorus, which is one of three indicators of nutrient enrichment used for regulatory designation of waters as nutrient enriched.

If the water is designated nutrient enriched, a companion regulation, the board's Policy for Nutrient Enriched Waters (9 VAC 25-40-10 et seq.) requires certain municipal and industrial dischargers with a design flow of 1.0 MGD or greater and effluents containing phosphorus to maintain a monthly average total phosphorus concentration of 2 milligrams per liter (mg/l) or less. Rocco Farm Foods near Edinburg - based on a flow of 1.005 MGD - would be the only point source discharger impacted by this regulatory requirement to install a phosphorus removal system to control total phosphorus. The other three point source dischargers in the watershed, Stony Creek Sanitary District, Shrine Mont, and Edinburg Sewage Treatment Plant, have design flows below that covered in the policy and thus would not be required to install phosphorus controls.

If Stony Creek is designated a nutrient enriched water, the Department of Conservation and Recreation would be required to target control measures for nonpoint source nutrient inputs.

Alternatives Available to Meet the Need: In compliance with the State Water Control Board's Public Participation Guidelines, 9 VAC 25-10-10 et seq., the department will consider all alternatives which are considered to be less burdensome and less intrusive for achieving the essential purpose of the proposed regulation and any other alternatives presented during the proposed rulemaking. Several alternatives have already been considered. One alternative was to leave the regulation unchanged. This may appear to be the least intrusive approach; however, such an alternative would not provide a control strategy for the potential water quality degradation in Stony Creek from a documented excess of phosphorus. There may be other less intrusive alternatives to consider. For example, other alternatives would be to designate only the mainstem or a portion of the mainstem of Stony Creek as a nutrient enriched water.

Request for Comments: Comments are requested on the intended regulatory action, to include any ideas to assist the department in the development of the proposal. Comments are requested on the costs and benefits of the stated alternatives or other alternatives. The Department of Environmental Quality also requests comments as to whether the department should use the participatory approach to assist in the development of the proposal. The participatory approach is defined as a method for the use of

(i) standing advisory committees, (ii) ad hoc advisory groups or panels, (iii) consultation with groups or individuals registering interest in working with the agency, or (iv) any combination thereof.

Public Meeting: A public meeting will be held on Tuesday, November 17, 1998, at 7 p.m. in the Shenandoah County Brick Building, 3rd Floor Courtroom, 112 South Main Street in Woodstock.

Statutory Authority: § 62.1-44.15 (3a) of the Code of Virginia.

Public comments may be submitted until November 20, 1998.

Contact: Jean Gregory, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4113 or toll-free 1-800-592-5482.

VA.R. Doc. No. R99-24; Filed September 23, 1998, 11:23 a.m.

TITLE 12. HEALTH

STATE BOARD OF HEALTH

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to consider promulgating regulations entitled: **12 VAC 5-80-10 et seq. Virginia Hearing Impairment Identification and Monitoring System.** The purpose of the proposed action is to review and amend the regulations to provide consistent guidance for the implementation and administration of a system designed to ensure that infants with hearing loss are identified and receive appropriate intervention at the earliest possible age after birth, in accordance with recent legislative directives. Resulting amendments may (i) establish standards by which all hospitals and birthing centers shall identify infants at risk for hearing loss and perform a hearing screening test on all newborns prior to discharge after birth; (ii) establish procedures for reporting; (iii) establish appropriate mechanisms for follow-up care; (iv) establish standards for the diagnostic audiological evaluation of infants and young children, including the approval of test sites; (v) clarify the relationships between the identification and monitoring system and other state agency programs and activities; and (vi) establish review and evaluation mechanisms. Resulting amendments may also address other issues relating to the regulations that the public, regulated persons, and the health planning community deem appropriate to raise following this notice. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-64.1 of the Code of Virginia.

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Public comments may be submitted until November 27, 1998.

Contact: Pat T. Dewey, Speech and Hearing Services Administrator, Division of Child and Adolescent Health, Department of Health, Room 105, P.O. Box 2448, Richmond, VA 23218-2448, telephone (804) 786-1964, FAX (804) 786-6776 or toll-free 1-800-828-1120/TTY ☎.

VA.R. Doc. No. R99-25; Filed September 23, 1998, 11:26 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to consider promulgating regulations entitled: **12 VAC 5-165-10 et seq. Regulations for the Repacking of Crab Meat.** The purpose of the proposed action is to adopt regulations establishing criteria by which the Virginia crab industry can safely repack both domestic and imported crab meat. Repacking involves the removal of crab meat picked and packed at another location and placing it in another container bearing the name of the local packer or distributor. Virginia is one of the leading blue crab producers in the nation and has established a reputation for a high quality, high value product. The proposed action may provide for the safety of consumers of crab meat processed in Virginia by (i) establishing minimum processing and shipping standards for the facility originally packing the product to be repacked in Virginia; (ii) establishing minimum product quality standards for crab meat to be repacked in Virginia; (iii) outlining procedures necessary to protect the product from contamination during processing in the Virginia facility; and (iv) establishing labeling and record keeping requirements necessary to maintain the source identity of the repacked product. The establishment of these regulations will help the Virginia crab industry to maintain a reputation as a producer of high quality products, which will result in a continuing high market value for these products. The proposed action may also address other issues relating to these regulations that the public, regulated persons, and the health planning community deem appropriate to raise in response to this notice. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 28.2-801 of the Code of Virginia.

Public comments may be submitted until November 13, 1998.

Contact: Keith Skiles, Program Manager, Department of Health, 1500 E. Main St., Room 109, Richmond, VA 23219, telephone (804) 786-7937 or FAX (804) 786-5567.

VA.R. Doc. No. R99-25; Filed September 23, 1998, 11:26 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to consider promulgating regulations entitled: **12 VAC 5-280-10 et seq. State Medical Facilities Plan: Organ**

Transplantation Services. The purpose of the proposed action is to review and amend the regulations to ensure that the criteria used in review of proposed organ transplantation projects reflect the most current national experience in transplantation program performance. The organ transplantation services component of the State Medical Facilities Plan is intended to provide a rational basis for considering the public need for new or expanded organ transplantation services in Virginia. Organ transplantation is a highly specialized medical service which only a few large hospitals have or will seek to offer, based on the available technology. Resulting amendments may address other issues relating to these regulations that the public, regulators, and the health planning community deem appropriate to raise following this notice. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 32.1-12 and 32.1-102.1 et seq. of the Code of Virginia.

Public comments may be submitted until 5 p.m. on November 12, 1998, to Nancy R. Hofheimer, Director, Center for Quality Health Care Services and Consumer Protection, Department of Health, 3600 W. Broad St., Suite 216, Richmond, VA 23230, telephone (804) 367-2102 or FAX (804) 367-2149.

Contact: Carrie Eddy, Policy Analyst, Center for Quality Health Care and Consumer Protection, Department of Health, 3600 W. Broad St., Suite 216, Richmond, VA 23230, telephone (804) 367-2102 or FAX (804) 367-2149.

VA.R. Doc. No. R99-22; Filed September 21, 1998, 11:51 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to consider promulgating regulations entitled: **12 VAC 5-408-10 et seq. Regulations for the Certification of Quality Assurance of Managed Care Health Insurance Plan Licensees.** The purpose of the proposed action is to implement Senate Bill 712 (1998) which establishes a quality assurance certification program for managed care health insurance plan (MCHIP) licensees. All MCHIP licensees will have to obtain certification and remain certified by the State Health Commissioner to confirm the quality of health care services they deliver. The regulation will define the expectations relating to quality upon which certification will be based. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-137.3 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on October 28, 1998.

Contact: Carrie Eddy, Policy Analyst, Center for Quality Health Care and Consumer Protection, Department of Health, 3600 W. Broad St., Suite 216, Richmond, VA 23230, telephone (804) 367-2102 or FAX (804) 367-2149.

VA.R. Doc. No. R99-16; Filed September 9, 1998, 10:46 a.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to consider amending regulations entitled: **12 VAC 5-530-10 et seq. Regulations Governing the Virginia Medical Scholarship Program.** The purpose of the proposed action is to review and amend the regulations to improve operation of the Virginia Medical Scholarship Program and to reflect recent statutory changes. Resulting amendments may (i) encourage applications from students attending the School of Osteopathic Medicine at Pikeville College, especially bona fide residents of Virginia and, specifically, residents of Southwest Virginia, in accordance with § 32.1-122.5:1 of the Code of Virginia and the 1998 Appropriations Act (Chapter 464, 1998 Acts of Assembly); (ii) allow unexpended and repaid medical scholarship money to revert to the Physician Loan Repayment Program, as defined in § 32.1-122.6:1 of the Code of Virginia; (iii) allow for a combination residency program of two primary care specialties (e.g. internal medicine/pediatrics and internal medicine/family practice) for an allowance variance of one additional year to the maximum three year residency limitation; and (iv) clarify the intent of the program and reduce redundancy. Resulting amendments may address other issues relating to the regulations that the public, regulated persons, and the health planning community deem appropriate to raise following this notice. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 32.1-12 and 32.1-122.6 of the Code of Virginia.

Public comments may be submitted until December 10, 1998.

Contact: Bernadette D. Nettemeyer, Program Coordinator, Department of Health, Center for Primary Care Resource Development, 1500 E. Main St., Room 227, Richmond, VA 23219, telephone (804) 786-4891, FAX (804) 371-0116 or toll-free 1-800-828-1120/TTY ☎.

VA.R. Doc. No. R99-23; Filed September 21, 1998, 11:51 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to consider amending regulations entitled: **12 VAC 5-540-10 et seq. Rules and Regulations for the Identification of Medically Underserved Areas in Virginia.** The purpose of the proposed action is to review the regulations and amend them so as to ensure the accurate and appropriate identification of medically-underserved areas (MUAs) in Virginia. Certain geographic areas across Virginia need additional primary health care to serve local residents; the regulations set forth criteria for the identification and designation of these areas as MUAs. Persons who receive scholarships through the Virginia Medical Scholarship and Nurse Practitioner Scholarship programs agree to recompense the Commonwealth by practicing primary care medicine in these MUAs, where the demonstrated need for

such services is greatest. MUAs may also become eligible for federal or state assistance, or both, in establishing primary care medical centers. Resulting amendments may clarify the criteria for identifying MUAs and related provisions, ensure consistency and uniformity, and incorporate a procedure for reviewing the designation of MUAs in Virginia. Resulting amendments may also address other issues relating to the regulations that the public, regulated persons, and the health planning community deem appropriate to raise following this notice. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 32.1-12 and 32.1-122.5 of the Code of Virginia.

Public comments may be submitted until November 13, 1998.

Contact: B. A. Caro-Justin, Program Coordinator, Department of Health, Center for Primary Care Resources Development, 1500 E. Main St., Room 227, Richmond, VA 23219, telephone (804) 786-4891, FAX (804) 371-0116 or toll-free 1-800-828-1120/TTY ☎.

VA.R. Doc. No. R99-23; Filed September 21, 1998, 11:51 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to consider amending regulations entitled: **12 VAC 5-550-10 et seq. Board of Health Regulations Governing Vital Records.** The purpose of the proposed action is to review the regulations and amend them to ensure the accurate, uniform, efficient, and confidential administration of the Commonwealth's system for maintaining vital records, such as birth, adoption, marriage, divorce, death, and fetal death records, and for allowing necessary changes to these records. Resulting amendments may (i) provide for the electronic reporting of births, (ii) allow delayed reporting of births when warranted, (iii) specify information needed to evidence home births, and (iv) establish protections against the unauthorized, unwarranted, and indiscriminate disclosure of vital records. Resulting amendments may also address other issues relating to these regulations that the public, regulated persons, and the health planning community deem appropriate to raise in response to this notice. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-12 and Chapter 7 (§ 32.1-249 et seq.) of Title 32.1 of the Code of Virginia.

Public comments may be submitted until October 30, 1998.

Contact: Deborah Little-Bowser, State Registrar of Vital Records, Department of Health, Vital Records, P.O. Box 1000, Richmond, VA 23219-1000, telephone (804) 225-5007, FAX (804) 786-0648 or toll-free 1-800-828-1120.

VA.R. Doc. No. R99-15; Filed September 9, 1998, 10:46 a.m.

Notices of Intended Regulatory Action

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled: **12 VAC 30-50-10 et seq. Amount, Duration and Scope of Medical and Remedial Care and Services** and **12 VAC 30-80-10 et seq. Methods and Standards for Establishing Payment Rates; Other Types of Care.** The purpose of the proposed action is to propose a consistent service coverage methodology and payment methodology for all intravenous infusion therapy services, without regard to patients' places of residence. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-325 of the Code of Virginia.

Public comments may be submitted until October 28, 1998, to Marianne Rollings, R.Ph., Division of Program Operations, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850 or FAX (804) 371-4981.

VA.R. Doc. No. R99-3; Filed August 31, 1998, 11:06 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled: **12 VAC 30-70-10 et seq. Methods and Standards for Establishing Payment Rates; Inpatient Hospital Care; 12 VAC 30-50-10 et seq. Amount, Duration, and Scope of Medical and Remedial Care and Services; and 12 VAC 30-60-10 et seq. Standards Established and Methods Used to Assure High Quality Care.** The purpose of the proposed action is to propose permanent regulations to implement the diagnosis related groupings inpatient hospital system, providing for inpatient hospital services reimbursement, service prior authorization, and utilization control. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-325 of the Code of Virginia.

Public comments may be submitted until October 28, 1998, to Dennis G. Smith, Director, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850 or FAX (804) 371-4981.

VA.R. Doc. No. R99-2; Filed August 31, 1998, 11:06 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled: **12 VAC 30-120-10 et seq. Waivered Services: Medallion II.** The purpose of the proposed action is to establish annual enrollment periods for the Medallion II Program similar to those established in the private health insurance sector. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-325 of the Code of Virginia.

Public comments may be submitted until October 28, 1998, to Jim Cohen, Manager, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850 or FAX (804) 371-4981.

VA.R. Doc. No. R99-1; Filed August 31, 11:05 a.m.

TITLE 16. LABOR AND EMPLOYMENT

GOVERNOR'S EMPLOYMENT AND TRAINING DEPARTMENT

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Governor's Employment and Training Department intends to consider amending regulations entitled: **16 VAC 10-10-10 et seq. Public Participation Guidelines.** The purpose of the proposed action is to ensure that the regulations are fully compliant with the provisions of the Administrative Process Act and contain current, correct information for the Governor's Employment and Training Department. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 2.1-708 and 9-6.14:7.1 of the Code of Virginia.

Public comments may be submitted until October 28, 1998.

Contact: Louise Armstrong, Grants Administrative Supervisor, Governor's Employment and Training Department, Theater Row Bldg., 730 E. Broad St., 9th Floor, Richmond, VA 23219, telephone (804) 786-2508, FAX (804) 786-2340 or (804) 786-2315/TTY ☎.

VA.R. Doc. No. R99-18; Filed September 9, 1998, 10:22 a.m.

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF MEDICINE

AUCTIONEERS BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Auctioneers Board intends to consider amending regulations entitled: **18 VAC 25-21-10 et seq. Rules and Regulations of the Virginia Auctioneers Board.** The purpose of the proposed action is to amend the regulations to ensure that they are in accordance with recent changes to the Code of Virginia and to ensure that the board's reinstatement requirements are clearly stated in the regulations. In addition, several other housekeeping matters and other changes to the regulation which may be necessary will be considered. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 54.1-201 and 54.1-602 of the Code of Virginia.

Public comments may be submitted until October 28, 1998.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY ☎.

VA.R. Doc. No. R99-13; Filed September 2, 1998, 11:55 a.m.

BOARD OF HEALTH PROFESSIONS

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Health Professions intends to consider amending regulations entitled: **18 VAC 75-30-10 et seq. Regulations Governing Standards for Dietitians and Nutritionists.** The purpose of the proposed action is to amend the credentials necessary for a person to hold in order to call oneself a dietitian or nutritionist. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Public comments may be submitted until October 28, 1998.

Contact: Elaine J. Yeatts, Senior Regulatory Analyst, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9918 or FAX (804) 662-9943.

VA.R. Doc. No. R99-4; Filed September 1, 1998, 11: 34 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled: **18 VAC 85-20-10 et seq. Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, Chiropractic and Physician Acupuncture.** The purpose of the proposed action is to amend the regulation as necessary to implement provisions of Senate Bill 660 of the 1998 General Assembly mandating the collection and disclosure of certain information on physicians. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-2400 and Chapter 29 (§ 54.1-2900 et seq.) of the Code of Virginia.

Public comments may be submitted until October 28, 1998.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908 or FAX (804) 662-9943.

VA.R. Doc. No. R99-11; Filed September 1, 1998, 11: 34 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled: **18 VAC 85-31-10 et seq. Regulations Governing the Practice of Physical Therapy.** The purpose of the proposed action is to amend the regulations on continuing competency requirements, approval of inactive licensure status, and requirements for foreign-trained graduates. The Advisory Board on Physical Therapy will also conduct a biennial review and receive comments on any existing regulation. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-2400 and Chapter 29 (§ 54.1-2900 et seq.) of the Code of Virginia.

Public comments may be submitted until October 28, 1998.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908 or FAX (804) 662-9943.

VA.R. Doc. No. R99-10; Filed September 1, 1998, 11: 34 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled: **18 VAC 85-40-10 et seq. Regulations Governing the Practice of Respiratory Care Practitioners.** The purpose of the proposed action is

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to amend the regulations to require certain evidence of continuing competency for license renewal and to approve an inactive licensure status and the requirements for reactivation of such license. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-2400 and Chapter 29 (§ 54.1-2900 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until October 28, 1998.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908 or FAX (804) 662-9943.

VA.R. Doc. No. R99-8; Filed September 1, 1998, 11: 34 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled: **18 VAC 85-50-10 et seq. Regulations Governing the Practice of Physician Assistants.** The purpose of the proposed action is to amend the regulations to approve inactive licensure status and requirements for reactivation of such license. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-2400 and Chapter 29 (§ 54.1-2900 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until October 28, 1998.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908 or FAX (804) 662-9943.

VA.R. Doc. No. R99-9; Filed September 1, 1998, 11: 34 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled: **18 VAC 85-80-10 et seq. Regulations for Licensure of Occupational Therapists.** The purpose of the proposed action is to amend the regulations to require certain evidence of continuing competency for license renewal and to approve an inactive licensure status and the requirements for reactivation of such license. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-2400 and Chapter 29 (§ 54.1-2900 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until October 28, 1998.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908 or FAX (804) 662-9943.

VA.R. Doc. No. R99-5; Filed September 1, 1998, 11:34 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled: **18 VAC 85-101-10 et seq. Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited.** The purpose of the proposed action is to amend the regulations to require certain evidence of continuing competency for license renewal and to approve an inactive licensure status and the requirements of reactivation of such license. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-2400 and Chapter 29 (§ 54.1-2900 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until October 28, 1998.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908 or FAX (804) 662-9943.

VA.R. Doc. No. R99-6; Filed September 1, 1998, 11: 34 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled: **18 VAC 85-110-10 et seq. Licensed Acupuncturists.** The purpose of the proposed action is to amend the regulations to require certain evidence of continuing competency for license renewal and to approve an inactive licensure status and the requirements of reactivation of such license. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-2400 and Chapter 29 (§ 54.1-2900 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until October 28, 1998.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908 or FAX (804) 662-9943.

VA.R. Doc. No. R99-7; Filed September 1, 1998, 11: 34 a.m.



TITLE 22. SOCIAL SERVICES

DEPARTMENT OF REHABILITATIVE SERVICES AND BOARD OF REHABILITATIVE SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Rehabilitative Services and the Board of Rehabilitative Services intend to consider promulgating regulations entitled: **22 VAC 30-40-10 et seq. Protection of Human Research Participants.** The purpose of the proposed action is to establish a human research review committee and requirements for obtaining human participants' voluntary informed consent in human research conducted or authorized by the department, Woodrow Wilson Rehabilitation Center, or any sheltered workshop or center for independent living. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 51.5-5.1 and 51.5-14 of the Code of Virginia.

Public comments may be submitted until November 11, 1998.

Contact: Elizabeth Smith, Policy and Planning Manager, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K300, Richmond, VA 23288-0300, telephone (804) 662-7071, FAX (804) 662-7696, toll-free 1-800-552-5019 or 1-800-464-9950/TTY ☎.

VA.R. Doc. No. R99-19; Filed September 10, 1998, 2:05 p.m.

STATE BOARD OF SOCIAL SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider promulgating regulations entitled: **22 VAC 40-325-10 et seq. Fraud Reduction/Elimination Effort.** The purpose of the proposed action is to establish regulations to operate a statewide fraud control program as mandated in § 63.1-58.2 of the Code of Virginia. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 63.1-58.2 of the Code of Virginia.

Public comments may be submitted until October 28, 1998.

Contact: Patricia T. Wright, Special Assistant to the Inspector General, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1269.

VA.R. Doc. No. R99-12; Filed September 1, 1998, 3:02 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services

intends to consider repealing regulations entitled: **22 VAC 40-820-10 et seq. Policy Regarding Purchased Services.** The purpose of the proposed action is to eliminate duplicative regulations regarding the purchase of services by local departments of social services. Existing regulations and policies for each program area will be followed. The agency does not intend to hold a public hearing on the proposed repeal after publication.

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

Public comments may be submitted until November 11, 1998.

Contact: Marjorie L. Marker, Adult Services Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1262 or FAX (804) 692-2215.

VA.R. Doc. No. R99-21; Filed September 17, 1998, 11:49 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled: **22 VAC 40-880-350. Child Support Enforcement Program: Distraint, Seizure and Sale.** The purpose of the proposed action is to enhance statewide the department's ability to collect child support debt from legally obligated parents, using a new technique of seizure and sale of the individual's automobile via the use of a "boot." The boot is a device which, following proper due process notification, is applied to the wheel of the vehicle by a sheriff or policy officer, thus disabling the vehicle from moving until the boot is removed. Removal results from the individual's completing full payment of the outstanding child support debt, or reaching a payment agreement plus the payment of at least \$500 or 10% of the outstanding balance, whichever is greater. This procedure has already been used with distinct success in one locality in Virginia, Fairfax County, where local ordinances allow the procedure. The purpose of this revision to the regulation is to provide authorization so that the booting procedure can be implemented in all political subdivisions of the Commonwealth. The agency does not intend to hold a public hearing on the proposed repeal after publication.

Statutory Authority: § 63.1-261 of the Code of Virginia.

Public comments may be submitted until November 11, 1998.

Contact: Bill Brownfield, Manager, Policy Development and Support Unit, Division of Child Support Enforcement, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-2401 or FAX (804) 692-2410.

VA.R. Doc. No. R99-20; Filed September 17, 1998, 11:49 a.m.

PUBLIC COMMENT PERIODS - PROPOSED REGULATIONS



PUBLIC COMMENT PERIODS REGARDING STATE AGENCY REGULATIONS

This section gives notice of public comment periods and public hearings to be held on proposed regulations. The notice will be published once at the same time the proposed regulation is published in the Proposed Regulations section of the *Virginia Register*. The notice will continue to be carried in the Calendar of Events section of the *Virginia Register* until the public comment period and public hearing date have passed.

Notice is given in compliance with § 9-6.14:7.1 of the Code of Virginia that the following public hearings and public comment periods regarding proposed state agency regulations are set to afford the public an opportunity to express their views.

TITLE 22. SOCIAL SERVICES

STATE BOARD OF SOCIAL SERVICES

December 25, 1998 - Public 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 State Board of Social Services intends to repeal regulations entitled: **22 VAC 40-830-10 et seq. State Income Tax Intercept for Child Support.** Provisions of this obsolete regulation, where appropriate, have been incorporated into the Virginia Department of Social Services' Child Support Enforcement Program, 22 VAC 40-880-10 et seq. The subject matter of the regulation being repealed is represented in 22 VAC 40-880-380 in the program regulation.

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

Contact: Bill Brownfield, Director, Division of Child Support Enforcement, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-2401 or FAX (804) 692-2410.

December 25, 1998 - Public 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 State Board of Social Services intends to repeal regulations entitled: **22 VAC 40-840-10 et seq. Application Fee Scale.** This obsolete regulation, where appropriate, has been incorporated into the Virginia Department of Social Services' Child Support Enforcement Program, 22 VAC 20-880-10 et seq. The subject matter of the regulation being repealed is represented in 22 VAC 40-880-70 in the program regulation.

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

Contact: Bill Brownfield, Director, Division of Child Support Enforcement, Department of Social Services, 730 E. Broad

St., Richmond, VA 23219, telephone (804) 692-2401 or FAX (804) 692-2410.

December 25, 1998 - Public 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 State Board of Social Services intends to repeal regulations entitled: **22 VAC 40-850-10 et seq. Separate Fee Charged for Child Support Enforcement Services.** This obsolete regulation, where appropriate, has been incorporated into the Virginia Department of Social Services' Child Support Enforcement Program, 22 VAC 40-880-10 et seq. The subject matter of the regulation being repealed is represented in 22 VAC 40-880-680 in the program regulation.

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

Contact: Bill Brownfield, Director, Division of Child Support Enforcement, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-2401 or FAX (804) 692-2410.

December 25, 1998 - Public 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 State Board of Social Services intends to repeal regulations entitled: **22 VAC 40-860-10 et seq. Policy of the Department of Social Services Division of Child Support Enforcement.** This obsolete regulation, where appropriate, has been incorporated into the Virginia Department of Social Services' Child Support Enforcement Program, 22 VAC 40-880-10 et seq. The subject matter of the regulation being repealed is duplicated in the Department of Social Services' Child Support Enforcement Manual of Policy and Procedures.

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

Public Comment Periods - Proposed Regulations

Contact: Bill Brownfield, Director, Division of Child Support Enforcement, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-2401 or FAX (804) 692-2410.

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December 25, 1998 - Public 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 State Board of Social Services intends to repeal regulations entitled: **22 VAC 40-870-10 et seq. Credit Bureau Reporting.** This obsolete regulation, where appropriate, has been incorporated into the Virginia Department of Social Services' Child Support Enforcement Program, 22 VAC 40-880-10 et seq. The subject matter of the regulation being repealed is represented in 22 VAC 40-880-520 in the program regulation.

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

Contact: Bill Brownfield, Director, Division of Child Support Enforcement, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-2401 or FAX (804) 692-2410.



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.

TITLE 8. EDUCATION

GEORGE MASON UNIVERSITY

REGISTRAR'S NOTICE: George Mason University is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 A 6 of the Code of Virginia, which exempts educational institutions operated by the Commonwealth.

Title of Regulation: 8 VAC 35-30-10 et seq. **Space Utilization and Scheduling Policies and Procedures (amending 8 VAC 35-30-30, 8 VAC 35-30-50, 8 VAC 35-30-160, 8 VAC 35-30-200, 8 VAC 35-30-210, 8 VAC 35-30-220, 8 VAC 35-30-230 and 8 VAC 35-30-240).**

Statutory Authority: § 23-91.29 of the Code of Virginia.

Agency Contact: Comments or questions concerning this regulation may be addressed to Jeffrey A. Brandwine, Assistant Vice President for Legal Affairs, George Mason University, Department of Legal Affairs, MS 2A3, 4400 University Drive, Fairfax, VA 22030-4444, telephone (703) 993-2619 or FAX (703) 993-2340.

Summary:

The proposed regulation amends the guidelines and fee structure for rental of university facilities. This regulation applies to all university faculty, staff, students, and contractors and to organizations outside of the university who are given authorized use of university space and facilities.

8 VAC 35-30-30. Responsibilities.

A. The responsibilities of the university departments and individuals charged with monitoring, scheduling, providing support services, and the day-to-day administrative coordination of this policy are set forth in this section.

B. The Office of Events Management encompasses the Office of University Activities and Scheduling. The Office of Events Management shall have the responsibility of coordinating campus events for the university community as well as for outside groups who are using campus facilities or campus personnel for meeting planning.

The Director of the Office of Events Management is responsible for the following:

- 1. Overseeing scheduling and events coordination;*
- 2. Actively pursuing the users of space on campus and ensuring that all university events are entered into the university database, including the events from the distributed campuses;*
- 3. Warning users of space about potential conflicts;*

4. Overseeing the university calendar and establishing workable plans for conflicts or tight scheduling;

5. Communicating problematic events for decision by an advisory board consisting of the Vice President for University Relations, the Executive Officer, the Senior Vice President and the Provost;

6. Communicating the entire university schedule for the following offices: Information Services, Media Relations, Publications, Community Relations and any other offices which need this information and are not part of the events management team;

7. Overseeing special university events; and

8. Coordinating space requirements with the Office of the Registrar.

Event coordinators will oversee the set-up of all major events and attend the events to ensure that all goes well.

If an event is sponsored by an off-campus user, or if a faculty member is sponsoring an event off-campus, the customer will be assigned a conference administration coordinator. Conference administration coordinators will provide all services required by such customers. On-campus users may also use conference administration coordinators if their events have special requirements.

The point of contact will always be the Events Management Office, allowing fees to be charged when the university deems applicable and waived when the university feels it is in its interest to do so.

~~B. C.~~ The ~~Events~~ Event Scheduling Coordination Coordinator Group shall have the responsibilities for monitoring this policy and recommending new or revised policies and procedures or both. The ~~Events~~ Event Scheduling ~~Coordination~~ Coordinator Group also exists to recommend a management system for scheduling and for conducting multiple nonacademic events at all George Mason University locations. The ~~coordination~~ coordinator group is charged to:

1. Identify and resolve problems and conflicts associated with event scheduling and management, focusing on long-term planning;
2. Develop logistical strategies for managing major, multiple, simultaneous events;
3. Establish a mechanism for resolving disputes not settled within the core group; and
4. Recommend policies, procedures, and communication networks to improve the management of university events.

The members of this group are listed in 8 VAC 35-30-210.

~~C.~~ D. The persons or departments, or both, responsible for scheduling university spaces governed by these policies and procedures are listed in 8 VAC 35-30-220. They are to schedule university space in accordance with the policies and procedures set forth in this chapter.

The persons or departments, or both, scheduling university spaces for events are to submit at a minimum the names of the events, place of the events, date(s), and times to the office of the University Scheduling Coordinator/Information Services to be entered into the master event schedule and calendar; information entered must be entered or submitted by use of the Welber Facilities Scheduling System.

The persons or departments, or both, scheduling university space are responsible for scheduling only their ~~respected~~ *respective* spaces.

~~D.~~ E. Supplementary to the persons or departments, or both, scheduling space, the individuals responsible for support services are listed in 8 VAC 35-30-230. These individuals are responsible for planning and implementing the services necessary to support the event in accordance with this chapter.

~~E.~~ F. The University Scheduling Coordinator shall have the ~~responsibilities~~ *responsibility* of maintaining communication with all persons scheduling spaces, *with* support services and, when required, *with* users. The University Scheduling Coordinator's primary responsibility is to maintain a master schedule of the events for all George Mason University locations, ensure the dissemination of all necessary event information to the appropriate university departments, and ensure that all schedulers and users comply with the policies and procedures of this ~~document~~ *chapter*.

The University Scheduling Coordinator shall work with the ~~Events Event Scheduling Coordination Coordinator~~ *Events Event Scheduling Coordination Coordinator* Group. The University Scheduling Coordinator is responsible for scheduling and chairing the meetings of the ~~Events Event Scheduling Coordination Coordinator~~ *Events Event Scheduling Coordination Coordinator* Group.

8 VAC 35-30-50. Student unions and George W. Johnson Center.

The first priority of the student unions is to accommodate the needs of the student or university sponsored programs that have the university community as the primary target or that are directly tied to a major university initiative. Programs internally directed that do not have the university community as the target audience receive second priority. Booked events receive third priority and community events receive fourth, all under the scheduling time sequences discussed in 8 VAC 35-30-40.

The first priority of the George W. Johnson Center is to accommodate the needs of university programs that have the university community as the primary target or that are directly tied to a major university initiative. Programs internally directed that do not have the university community as the

target audience receive second priority. Brokered events receive third priority and community events receive fourth priority, all under the scheduling time sequences discussed in 8 VAC 35-30-40.

8 VAC 35-30-160. Fees and support costs.

A. The user fees and support services cost schedules are presented in Part IX (8 VAC 35-30-240 et seq.) of *this chapter*. The rental fees and support services costs shall be applicable to all users as defined in this section or as set forth in 8 VAC 35-30-170.

B. User fees are not normally charged to university schools, colleges, departments, institutes, centers, faculty, staff, and students for programs that relate to the educational and research mission of the university. Typical exceptions are events cosponsored with a nonuniversity group or agency in a profit-sharing contract. Support services and equipment fees may be charged.

C. User fees and support service fees, if required, shall be assessed to all other authorized groups for each day or part of a day for the time period of the facility use.

D. User fees and support service fees shall be reviewed and, where required, revised annually. The effective dates for fees shall coincide with the university's fiscal year calendar, unless otherwise noted.

E. Increases or decreases in fees listed for the facilities and services must be approved by the Office of the Executive Vice President for Finance and Planning. All increases and decreases in fees are to be submitted to the Director of ~~Auxiliary Enterprises~~ *University Services* for processing the approval. No fee change shall be implemented without the approval of the Office of the Executive Vice President for Finance and Planning.

8 VAC 35-30-200. Amendments and additions.

All amendments and additions to this chapter are to be reviewed and approved by the Office of the ~~Executive Vice President for Administration and the Office of the Executive Vice President for Finance and Planning~~ *Provost and the Office of the Senior Vice President*.

8 VAC 35-30-210. Event Scheduling Coordinator Group.

The Event Scheduling Coordinator Group exists to develop and implement a management system for scheduling university space and for conducting multiple events on campus. The members of the group are:

- University Scheduling Coordinator
- ~~Director of the Institute of~~ *General Manager, Center for the Arts*
- Director of Athletics
- Dean of Student Services
- ~~Student Union II Scheduling Coordinator~~
- Director of Operations, Student Union I & II, George W. Johnson Center*

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General Manager of the Patriot Center
 Director of Public Safety
 Vice President for Facilities
 Vice Provost for Academic Support
 Director of University Activities
 Director of Prince William Institute
 Director of ~~Auxiliary~~ University Services
 Director of Media Relations
 Director of Arlington Campus/Quincy Street Professional Center
Coordinator, Arlington Campus
 Director of Food Service
 Director of ~~Housing and Resident Life~~
General Manager, Campus Hospitality
 Associate Director of Student Unions *and George W. Johnson Center*
 Representative of the Student Union Board
 Representative of the Student Government
 Chairperson of the Faculty Senate Committee on Facilities and Support Services
 Director of Conferences and Institutes for Center for Professional Development

In the event that the designated person listed is unable to attend a meeting, a representative shall be selected to attend in his absence.

8 VAC 35-30-220. Scheduling university spaces.

The persons or departments, or both, responsible for scheduling university spaces governed by this policy are:

RESPONSIBLE PERSON/DEPARTMENT	SPACE/FACILITY
Associate Director for Union Operations <i>Events Management</i>	Student Union I, Student Union II, <i>George W. Johnson Center</i> Academic Space: Nonclass activities during nonsummer term
Director of Student Organizations	Student Union I Quad and Grounds around Student Union II
Registrar	Academic Space: Classes only
Director of Summer Term	Academic Space: All activities during summer term

~~House Manager~~ *Events Coordinator, Center for the Arts*
 Center for the Arts (Concert Hall, ~~Institute of the Harris Theater, Black Box, Arts Theater Space and Dance Studios.~~)
 Director of the Professional Center *Arlington Campus Coordinator*
 Arlington Campus Professional Center and GMU Quincy Street Station Professional Center, ~~George Mason University at the Center for Innovative Technology~~
 Director of University Activities *Office*
 Mason Hall and Plaza
 Associate Dean, School of Law
 Law School Facilities
 Music Department Director
 Music Rehearsal Rooms, Hemlock Overlook and Bull Run Marina
 Director of Conferences and Institutes
 Center for Professional Development
 Director of ~~Housing and Residence Life~~ *General Manager, Campus Hospitality*
 Housing
 Director of Sports and Recreation Complex
 Sports and Recreation Complex Physical Education Building, Athletic Fields and Courts Areas
 Associate Vice President for Operational Services
 Outdoor space other than the Student Union I Quad, Athletic Fields, Mason Hall Plaza, and Student Union II Plaza and Court Area

Director, Center Management
 Patriot Center
 Director, Prince William Institute
 Prince William Institute, Manassas

8 VAC 35-30-230. Scheduling university support services.

The persons responsible for scheduling university support services are:

PERSON	SUPPORT SERVICE
Director of Work Control, Physical Plant	Building and Grounds Custodial Electrical/Mechanical
Manager, Parking Services	Parking Lots Parking Technician
House Manager, Center for the Arts	House Manager Theater Technician Ushers

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Director for Public Safety	Police Officers Traffic Control Officers
Director, Media Relations	Media
Director, Food Service	Food Service Catering
Associate Director, <i>George W. Johnson Center and Union Operations</i>	Union Housekeeping Union Audio Visual Equipment
Director, Housing and Residence Life <i>General Manager, Campus Hospitality</i>	Housekeeping within the student housing complex

*optional

Additional services for academic space will be charged in a manner similar to student unions.

C. *Programs and events should make appropriate use of the special facilities of the George W. Johnson Center according to the following criteria: collaborative and diverse, imaginative mix of curricular and cocurricular learning, and creative use of the unique resources.* Student union space is scheduled on a priority basis with university groups receiving the highest priorities and nonuniversity groups receiving lower priorities. Reservations are made through the facilities scheduling coordinator of each student union building *Events Management Office*. The facility and equipment fees for nonuniversity groups are noted below:

NOTE: Scheduling building and grounds and parking services for the Arlington Campus are the responsibilities of the staff located at the site.

8 VAC 35-30-240. Fees.

A. The fees associated with the use of George Mason University facilities and services are presented in this part. The fees listed are in effect for George Mason University fiscal year ~~1995~~ 1998-1999, unless noted otherwise.

Increases or decreases in fees listed for the facilities and services must be approved by the Office of the ~~Executive Vice President for Finance and Planning~~ *Senior Vice President*. All increases and decreases in fees are to be submitted to the Director of ~~Auxiliary Enterprises~~ *University Services* for processing the approval. No fee change shall be implemented without the approval of the Office of the ~~Executive Vice President for Finance and Planning~~ *Senior Vice President*.

B. Academic space is generally available only on weekends during the academic year through the facilities scheduling coordinator for student unions. Academic space during the summer is available on a first-come, first-served basis through the Summer Administration Office. Fees are rarely charged since almost all users are university related. At the Arlington Campus, space is generally available during the daytime. In the event fees are charged, they are as follows:

Lecture Halls	\$200 per day	
Classrooms (Main Campus)		
under 50 seat	\$50 per day	
50-100 seats	\$75 per day	
over 100 seats	\$100 per day	
Arlington Campus	Nonprofit Group	Profit Group
3rd floor conference room	\$150 per day	\$250 per day
classroom, 25-50 seats	\$100 per day	\$150 per day
classroom, 50-100 seats	\$125 per day	\$175 per day
classroom, 100+ seats	\$150 per day	\$200 per day
Study lounge	\$100 per day	\$150 per day
Metro Gallery	*\$100 per day	*\$150 per day

	University Group	Nonuniversity Group
Student Union I		<i>For Profit Nonprofit</i>
Phase I Cafeteria	Free	\$50/6 hours
Phase II Cafeteria	Free	\$150/6 hours \$300
Rathskeller	Free	\$400
North Terrace	Free	\$100/6 hours \$100
		\$150
South Terrace	Free	\$50/6 hours
Patriots Lounge	Free	\$150/6 hours \$200
		\$300
Meeting Room A	Free	\$50/6 hours \$75/room
B C		\$100/room
Table Space	Free	\$50/table or \$100
Rental		\$25/table \$100
		(sponsored university group)
Student Union II		
Marketplace	Free	\$150/6 hours \$300
		\$400
Room 1-7	Free	\$50/6 hours
VIP 1-3	Free	\$50/6 hours
VIP I	Free	\$110 \$80
VIP II	Free	\$110 \$80
VIP III	Free	\$90 \$75
Ballroom	Free	\$1,000 \$800
Ballroom A - Back	Free	\$150/6 hours \$250
		\$200
Ballroom B - Mid	Free	\$150/6 hours \$200
		\$250
Ballroom C - Front	Free	\$300/6 hours \$400
		\$500
Ballroom A, B and C	Free	\$500/6 hours
Whole		
Ballrooms A and B		
Back and Mid	Free	\$250/6 hours

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Ballrooms C and B			
Front and Mid	Free	\$400/6 hours	
Table Space	Free	\$25/table	
Table Rental	Free	\$150	\$150
TV/VCR	Free	\$30/6 hours	\$30
16MM projector	Free	\$30/6 hours	\$20
Lecternette	Free	\$20/6 hours	\$50
Slide projector	Free	\$20/6 hours	\$20
Tape recorder	Free	\$20/6 hours	
Overhead	Free	\$20/6 hours	
Screen	Free	\$10/6 hours	
Easels	Free	Free \$2.00	\$1.00
Large portable sound system	\$75/6 hours	\$200/6 hours	
Mid-portable sound system	\$50/6 hours	\$175/6 hours	
Small portable sound system	\$25/6 hours	\$150/6 hours	
Large DJ system	\$50/6 hours	\$175/6 hours	
Small DJ system	\$25/6 hours	\$150/6 hours	
Piano	Free	\$100	\$100
Pipe and drape	Free	\$5/6 ft panel	\$2.50/6 ft panel

Late closings: \$95 for first 30 minutes and \$25 for every 30 minutes thereafter

Special operations staff assistance: Minimum of \$25 per hour

For events requiring staff past normally scheduled hours or for extra staff, the fees are as noted below:

	University Group	Nonuniversity Group
Housekeeping Event Coordinator	\$15 per hr/person	\$20 per hr/person
Free event	first - free	\$7.50/hr
	additional- \$7.50/hr	\$7.50/hr
Charge event	\$7.50/hr/person	\$7.50/hr/person

NOTE: Free events are those which are open to any student at George Mason University and which do not charge admission. Charge events are those which charge some type of admission or are open to only a particular group of students.

AV Technician	\$7.50/hr/per person	\$10/hr
Lights	\$15/6 hrs	\$50/6 hrs
Video Taping	\$15/hr (includes tech)	\$50/hr (includes tech)

D. Residential spaces and lounges are not normally available during the academic year. During the summer, however, facility use is available through the Summer Housing Office. Fees are as follows:

George W. Johnson Center					University Group	Nonuniversity Group
Bistro	Free	\$300	\$250	Meeting Space		
Meeting rooms A-H	Free	\$125/room	\$100/room	Eisenhower		
Multipurpose room Lobby	Free	\$200	\$150	large meeting room	\$50/day \$65/day	8 a.m.-5 p.m.
Multipurpose room	Free	\$1,500	\$1,100	small meeting room	\$65/evening \$25/day \$50/day	5 p.m.-12 a.m.
1/2 Multipurpose room	Free	\$750	\$550		\$50/evening	8 a.m.-5 p.m.
Cinema	Free	\$800	\$600	Hanover		5 p.m.-12 a.m.
Pre-function hallway	Free	\$200	\$150	basement lounge	\$50/day \$50/day	8 a.m.-5 p.m.
Dance studio	Free	\$400	\$300	first floor lounge	\$50/evening \$25/day \$65/day	5 p.m.-12 a.m.
Exhibition space	Free	\$150	\$100	kitchen	\$65/evening \$15/day	8 a.m.-5 p.m.
Glass lounges	Free	\$90/room	\$75/room		\$30/breakfast	5 p.m.-12 a.m.
Open exhibit space	Free	\$90	\$75		\$30/lunch	7 a.m.-9 a.m.
Green room	Free	\$125	\$100		\$30/dinner	11 a.m.-1 p.m.
G32	Free	\$125	\$100			6 p.m.-8 p.m.
G33	Free	\$125	\$100	Residential Space		
Atrium	Free	\$2,000	\$1,800	Double occupancy	\$20/person/day	
North Plaza	Free	\$1,000	\$800	Single occupancy	\$30/person/day	
South Plaza	Free	\$500	\$300	Deluxe townhouse	\$45/person/day	
				Regular townhouse	\$25/person/day	

Other fees (for university and nonuniversity groups):

Early openings: \$15 per hour requested

Residential Space: rates for traditional and suite facilities are per person. Rates for townhouse facilities are per unit, regardless of occupancy.

Type of facility	1998	1998	1998	1998
	GMU Single	GMU Double	Non- GMU Single	Non- GMU Double
President's Park, No Linen (Traditional)	\$13	\$10	\$16	\$13
President's Park, Linen (Traditional)	\$29	\$19	\$32	\$22
Commonwealth and Dominion, Linen (Suite- style)	\$36	\$26	\$39	\$29
Townhouse, Linen	\$56	\$38	\$59	\$41

E. Meeting space in Mason Hall is not generally available to nonuniversity groups without prior presidential approval.

F. The Concert Hall and Harris Theater are available for use by George Mason University organizations and nonuniversity groups on an as-available basis. All Concert Hall rental requests by individuals or organizations are reviewed by the Institute of the Arts and the university administration. If a rental request is approved, a contract is issued by the Center for the Arts. Receipt of the signed contract and rental deposit finalizes the rental agreement. Harris Theater use requests are handled directly by the Center for the Arts.

Prior to the finalization of any use agreement, appropriate staff members of the Center for the Arts may require one or more on-site meetings to ensure optimum event planning. All necessary staffing and services are provided by the Center for the Arts. This includes technical crew, front-of-house staff, security, custodial services, and box office services.

The box office utilizes a computerized system to print and sell tickets for Concert Hall and Harris Theater events. The box office is open for ticket sales during business hours and in the performance space on the day of the event. Credit cards are accepted.

HARRIS THEATER

Seating Capacity:

Orchestra: 397

Balcony: 124

TOTAL SEATS: 521

Handicapped accessibility for orchestra seating

Stage Specifications:

Proscenium width 39.5 feet

Stage depth:

To curtain 17 feet

To back wall 35 feet

CONCERT HALL

Seating Capacity:

Orchestra: 717

Orchestra Pit: 106

Grand Tier (Balcony): 1,112

TOTAL SEATS: 1,935

Handicapped Seating:

Orchestra: 26

Grand Tier: 6

Stage Specifications:

Proscenium width 52 feet

Stage depth from curtain line 42 feet

Stage depth of orchestra shell:

Full Stage 39 feet (60 feet wide)

Chamber Ensemble 22 feet (52 feet wide)

Computerized theatrical lighting and rigging systems

CONCERT HALL USER FEES:

	GMU	Nonprofit	Commercial
Rental Fee			
First Performance	NC	\$3,500	\$5,000
Additional Performances	NC	\$3,000	\$4,500
Box Office Services			
Single day, ea- Performance	DBE	\$300	\$350
Subsequent day(s), each performance	DBE	\$200	\$250
Facilities			
Separate tech/reh days	NC	\$500	\$500
Personnel (Per person, per hour)			
Stage technicians	\$14	\$14	\$18
Rigger(s)	DBE	DBE	DBE
Dresser(s)	DBE	DBE	DBE
Sound operator/engineer	DBE	DBE	DBE
Lighting control operator	DBE	DBE	-DBE
Followspot operator	DBE	DBE	DBE
Equipment			
Grand Piano (per day)	NC	\$75	\$75
Tuning	\$75	\$75	\$75
Dance Floor (per day)			
Each panel	NC	NC	\$10
Sound System, first day			
Basic System	NC	\$50	\$50
Intermediate System	NC	\$250	\$250

Proposed Regulations

Full System	NC	\$500	\$500	Cleaning - full house	\$422	NC	NC
				Cleaning - main floor	\$322	NC	NC
Sound system, each add. day				<i>Ancillary Services</i>			
Basic System	NC	\$50	\$50	HVAC engineer	\$37/ hour	\$37/hour	\$37/hour
Intermediate System	NC	\$125	\$125	Police	\$25-50/ hour	\$25-50/ hour	\$25-50/ hour
Full System	NC	\$250	\$250	Parking marshals	\$200	\$200	\$200
Stage lighting				<i>Front of House</i>			
instruments ea. per day	NC	\$4	\$4	Ushers	\$6.50/ hour	NC	NC
Stage lighting control system per day				Supervisors	\$9/hour	NC	NC
Basic System	NC	NC	\$25	House manager	NC	NC	NC
Limited System	NC	\$25	\$50	3rd floor reception set up	\$25	\$25	NC
Full System	NC	\$50	\$100	INCLUDED IN THE RENTAL FEE			
Followspot, ea. per perf.	\$50	\$50	\$50	Facilities and Equipment:			
Installation of supplied light plot	Determined per event			Basic black fabric stage masking, orchestra shell, conductor's podium, platform risers, chairs, music stands, stand lights, general white stage lighting, conductor and soloist(s) lighting, and use of dressing rooms (2 small, 3 large).			
Additional Box Office Services				Personnel (included in non-GMU rentals only. GMU rentals pay direct costs for the following personnel.):			
Return of printed tickets advanced to licensee - \$0.50 ea.				One stage manager, one front-of-house manager, ushers (quantity determined per event), restroom porters and custodial services, building engineer, and on-site security officers.			
Credit card service charge - 7.0% of credit card receipts				(DBE = Determined By Event)			
First performance	NC	\$350	\$350	HARRIS THEATER USER FEES:			
Subsequent performance(s)	NC	\$250	\$250		GMU	Nonprofit	Commercial
Credit card service charge	NC	5.0% of CC sales	5.0% of CC sales	Rental Fees			
Listing in events calendar	NC	\$150	\$150	First performance	NC	\$1,500	\$1,800
Ticket printing - main floor	\$75/ event	NC	NC	Additional events (ea.)	NC	\$800	\$1,200
Ticket printing - full house	\$100/ event	NC	NC	Separate tech/reh days	NC	\$500	\$500
Ticket sellers	\$6.50/ hour	NC	NC	Nonperformance day	NC	\$300	\$300
Ticket seller supervisors	\$9/hour	NC	NC	Box Office Services			
Production				Each Event	DBE	\$200	-\$250
Technicians	\$20/ hour	\$20/hour	\$20/hour	Equipment			
Tuned grand piano	\$75/day	\$150/day	\$150/day	Sound system, per day	NC	\$50	\$50
Dance floor	NC	\$100/day	\$100/day	Lighting system, per day	NC	\$50	\$50
Follow spot (each)	NC	\$100/day	\$100/day	Follow spot, ea.	\$50	\$50	\$50
Recording Session				Special lighting	Determined by event		
One-day rate (per day)	NC	\$1,000	\$1,000	Piano, per day	\$75	\$75	\$75
Three-day rate (per day)	NC	\$800	\$800				
Cleaning							
3rd floor reception cleaning	\$135	\$135	\$135				

Proposed Regulations

Tuning, ea.	\$75	\$75	\$75
Personnel (per hr., 3 hr. min. ea.)			
Stage technicians	\$14	\$14	\$18
Followspot operator	DBE	DBE	DBE
Rigger(s)	DBE	DBE	DBE
Police/security	DBE	DBE	DBE

Additional box office services:

Return of printed tickets advanced to user—\$0.50 ea

Credit card service charge (7.0% of credit card receipts)

First performance	NC	\$150	\$150
Subsequent performance(s)	NC	\$100	\$100
Credit card service charge	NC	5.0% of CC sales	5.0% of CC sales
Listing in events calendar	NC	\$150	\$100
Ticket printing-main floor	\$50/event	NC	NC
Ticket sellers	\$6.50/hour	NC	NC
Ticket seller supervisors	\$9/hour	NC	NC

Production

Technicians	\$15/day	\$20/day	\$20/day
Tuned grand piano	\$75/day	\$150/day	\$150/day
Dance floor	NC	\$100/day	\$100/day
Follow spot (each)	NC	\$100/day	\$100/day

Front of House

Ushers	\$6.50/hour	NC	NC
Supervisors	\$9/hour	NC	NC

INCLUDED IN THE RENTAL FEE

Equipment:

Basic black fabric stage masking, conductor's podium, chairs, music stands & stand lights, platform risers, general white stage lighting, special conductor and soloist(s) lighting, and use of dressing rooms.

Personnel (included in non-GMU rentals only. GMU rentals pay direct costs for the following personnel.):

One stage manager, one front-of-house manager, ushers, custodial service, and building engineer.

(DBE = Determined by event)

ADDITIONAL ITEMS NOT INCLUDED IN THE (Concert Mode/Theater Mode) BASIC PACKAGE

Rehearsal (not on performance day)
 \$500 per day (Includes 2 technicians)

Announce Microphone, Sound System, Limited Foldback \$25 per Perf./Reh

Limited Sound System, Tape Playback, Limited Foldback, and Sound Operator \$125 per day

Full Sound System \$350 per day

Sound Operator \$24 per hour (4 hr.min.)

Limited Stage Lighting System (12 Channels) \$25 per day

Setup/Takedown of Small Light Plot (Theater Mode Only)

Example: 4 stagehands X 4 hours X hourly rate
 \$224 (\$14/hr)

Setup/Takedown of Large Light Plot (Theater Mode Only)

Example: 8 stagehands X 8 hours X hourly rate
 \$896 (\$112/hr)

Lighting Instruments, Color, Accessories No Charge
 Light Board Operator (4 hour minimum) \$14 per hour

Followspot Operator (4 hour minimum) \$14 per hour

Sound Engineer (4 hour minimum) \$14 per hour

Stagehand, each (4 hour minimum) \$14 per hour

Rigger, each (4 hour minimum) \$24 per hour

Standard Lighting Plot w/light board \$75 per day

Lighting Instruments (daily charge) \$1 per instr.

Followspots (daily charge) No Charge

Dance Floor: 4' 11" X 58' 0" per panel \$5 per day

Dance Floor, Full Stage \$50 per day

Floor Setup, Full Stage \$112 (ea. setup/takedown)

Choral Platforms, Aluminum, Full Setup \$168 (ea. setup)

Choral Platforms, Steel If Available, Full Setup \$224 (ea. setup)

Choral Chairs, Full Setup No Charge

Piano (tuned) \$75 per day

Shuttle Buses (3 buses) \$600

Credit Card Service Charge 5.0% of Gross Credit

G. The Sports and Recreation Complex (Field House) is rarely rented out due to the intensive use by students, faculty, and staff. The only regular, nonuniversity events in the Field House are high school track meets. The cost for nonuniversity groups is \$500/day plus direct reimbursable expenses. These would be negotiated with staff at the Field House. If the facility is available, there would be no charge for university groups.

Proposed Regulations

H. The Physical Education Building is used much the same way as the Field House. If it were available, the cost to nonuniversity groups would be \$400/day plus reimbursable expenses for either the upper or lower gym. There would be no charge to university groups.

I. The Patriot Center is a 10,000-seat arena. The fees are as follows:

University Event: Direct expenses, approximately \$4,000-\$5,000 per event. Expenses will vary with the type and number of services requested, number of attendees, and duration of the event.

Nonuniversity Event: Daily rental of \$8,000 plus expenses. Many ticketed events will be charged a rent as a percentage of gross receipts.

J. Hemlock Overlook Center for Outdoor Education is an outdoor education center located near Clifton, Virginia, about 12 miles from campus, and is managed by the university for the Northern Virginia Regional Park Authority. There are no discounts on fees for university groups. The fees are noted below:

Room and board, Summer/Spring	\$25 per day
Room and board, Fall/Winter	\$30 per day
Room, Summer/Spring	\$12 per day
Room, Fall/Winter	\$17 per day
Lodge, Summer/Spring	\$10 per hour
Lodge, Fall/Winter	\$15 per hour
Conference Rooms, Summer/Spring	\$5 per hour
Conference Rooms, Fall/Winter	\$10 per hour

K. The costs associated with using the university police in connection with special event programming are:

Police Officer	\$22.50/hr (minimum 2 hours)
Dispatcher	\$16/hr (minimum 2 hours)
Security Watchman	\$15/hr (minimum 2 hours)

L. All individuals who do not have valid university parking decals or authorized parking permits/passes must pay for parking at locations owned and operated by George Mason University. University schools, colleges, institutes, centers, departments, faculty, staff, and recognized student groups can reserve parking lots at a daily rate for each participant's vehicle without a valid university decal or authorized parking permit/pass. University-sponsored events must include parking arrangements approved by the parking services office one week in advance.

Authorized nonuniversity sponsored events must include parking arrangements approved by the parking services office two weeks prior to the scheduled event.

Parking Fees:

For all faculty, staff, and students vehicles that do not have a valid university parking decal or an authorized parking permit or pass

\$3.00 per day

To reserve parking lot T

\$1.00/hr/vehicle using the lot plus \$10/hr/per technician to monitor the lot

To reserve specific areas in other general parking lots (Lots A, B, C, & K) for multiple-day events

\$2.50/day/per vehicle for the first day
\$1.50/day/per vehicle thereafter

Nonreserved use of other general parking lots A, B, C, & K for multiple-day events

\$3.00/day/per vehicle for the first day
\$2.00/day/per vehicle thereafter

Parking deck fees for special events

\$3.00 per car for 4 hours or less
\$5.00 per car for 5 hours or more

M. The Center for Professional Development is located at the University Park Townhouses, 4260 Chain Bridge Road. The center has two classrooms. The larger of the two rooms will accommodate 25 people and is equipped with tables, chairs, and a blackboard. The smaller room will accommodate 15-plus people and has student stations and a blackboard.

There is no on-site food service available, although there are vending machines containing soft drinks and snacks.

The rooms are available for program use Monday through Friday from 8:30 a.m. to 10 p.m. Space can be available for Saturday and Sunday.

The fees are denoted below.

University and nonprofit users:

Per room	\$40/half day
Per room	\$80/full day
Per room	\$40/evening

Nonuniversity and for-profit users:

Per room	\$60/half day
Per room	\$120/full day
Per room	\$60/evening

Additional services and equipment charges:

Assistant	\$15/hour
Set-up/strike fee	\$35/day
Overhead projector	\$35/day
Flipcharts/easel	\$15/day
*Photocopying	\$.10/page

*Arrangements must be made for this service in advance.

N. Arlington Campus: Most credit courses are held in the evening. Therefore, space for noncredit educational programming can be scheduled by outside groups such as government agencies or private sector corporations during the day by the Professional Center. Government agencies can secure training space and educational services through agency contracts, blanket purchase agreements, purchase orders, etc. Private corporations can secure space through a letter of agreement and a 50% deposit.

Arlington Campus is located one and one-half blocks from the George Mason University/Virginia Square Metro Station. Food service is available on campus.

The building hours and fees are:

Building Hours:

Monday-Friday	8 a.m. to 11 p.m.
Summer	8 a.m. to 10 p.m.
Saturday	9 a.m. to 6 p.m.
Sunday	9 a.m. to 11 p.m.

University support charges will be assessed. Building operating charges for electrical, HVAC, parking, and security will be charged, where applicable.

Seminar Room Fees:

Classrooms - accommodate 15-50 people

Nonprofit	\$100 per day/evening
Profit	\$150 per day/evening

Computer Lab - accommodates 24 people

\$500 per day/evening

Conference Room - accommodates 150+ people

Nonprofit	\$150 per day/evening
Profit	\$250 per day/evening

Management Fees:

Assistant Fee	\$15 per hour
Set-up and Strike (when applicable)	\$60-\$100
Building and Grounds early open/late close	\$20 per hour
Campus Police (early open/late close)	\$22.50 \$25 per hour (2 hours minimum)

Equipment User/Additional Fees:

VCR/Monitor	\$50 for first day, \$25 per day thereafter
Slide Projector	\$30 for first day, \$20 per day thereafter
16mm Film Projector	\$30 for first day, \$20 per day thereafter
P/A System	\$75 for first day, \$50 per day thereafter
Coffee Urns	\$15 for first day, \$5 per day thereafter
Photocopying available - copy center on site:	\$.10 a copy
Kodak Computer Datashow	\$50 per day
Inkjet Computer Paper	\$40 per box
Flipchart Paper	Provided by the instructor
Fax Service, per page	
University departments	Incoming \$.50 Outgoing \$1.00
Nonuniversity	Incoming \$1.00

Outgoing \$2.50

Flipchart stands, overhead projectors, screens, chalkboards, and chalk are provided in each classroom.

O. GMU at Quincy Street Station: Most credit courses are held in the evening. Therefore, space for noncredit educational programming can be scheduled by outside groups such as government agencies or private sector corporations by the Professional Center. Government agencies can secure training space and educational services through agency contracts, blanket purchase agreements, purchase orders, etc. Private corporations can secure space through a letter of agreement and a 50% deposit.

Quincy Street station is located one and one-half blocks from the Ballston Metro Station. Food service is available.

The building hours and fees are ~~denoted below~~:

Building Hours:

Monday-Friday	8 a.m. to 9 p.m.
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Special arrangements can be made for Saturday and Sunday use of the facility by reservation. Also, the facility can open early and close late, by reservation. University support charges will be assessed. Building operating charges for electrical, HVAC, parking and security will be charged, where applicable.

Seminar Room Fees:

Classrooms - accommodate 15-45 people

Nonprofit	\$125 per day/evening
Profit	\$165 per day/evening

Classrooms - accommodate 70 people

Nonprofit	\$150 per day/evening
Profit	\$165 per day/evening

Management Fees:

Assistant Fee	\$15 per hour
Set Up and Strike (when applicable)	\$60-\$100

Equipment User/Additional Fees:

VCR/Monitor	\$50 for first day, \$25 per day thereafter
Slide Projector	\$30 for first day, \$20 per day thereafter
Coffee Urns	\$15 for first day, \$5 per day thereafter
Photocopying available:	\$.10 a copy
Flipchart Paper	Provided by the instructor
Fax Service, per page	
University departments	Incoming \$.50 Outgoing \$1.00
Nonuniversity	Incoming \$1.00 Outgoing \$2.50

Flipchart stands, overhead projectors, screens, chalkboards, and chalk are provided in each classroom.

Proposed Regulations

P. Prince William Institute: Initially, most credit courses will be held in the evenings. Noncredit programming can be scheduled by university and nonuniversity groups during the day time.

The building hours and fees are ~~denoted below~~:

Building Hours:

Monday-Friday 8:30 a.m. to 5 p.m.

Special arrangements can be made for evening and weekend use of facilities by reservation. Building operating fees for HVAC and electrical services will be charged, when applicable.

Seminar Room Fees:

Classrooms - accommodate 15-45 people

Nonprofit	\$50 per day and/or evening
Profit	\$75 per day and/or evening

Management Fees:

Assistant Fee \$12 per hour

Set-up Fee and Strike (where applicable) \$40-\$80

Equipment User/Additional Fees:

VCR/Monitor (2 available) \$25 per day per room

Slide Projector (2 available) \$20 per day per room

Coffee Urn (1 available) - 100 cup capacity
\$15 for first day, \$5 per day thereafter

Photocopying available: \$.10 a copy

Fax Available: \$1 per page

Flipchart Paper Provided by the user

Fax Machine

University departments	Incoming \$.50 Outgoing \$1.00
Nonuniversity	Incoming \$1.00 Outgoing \$2.50

Flipchart stands, overhead projectors, screens, whiteboards, and markers are provided in each classroom.

Q. The third-floor space at the George Mason University at The Center for Innovative Technology is dedicated to the George Mason University Small Business Incubator Program. The fourth-floor spaces are used for credit and noncredit educational programming. The largest classroom on the fourth floor is assigned all day Fridays and Saturdays for a credit educational program.

The building hours and fees are:

Building Hours:

Monday-Friday 8 a.m. to 6 p.m.

Special arrangements can be made for evening and weekend use of facilities by reservations. Building operating fees for HVAC, electrical, and security will be charged where applicable.

Seminar Room Fees:

Classrooms - accommodate 15-45 people

Nonprofit	\$100 per day/evening
Profit	\$125 per day/evening

Management Fees:

Assistant Fee \$15 per hour

Set-up Fee and Strike (where applicable) \$60-\$100

Equipment User/Additional Fees:

VCR/Monitor \$50 for first day, \$25 per day thereafter

Slide Projector \$30 for first day, \$20 per day thereafter

Coffee Urns \$15 for first day, \$5 per day thereafter

Overhead Projector \$25 for first day, \$15 per day thereafter

Photocopying available: \$.10 a copy

Flipchart Paper Provided by instructor

Flipchart stands, overhead projectors, screens, chalkboards, and chalk are provided in each classroom.

VA.R. Doc. No. R99-37; Filed October 7, 1998, 11:01 a.m.

TITLE 22. SOCIAL SERVICES

STATE BOARD OF SOCIAL SERVICES

Title of Regulation: **22 VAC 40-830-10 et seq. State Income Tax Intercept for Child Support (REPEALING).**

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

Public Hearing Date: N/A - Public comments may be submitted until December 25, 1998.

(See Calendar of Events section for additional information)

Basis: The Department of Social Services proposes to repeal 22 VAC 40-830-10 et seq., State Income Tax Intercept for Child Support. The statutory authority for repealing this regulation is found in § 63.1-25 of the Code of Virginia.

Purpose: The proposed repeal of this regulation was originally submitted to the Secretary of Health and Human Resources and the Department of Planning and Budget in June of 1996. However, the repeal was not acted on and the agency never received approval to proceed. This is a resubmission of that original package. The department seeks to repeal this obsolete regulation that was replaced by the promulgation of 22 VAC 40-880-10 et seq., the Child Support Enforcement Program, in 1992. Continuing this regulation will result in wasteful and inefficient administration of state government. Accordingly, its repeal will serve the public's welfare.

Substance: The regulation provides that money collected through the Setoff Debt Collection Act for overdue support payments shall satisfy a debt owed to the Commonwealth for public assistance paid before satisfying any other arrearage owed.

Issues: There are no disadvantages to the public or agency in repealing this regulation. The repeal of this regulation will clarify the regulatory program of the department and eliminate any confusion created by having multiple regulations addressing the same issue.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 9-6.14:7.1 G of the Administrative Process Act and Executive Order Number 25 (98). Section 9-6.14:7.1 G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic affects.

Summary of the proposed regulatory action. The proposed action would repeal the regulation State Income Tax Intercept for Child Support (22 VAC 40-830-10 et seq., formerly VR 615-70-01). The reason for this repeal is that the substance of this regulation has been incorporated into another DSS regulation (see 22 VAC 40-880).

Estimated economic impact. Because the provisions of this regulation have been incorporated into another regulation and will remain in force, it is anticipated that the proposed repeal will have no economic impact.

Businesses and entities particularly affected. No businesses or other entities are particularly affected by the proposed regulatory action.

Localities particularly affected. No localities are particularly affected by the proposed regulatory action.

Projected impact on employment. The proposed regulatory action is not anticipated to have an effect on employment.

Effects on the use and value of private property. The proposed regulatory action is not anticipated to have a significant effect on the use and value of private property.

Summary of analysis. DPB anticipates that the proposed regulatory action will have no economic impact.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Department of Social Services agrees with the economic impact analysis completed by the Department of Planning and Budget on August 1, 1998.

Summary:

The Department of Social Services seeks to repeal 22 VAC 40-830-10 et seq., State Income Tax Intercept. This chapter provides that money the department receives through the Setoff Debt Collection Act, Article 21 (§ 58.1-520 et seq.) of Chapter 3 of Title 58.1 of the Code of Virginia, for overdue support payments shall satisfy a debt owed to the Commonwealth for public assistance paid before satisfying any other arrearage owed. This regulation was made obsolete by the promulgation of 22 VAC 40-880-10 et seq. in 1992. Specifically, the provision is currently found in 22 VAC 40-880-380, Tax intercept.

VA.R. Doc. No. R97-146; Filed October 1, 1998, 9:03 a.m.

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Title of Regulation: **22 VAC 40-840-10 et seq. Application Fee Scale (REPEALING).**

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

Public Hearing Date: N/A - Public comments may be submitted until December 25, 1998.

(See Calendar of Events section for additional information)

Basis: The Department of Social Services proposes to repeal 22 VAC 40-840-10 et seq., Application Fee Scale. The statutory authority for repealing this regulation is found in § 63.1-25 of the Code of Virginia.

Purpose: The proposed repeal of this regulation was originally submitted to the Secretary of Health and Human Resources and the Department of Planning and Budget in June of 1996. However, the repeal was not acted on and the agency never received approval to proceed. This is a resubmission of that original package. The department seeks to repeal this obsolete regulation that was replaced by the promulgation of 22 VAC 40-880-10 et seq., the Child Support Enforcement Program, in 1992. Continuing this regulation will result in wasteful and inefficient administration of state government. Accordingly, its repeal will serve the public's welfare.

Substance: The regulation sets forth a fee schedule, or sliding scale, by which an applicant is charged in order to receive child support enforcement services. Charges on this fee schedule are based on an applicant's income.

Issues: There are no disadvantages to the public or agency in repealing this regulation. The repeal of this regulation will clarify the regulatory program of the department and eliminate any confusion created by having multiple regulations addressing the same issue.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 9-6.14:7.1 G of the Administrative Process Act and Executive Order Number 25 (98). Section 9-6.14:7.1 G requires that such economic

Proposed Regulations

impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic affects.

Summary of the proposed regulatory action. The proposed action would repeal the regulation Application Fee Scale (22 VAC 40-840-10 et seq., formerly VR 615-70-02). The reason for this repeal is that the substance of this regulation has been incorporated into another DSS regulation (see 22 VAC 40-880).

Estimated economic impact. Because the provisions of this regulation have been incorporated into another regulation and will remain in force, it is anticipated that the proposed repeal will have no economic impact.

Businesses and entities particularly affected. No businesses or other entities are particularly affected by the proposed regulatory action.

Localities particularly affected. No localities are particularly affected by the proposed regulatory action.

Projected impact on employment. The proposed regulatory action is not anticipated to have an effect on employment.

Effects on the use and value of private property. The proposed regulatory action is not anticipated to have a significant effect on the use and value of private property.

Summary of analysis. DPB anticipates that the proposed regulatory action will have no economic impact.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Department of Social Services agrees with the economic impact analysis completed by the Department of Planning and Budget on August 1, 1998.

Summary:

The Department of Social Services seeks to repeal 22 VAC 40-840-10 et seq., Application Fee Scale. This chapter sets forth a fee schedule, or sliding scale, by which an applicant is charged in order to receive child support enforcement services. Charges on this fee schedule are based on the applicant's income. This regulation was made obsolete by the promulgation of 22 VAC 40-880-10 et seq. in 1992. Specifically, 22 VAC 40-880-70, Application fees, addresses the issue of fees.

VA.R. Doc. No. R97-145; Filed October 1, 1998, 9:04 a.m.

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Title of Regulation: 22 VAC 40-850-10 et seq. **Separate Fee Charged for Child Support Enforcement Services (REPEALING).**

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

Public Hearing Date: N/A - Public comments may be submitted until December 25, 1998.

(See Calendar of Events section for additional information)

Basis: The Department of Social Services proposes to repeal 22 VAC 40-850-10 et seq., Separate Fee Charged for Child Support Enforcement Services. The statutory authority for repealing this regulation is found in § 63.1-25 of the Code of Virginia.

Purpose: The proposed repeal of this regulation was originally submitted to the Secretary of Health and Human Resources and the Department of Planning and Budget in June of 1996. However, the repeal was not acted on and the agency never received approval to proceed. This is a resubmission of that original package. The department seeks to repeal this obsolete regulation that was replaced by the promulgation of 22 VAC 40-880-10 et seq., the Child Support Enforcement Program, in 1992. Continuing this regulation will result in wasteful and inefficient administration of state government. Accordingly, its repeal will serve the public's welfare.

Substance: The regulation limits separate charges for child support enforcement services to fees charged for blood testing.

Issues: There are no disadvantages to the public or agency in repealing this regulation. The repeal of this regulation will clarify the regulatory program of the department and eliminate any confusion created by having multiple regulations addressing the same issue.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 9-6.14:7.1 G of the Administrative Process Act and Executive Order Number 25 (98). Section 9-6.14:7.1 G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic affects.

Summary of the proposed regulatory action. The proposed action would repeal the regulation Separate Fee Charged for Child Support Enforcement Services (22 VAC 40-850-10 et seq., formerly VR 615-70-03). The reason for this repeal is

that the substance of this regulation has been incorporated into another DSS regulation (see 22 VAC 40-880).

Estimated economic impact. Because the provisions of this regulation have been incorporated into another regulation and will remain in force, it is anticipated that the proposed repeal will have no economic impact.

Businesses and entities particularly affected. No businesses or other entities are particularly affected by the proposed regulatory action.

Localities particularly affected. No localities are particularly affected by the proposed regulatory action.

Projected impact on employment. The proposed regulatory action is not anticipated to have an effect on employment.

Effects on the use and value of private property. The proposed regulatory action is not anticipated to have a significant effect on the use and value of private property.

Summary of analysis. DPB anticipates that the proposed regulatory action will have no economic impact.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Department of Social Services agrees with the economic impact analysis completed by the Department of Planning and Budget on August 1, 1998.

Summary:

The Department of Social Services seeks to repeal 22 VAC 40-850-10 et seq., Separate Fee Charged for Child Support Enforcement Services. This chapter limits separate charges for child support enforcement services to fees charged for blood testing. This regulation was made obsolete by the promulgation of 22 VAC 40-880-10 et seq. in 1992. Specifically, the provision is currently found in 22 VAC 40-880-680, Recovery of fees. Current child support enforcement regulation allows the department to assess fees for attorney and intercept program costs in addition to those charged for genetic blood testing.

VA.R. Doc. No. R97-148; Filed October 1, 1998, 9:04 a.m.

Title of Regulation: **22 VAC 40-860-10 et seq. Policy of the Department of Social Services Division of Child Support Enforcement (REPEALING).**

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

Public Hearing Date: N/A - Public comments may be submitted until December 25, 1998.

(See Calendar of Events section for additional information)

Basis: The Department of Social Services proposes to repeal 22 VAC 40-860-10 et seq., Policy of the Department of Social Services Division of Child Support Enforcement.

The statutory authority for repealing this regulation is found in § 63.1-25 of the Code of Virginia.

Purpose: The proposed repeal of this regulation was originally submitted to the Secretary of Health and Human Resources and the Department of Planning and Budget in June of 1996. However, the repeal was not acted on and the agency never received approval to proceed. This is a resubmission of that original package. The department seeks to repeal this obsolete regulation that was replaced by the promulgation of 22 VAC 40-880-10 et seq., the Child Support Enforcement Program, in 1992. Continuing this regulation will result in wasteful and inefficient administration of state government. Accordingly, its repeal will serve the public's welfare.

Substance: The regulation reflects the requirements of state law and is duplicated in the Department of Social Services' Child Support Enforcement Manual of Policy and Procedures.

22 VAC 40-860-30, Obligation established by administrative process when there is no court order, describes how the absent parent's income and resources are evaluated in determining a support obligation and the use of a financial statement in this process. Also described is the debt owed to the state. See current child support enforcement program regulation, 22 VAC 40-880-170, Establishment.

22 VAC 40-860-40, Enforcing the obligation, describes the administrative enforcement remedies of mandatory withholding of earnings; administrative wage assignment; liens; orders to withhold and deliver; foreclosure; distraint, seizure and sale; and 22 VAC 40-860-50 describes the state tax set off. See current child support enforcement program regulation, 22 VAC 40-880-260, Enforcement.

22 VAC 40-860-70, Appeal from a notice and finding, describes the administrative appeal process for the Notice and Finding of Financial Responsibility. The Notice and Finding of Financial Responsibility legally establishes an administrative support obligation. See current child support enforcement program regulation, 22 VAC 40-880-420, Appeals.

22 VAC 40-860-80, Appeal from a notice of mandatory withholding of earnings, describes the administrative appeal process for the mandatory withholding of earnings. See current child support enforcement program regulation, 22 VAC 40-880-420, Appeals.

22 VAC 40-860-90, Appeal from state tax intercept notification letter, describes the administrative appeal process for the state tax set off. See current child support enforcement program regulation, 22 VAC 40-880-420, Appeals.

Issues: There are no disadvantages to the public or the agency in repealing this regulation. The repeal of this regulation will clarify the regulatory program of the department and eliminate any confusion created by having multiple regulations addressing the same issue.

Proposed Regulations

Department of Planning and Budget's Economic Impact

Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 9-6.14:7.1 G of the Administrative Process Act and Executive Order Number 25 (98). Section 9-6.14:7.1 G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic affects.

Summary of the proposed regulatory action. The proposed action would repeal the regulation Policy of the Department of Social Services Division of Child Support Enforcement (22 VAC 40-860-10 et seq., formerly VR 615-70-04). The reason for this repeal is that the substance of this regulation has been incorporated into another DSS regulation (see 22 VAC 40-880).

Estimated economic impact. Because the provisions of this regulation have largely been incorporated into another regulation and will remain in force, it is anticipated that the proposed repeal will have no economic impact.

Businesses and entities particularly affected. No businesses or other entities are particularly affected by the proposed regulatory action.

Localities particularly affected. No localities are particularly affected by the proposed regulatory action.

Projected impact on employment. The proposed regulatory action is not anticipated to have an effect on employment.

Effects on the use and value of private property. The proposed regulatory action is not anticipated to have a significant effect on the use and value of private property.

Summary of analysis. DPB anticipates that the proposed regulatory action will have no economic impact.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Department of Social Services agrees with the economic impact analysis completed by the Department of Planning and Budget on August 1, 1998.

Summary:

The Department of Social Services seeks to repeal 22 VAC 40-860-10 et seq., Policy of the Department of Social Services Division of Child Support Enforcement. This regulation was made obsolete by the promulgation of 22 VAC 40-880-10 et seq. in 1992. The regulation reflects the requirements of state law and is duplicated in the Department of Social Services' Child Support Enforcement Manual of Policy and Procedures.

VA.R. Doc. No. R97-149; Filed October 6, 1998, 1:10 p.m.

Title of Regulation: 22 VAC 40-870-10 et seq. **Credit Bureau Reporting (REPEALING).**

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

Public Hearing Date: N/A -- Public comments may be submitted until December 25, 1998.

(See Calendar of Events section for additional information)

Basis: The Department of Social Services proposes to repeal 22 VAC 40-870-10 et seq., Credit Bureau Reporting. The statutory authority for repealing this regulation is found in § 63.1-25 of the Code of Virginia.

Purpose: The proposed repeal of this regulation was originally submitted to the Secretary of Health and Human Resources and the Department of Planning and Budget in June of 1996. However, the repeal was not acted on and the agency never received approval to proceed. This is a resubmission of that original package. The department seeks to repeal this obsolete regulation that was replaced by the promulgation of 22 VAC 40-880-10 et seq., Child Support Enforcement Program, in 1992. Continuing this regulation will result in wasteful and inefficient administration of state government. Accordingly, its repeal will serve the public's welfare.

Substance: The regulation provides that, upon request, the Department of Social Services' Division of Child Support Enforcement shall furnish support payment arrearage information on a named responsible person (RP) to consumer credit bureaus and consumer reporting agencies, provided the arrearage is at least \$1,000.

Issues: There are no disadvantages to the public or the agency in repealing this regulation. The repeal of this regulation will clarify the regulatory program of the department and eliminate any confusion created by having multiple regulations addressing the same issue.

Department of Planning and Budget's Economic Impact

Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 9-6.14:7.1 G of the Administrative Process Act and Executive Order Number 25 (98). Section 9-6.14:7.1 G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic affects.

Summary of the proposed regulatory action. The proposed action would repeal the regulation Credit Bureau Reporting (22 VAC 40-870-10 et seq., formerly VR 615-70-06). The reason for this repeal is that the substance of this regulation

has been incorporated into another DSS regulation (see 22 VAC 40-880).

Estimated economic impact. Because the provisions of this regulation have been incorporated into another regulation and will remain in force, it is anticipated that the proposed repeal will have no economic impact.

Businesses and entities particularly affected. No businesses or other entities are particularly affected by the proposed regulatory action.

Localities particularly affected. No localities are particularly affected by the proposed regulatory action.

Projected impact on employment. The proposed regulatory action is not anticipated to have an effect on employment.

Effects on the use and value of private property. The proposed regulatory action is not anticipated to have a significant effect on the use and value of private property.

Summary of analysis. DPB anticipates that the proposed regulatory action will have no economic impact.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Department of Social Services agrees with the economic impact analysis completed by the Department of Planning and Budget on August 1, 1998.

Summary:

The Department of Social Services seeks to repeal 22 VAC 40-870-10 et seq., Credit Bureau Reporting. This chapter provides that, upon request, the Department of Social Services' Division of Child Support Enforcement shall furnish support payment arrearage information on a named responsible person to consumer credit bureaus and consumer reporting agencies provided the arrearage is at least \$1,000. Advance notice shall be sent to the responsible person of the proposed release of arrearage information. This notice shall include information on the procedures available to the responsible person for contesting the accuracy of the arrearage information. This regulation was made obsolete by the promulgation of 22 VAC 40-880-10 et seq. in 1992. Specifically, the provision is currently found in 22 VAC 40-880-520, Agencies to whom the department releases information.

VA.R. Doc. No. R97-147; Filed September 30, 1998, 11:36 a.m.



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 change from the proposed text of the regulation.

TITLE 4. CONSERVATION AND NATURAL RESOURCES

MARINE RESOURCES COMMISSION

REGISTRAR'S NOTICE: The following regulations filed by the Marine Resources Commission are exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 F of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: 4 VAC 20-260-10 et seq. Pertaining to the Culling of Oysters (amending 4 VAC 20-260-30 and 4 VAC 20-260-40).

Statutory Authority: §§ 28.2-201 and 28.2-507 of the Code of Virginia.

Effective Date: October 1, 1998.

Summary:

The amendments (i) allow for the harvest of three-inch or larger oysters from the James River seed area for direct market; (ii) establish a culling tolerance of four quarts of shell or undersized oysters per bushel of oysters harvested for direct market from the James River seed area; and (iii) establish a 2½-inch minimum cull size for oysters harvested from two areas in the Rappahannock River known as Carter's and Russ' Rocks.

Agency Contact: Copies of the regulation may be obtained from K.V. Leonard, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2120.

4 VAC 20-260-30. Minimum cull size.

In order to encourage a continued supply of marketable oysters, minimum size limits are hereby established. Undersized oysters and/or shells shall be returned immediately to their natural beds, rocks, or shoals where taken. When small oysters are adhering so closely to the shell of the marketable oyster as to render removal impossible without destroying the young oyster, then it shall not be necessary to remove it. Allowances for undersized oysters and shells incidentally retained during culling are found in 4 VAC 20-260-40 of this chapter.

1. Oysters taken from clean cull areas shall not have shells less than three inches in length.
2. In the James River seed area areas, there shall be no size limit on oysters harvested for replanting as seed oysters and seed oysters shall not be marketed for direct consumption.

3. *In the James River seed areas, the shells of oysters harvested for direct consumption shall not be less than three inches in length.*

~~3.~~ 4. On the seaside of Eastern Shore seed area, the shells of oysters marketed for direct consumption shall not be less than three inches in length. (Oysters marketed as seed oysters shall have no size limit.)

5. *In the Rappahannock River, the shells of oysters harvested for direct consumption from the areas known as Russ' Rock and Carter's Rock shall not be less than 2½ inches in length.*

4 VAC 20-260-40. Culling tolerances or standards.

A. In the clean cull areas, if more than one four-quart measure of undersized oysters or shells is found per bushel inspected it shall constitute a violation of this chapter.

B. In the James River seed areas, if more than one six-quart measure of shells is found per bushel of seed oysters inspected, it shall constitute a violation of this chapter.

C. *In the James River seed areas, if more than one four-quart measure of undersized oysters or shells are found per bushel of clean cull oysters inspected, it shall constitute a violation of this chapter.*

~~C.~~ D. On the seaside of Eastern Shore seed areas, if more than one four-quart measure of undersized (less than three inches) oysters and shell is found per bushel of oysters to be marketed for direct consumption, it shall constitute a violation of this chapter.

V.A.R. Doc. No. R99-32; Filed September 30, 1998, 10:20 a.m.

* * * * *

Title of Regulation: 4 VAC 20-720-10 et seq. Pertaining to Restrictions on Oyster Harvests (amending 4 VAC 20-720-40, 4 VAC 20-720-50, 4 VAC 20-720-60, 4 VAC 20-720-70, 4 VAC 20-720-80 and 4 VAC 20-720-90).

Statutory Authority: §§ 28.2-201 and 28.2-507 of the Code of Virginia.

Effective Date: October 1, 1998.

Summary:

The amendments establish a public oyster harvest season for 1998-1999 for the Chesapeake Bay and its tributaries, the Potomac River tributaries, and the Seaside of Eastern Shore. Also included in this regulation are harvest quotas, bushel catch limits, gear restrictions, time limits, and limits area of harvest as described in the regulation.

Agency Contact: Copies of the regulation may be obtained from K.V. Leonard, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2120.

4 VAC 20-720-40. Open season and areas.

The lawful seasons and areas for the harvest of oysters from the public oyster grounds and unassigned grounds are as follows:

1. James River Seed Area: October 1, ~~1997~~ 1998, through April 30, ~~1998~~ 1999.
2. James River Jail Island and Point of Shoals Clean Cull Areas: October 1, ~~1997~~ 1998, through April 30, ~~1998~~ 1999.
3. Seaside of Eastern Shore: for clean cull oysters only, November 1, ~~1997~~ 1998, through January 31, ~~1998~~ 1999.
4. The area of the Rappahannock River west of the Route 3 bridge, including the Corrotoman River: November 1, ~~1997~~ 1998, through January 31, ~~1998~~ 1999.
5. That area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland State Line (Nomini-PRV6A to PRV6B; Lower Machodoc PRV5A to PRV5C): November 1, ~~1997~~ 1998, through January 31, ~~1998~~ 1999.
6. *That area of the Coan River to the Virginia-Maryland state line (PRV1A to PRV1B) except for that area above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur): November 1, 1998, through January 31, 1999.*
7. *That area of the Yeocomico River inside Public Grounds 107, 112 and 113: November 1, 1998, through January 31, 1999.*

4 VAC 20-720-50. Closed harvest season and areas.

It shall be unlawful for any person to harvest oysters from the following areas during the specified periods:

1. All public oyster grounds and unassigned grounds in the Chesapeake Bay and its tributaries, including the tributaries of the Potomac River, except that area of the Rappahannock River west of the Route 3 bridge, including the Corrotoman River, and that area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland State Line (Nomini PRV6A to PRV6B; Lower Machodoc PRV5A to PRV5C), *that area of the Coan River to the Virginia-Maryland state line (Coan PRV1A to PRV1B) except for above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur), and that area of the Yeocomico River inside Public Grounds 107, 112 and 113, the James River Seed Area and the James River Jail Island and Point of Shoals Clean Cull Areas: October 1, ~~1997~~ 1998, through September 30, ~~1998~~ 1999.*

2. James River Seed Area and James River Jail Island and Point of Shoals Clean Cull Areas: May 1, ~~1998~~ 1999, through September 30, ~~1998~~ 1999.

3. All public oyster grounds and unassigned grounds on the Seaside of Eastern Shore: for clean cull oysters, October 1 through October 31, ~~1997~~ 1998, and February 1, ~~1998~~ 1999, through September 30, ~~1998~~ 1999; and for seed oysters, all year. Oyster harvest from leased oyster ground and fee simple oyster ground shall require a permit from the Marine Resources Commission as set forth in 4 VAC 20-720-90.

4. That area of the Rappahannock River west of the Route 3 bridge, including the Corrotoman River, and that area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line (Nomini PRV6A to PRV6B; Lower Machodoc PRV5A to PRV5C), *that area of the Coan River to the Virginia-Maryland state line (Coan PRV1A to PRV1B) except for above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur), and that area of the Yeocomico River inside Public Grounds 107, 112 and 113: October 1 through October 31, ~~1997~~ 1998, and February 1, ~~1998~~ 1999, through September 30, ~~1998~~ 1999.*

4 VAC 20-720-60. Day and time limit.

A. It shall be unlawful to take, catch or harvest oysters on Saturday and Sunday from the public oyster grounds or unassigned grounds in the waters of the Commonwealth of Virginia, except that this provision shall not apply to any person harvesting no more than one bushel per day by hand for household use only during the season when the public oyster grounds or unassigned grounds are legally open for harvest. The presence of any gear normally associated with the harvesting of oysters on board the boat or other vehicle used during any harvesting under this exception shall be prima facie evidence of violation of this chapter.

B. Harvest on the public oyster grounds in that area of the Rappahannock River west of the Route 3 bridge, including the Corrotoman River, and that area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line (Nomini PRV6A to PRV6B; Lower Machodoc PRV5A to PRV5C), *that area of the Coan River to the Virginia-Maryland state line (Coan PRV1A to PRV1B) except for above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur), and that area of the Yeocomico River inside Public Grounds 107, 112 and 113, the James River Seed Area and the James River Jail Island and Point of Shoals Clean Cull Areas shall be from sunrise to 2 p.m. daily. It shall be unlawful for any person to harvest oysters from the public grounds in that area of the Rappahannock River west of the Route 3 bridge, including the Corrotoman River, and that area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line (Nomini PRV6A to PRV6B; Lower Machodoc PRV5A to PRV5C), that area of the Coan River to the Virginia-Maryland state line (Coan PRV1A to PRV1B) except for above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur), and that area of the Yeocomico River inside Public*

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Grounds 107, 112 and 113, the James River Seed Area or the Jail Island and Point of Shoals Clean Cull Areas prior to sunrise or after 2 p.m. daily.

C. The Commissioner of Marine Resources is hereby authorized to issue permits to applicants to dredge for oysters where permitted by the Code of Virginia and Marine Resources Commission regulation or order, provided the applicant is eligible under all applicable laws and regulations, and further provided that such permit shall be granted only upon the condition that the boat not leave the dock until one-half hour before sunrise and be back at dock before sunset.

4 VAC 20-720-70. Gear restrictions.

It shall be unlawful for any person to harvest oysters from public oyster grounds or unassigned grounds in the James River, that area of the Rappahannock River west of the Route 3 bridge, including the Corrotoman River, and that area of the Nomini and Lower Machodoc Rivers to the Virginia-Maryland state line (Nomini PRV6A to PRV6B; Lower Machodoc PRV5A to PRV5C) and that area of the Coan River to the Virginia-Maryland state line (Coan PRV1A to PRV1B) except for above a line from Walnut Point (Survey Station Walnut) to Stephens Point (Survey Station Arthur), and that area of the Yeocomico River inside Public Grounds 107, 112 and 113 with shaft tongs longer than 18 feet in total overall length, except shaft tongs may exceed 18 feet in total overall length from Morattico Bar to the Route 3 bridge in the Rappahannock River.

4 VAC 20-720-80. Quotas and catch limits.

A. In the James River Seed Areas there shall be an oyster harvest quota of 80,000 bushels of seed oysters. It shall be unlawful for any person to harvest seed oysters from the James River Seed Area after the 80,000 bushel quota has been reached. *In the James River Seed and Clean Cull areas there shall be an oyster harvest quota of 10,000 bushels of market oysters. It shall be unlawful for any person to harvest market oysters from the James River Seed and Clean Cull areas after the 10,000 bushel quota has been reached.*

B. In the Rappahannock River west of the Route 3 bridge, including the Corrotoman River, and in the Nomini, Lower Machodoc, Coan and Yeocomico Rivers, there shall be a six-bushel per person daily limit of clean cull oysters. It shall be unlawful to possess more than six bushels of clean cull oysters per person in the Rappahannock River west of the Route 3 bridge, including the Corrotoman River and in the Nomini, Lower Machodoc, Coan and Yeocomico Rivers.

4 VAC 20-720-90. Harvest permit required.

A. It shall be unlawful for any person to harvest, or attempt to harvest, oysters from leased oyster grounds or fee simple ground on the Seaside of Eastern Shore without first obtaining a permit from the Marine Resources Commission.

B. Applicants for the permit shall have paid all rent fees and shall specify the location of the lease or fee simple ground to be harvested and shall verify that the ground is

properly marked properly as specified by 4 VAC 20-290-10 et seq.

C. No person shall hold more than four permits at any time.

VA.R. Doc. No. R99-31; Filed September 30, 1998, 10:19 a.m.

TITLE 9. ENVIRONMENT

STATE WATER CONTROL BOARD

REGISTRAR'S NOTICE: The State Water Control Board has claimed an exemption from the Administrative Process Act in accordance with § 9-6.14:4.1 C 4 (a) of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved. The State Water Control Board will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: 9 VAC 25-192-10 et seq. Virginia Pollution Abatement General Permit for Confined Animal Feeding Operations (amending 9 VAC 25-192-40, 9 VAC 25-192-50, 9 VAC 25-192-60 and 9 VAC 25-192-70).

Statutory Authority: § 62.1-44.15 (10) of the Code of Virginia.

Effective Date: December 1, 1998.

Summary:

The VPA general permit for confined animal feeding operations is mandated by § 62.1-44.17:1 of the Code of Virginia. It was adopted as a regulation by the State Water Control Board in September 1994 and became effective November 16, 1994. The general permit regulation follows the requirements of the state code very closely. It is applicable only to the management of animal wastes at confined animal feeding operations having 300 or more animal units and utilizing a liquid manure collection and storage system. The general permit regulation establishes requirements for registering under the general permit and requirements for the design and operation of the confined animal feeding operations.

Section 62.1-44.17:1 was amended by the 1998 General Assembly (Chapters 805 and 863, 1998 Acts) to add new requirements to the general permit. Through this rulemaking, the State Water Control Board is modifying the general permit regulation strictly for the purpose of making it conform to the requirements of state law. These amendments to the regulation are made without agency discretion under § 9-6.14:4.1 C 4 (a) of the Administrative Process Act. The General Assembly changed the law that mandates the general permit by adding the following requirements: (i) farmers who want

to be covered under the general permit must first certify that they have notified all owners or residents of adjoining property that the farmer is seeking coverage; (ii) farmers must now submit a copy of their nutrient management plan with their application; (iii) once every three years all farm operators who are covered under the general permit must complete a training course offered through the Department of Conservation and Recreation; (iv) waste storage lagoons may no longer be located within a 100-year floodplain; (v) the siting, design and construction of the waste storage lagoon must be certified as meeting the permit requirements, whereas in the past only the lagoon liner material had to be certified; (vi) the Nutrient Management Plan must now address waste (manure) utilization in the event the operation is closed down; (vii) the permittee must now notify DEQ at least 14 days prior to bringing animals into a new animal feeding operation; and (viii) all records of monitoring or other activities associated with the general permit requirements must be kept for five years instead of the two years previously mandated. Also, the local government notification section is being amended to reflect earlier changes to the law that made the reference to § 62.1-44.15:3 obsolete. The new reference to Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2 of the Code of Virginia makes the requirement consistent with the current statute.

Summary of Public Comment and Agency Response: A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the Office of the Registrar of Regulations.

Agency Contact: Copies of the regulation may be obtained from Richard Ayers, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4075.

9 VAC 25-192-40. Effective date of the permit.

This general permit will become effective on November 16, 1994. *This general permit was modified to comply with Chapters 805 and 863 of the 1998 Acts of the General Assembly. The effective date of the modification is December 1, 1998.* This general permit will expire 10 years from the effective date. Any covered owner is authorized to manage pollutants, that are not point source discharges to state waters, under this general permit upon compliance with all the provisions of 9 VAC 25-192-50 and 9 VAC 25-192-60 and the receipt of this general permit.

9 VAC 25-192-50. Authorization to manage pollutants.

Any owner governed by this general permit is hereby authorized to manage pollutants at confined animal feeding operations provided that the owner files the registration statement of 9 VAC 25-192-60, complies with the requirements of 9 VAC 25-192-70, and provided that:

1. The owner shall not have been required to obtain an individual permit as may be required in the Permit Regulation. Currently permitted operations may submit a registration statement for operation under the general

permit and be authorized under this general permit provided that the criteria of the general permit are met.

2. The operation of the facilities of the owner shall not contravene the Water Quality Standards, as amended and adopted by the board, or any provision of the State Water Control Law. There shall be no point source discharge of wastewater except in the case of a storm event greater than the 25-year, 24-hour storm. Domestic sewage or industrial waste shall not be managed under this general permit.

3. The owner of any proposed pollutant management activities or those which have not previously been issued a valid Virginia Pollution Abatement (VPA) permit or Industrial Waste-No Discharge (IW-ND) Certificate must attach to the registration statement ~~the~~ a notification from the governing body of the county, city or town ~~required by § 62.1-44.15:3 where the operation is located that the operation is consistent with all ordinances adopted pursuant to Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2 of the Code of Virginia.~~

4. A Nutrient Management Plan (NMP) for the facility must be approved by the Department of Conservation and Recreation (DCR) prior to the submittal of the registration statement. The owner of the pollutant management activities shall attach to the registration statement a copy of the approved Nutrient Management Plan and a copy of the letter from the Department of Conservation and Recreation certifying approval of the Nutrient Management Plan.

5. *The owner shall give notice of the registration statement to all owners or residents of property that adjoins the property on which the confined animal feeding operation will be located. Such notice shall include (i) the types and maximum number of animals which will be maintained at the facility and (ii) the address and phone number of the appropriate department regional office to which comments relevant to the permit may be submitted.*

6. *Each operator of a facility covered by this general permit on July 1, 1999, shall, by January 1, 2000, complete the training program offered or approved by the Department of Conservation and Recreation. Each operator of a facility permitted after July 1, 1999, shall complete such training within one year after the registration statement has been submitted for general permit coverage. Thereafter, all operators shall complete the training program at least once every three years.*

Receipt of this general permit does not relieve any owner of the responsibility to comply with any other applicable federal, state or local statute, ordinance, or regulation.

9 VAC 25-192-60. Registration statement.

The owner shall file a complete VPA General Permit Registration Statement for the management of pollutants at

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confined animal feeding operations in accordance with this chapter.

Any owner proposing a new pollutant management activity shall file a complete registration statement. Any owner with an existing pollutant management activity covered by an individual VPA permit who is proposing to be covered by this general permit shall file a complete registration statement.

The required registration statement shall be in the following form:

COMMONWEALTH of VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY

VIRGINIA POLLUTION ABATEMENT GENERAL PERMIT
REGISTRATION STATEMENT FOR CONFINED ANIMAL
FEEDING OPERATIONS

1. Facility Name: _____
Address: _____
City: _____
State: _____ Zip Code: _____

2. Owner Name: _____
Address: _____
City: _____
State: _____ Zip Code: _____
Phone: _____

3. Operator Name: _____
Address: _____
City: _____
State: _____ Zip Code: _____
Phone: _____
Facility Contact: _____
Phone: _____
Best Time to Contact (day time): _____

4. Does this facility have an existing VPA permit or IW-ND Certificate?
Yes/No
If yes, list the existing VPA Permit Number or IW-ND Certificate Number: _____

5. Indicate the maximum number and average weight of the types of animals which will be maintained at your facility:

Animal Type	Maximum Number	Average Weight
Dairy Cattle	_____	_____
Slaughter and Feeder Cattle	_____	_____
Swine	_____	_____
Other	_____	_____

6. The owner of any proposed pollutant management activities or those which have not previously been issued a valid VPA permit or IW-ND Certificate must attach to the registration statement the notification from the governing body of the county, city or town ~~required by § 62.1-44.15:3~~ where the operation is located that the operation is consistent with all ordinances adopted pursuant to Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2 of the Code of Virginia.

7. The owner of the pollutant management activities must attach to the registration statement a copy of the letter from the Department of Conservation and Recreation certifying approval of the Nutrient Management Plan and a copy of the approved Nutrient Management Plan.

8. Certification: "I certify that notice of the registration statement has been given to all owners or residents of property that adjoins the property on which the confined animal feeding operation will be located. This notice included the types and numbers of animals which will be maintained at the facility and the address and phone number of the appropriate Department of Environmental Quality regional office to which comments relevant to the permit may be submitted. I certify under penalty of law that all the requirements of the board for the general permit are being met and that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

Print Name: _____

Title: _____

Signature: _____

Date: _____

9 VAC 25-192-70. General permit.

Any owner who submits a complete registration statement will receive the following general permit and shall comply with the requirements therein and be subject to the permit regulation.

General Permit No.: ~~VAG000xxx~~ VPG1

Effective Date:

Modification Date:

Expiration Date:

GENERAL PERMIT FOR POLLUTANT MANAGEMENT
ACTIVITIES FOR CONFINED ANIMAL FEEDING
OPERATIONS

AUTHORIZATION TO MANAGE POLLUTANTS UNDER
THE VIRGINIA POLLUTION ABATEMENT PROGRAM AND
THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the State Water Control Law and State Water Control Board regulations adopted pursuant thereto, owners of confined animal feeding operations having 300 or more animal units utilizing a liquid manure collection and storage system are authorized to manage pollutants within the boundaries of the

Commonwealth of Virginia, except where board regulations or policies prohibit such activities.

The authorized pollutant management activities shall be in accordance with the registration statement, supporting data submitted to the Department of Environmental Quality, Water Division, this cover page, Part I, Part II, and Part III, as set forth herein.

Part I.

A. Management and monitoring requirements.

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to manage pollutants at the permitted site.
2. Groundwater monitoring wells shall be installed at new earthen waste storage facilities constructed to an elevation below the seasonal high water table or within one foot of it. Existing wells may be utilized to meet this requirement if properly located and constructed.
3. All facilities previously covered under a VPA permit that required groundwater monitoring shall continue monitoring consistent with the requirements listed below regardless of where they are located relative to the seasonal high water table.
4. In accordance with A 2 and A 3 above, the groundwater shall be monitored by the permittee at the monitoring wells as specified below:

GROUNDWATER MONITORING

PARAMETERS	LIMITATIONS	UNITS	MONITORING REQUIREMENTS	
			Frequency	Sample Type
Static Water Level	NL	ft	1/3 years	Measured
Ammonia Nitrogen	NL	mg/l	1/3 years	Grab
Nitrate Nitrogen	NL	mg/l	1/3 years	Grab
pH	NL	SU	1/3 years	Grab
Conductivity	NL	umhos/cm	1/3 years	Grab

NL = No limit, this is a monitoring requirement only.

5. Soil monitoring shall be performed as specified below along with any additional parameters specified in the approved Nutrient Management Plan.
6. The soils at the facility shall be monitored by the permittee as specified below:

SOILS MONITORING

PARAMETERS	LIMITATIONS	UNITS	MONITORING REQUIREMENTS	
			Frequency	Sample Type

pH	NL	SU	1/3 years	Composite
Phosphorus	NL	ppm	1/3 years	Composite
Potash	NL	ppm	1/3 years	Composite
Calcium	NL	ppm	1/3 years	Composite
Magnesium	NL	ppm	1/3 years	Composite
Nitrate	NL	ppm	1/3 years	Composite

NL = No limit, this is a monitoring requirement only.

7. Soil monitoring should be conducted at a depth of between 0-6 inches. The Nitrate test is required at a soil depth of 0-12 inches on those sites planted in corn or small grains.
8. Waste monitoring shall be performed as specified below along with any additional parameters specified in the approved Nutrient Management Plan.
9. The waste at the facility shall be monitored by the permittee as specified below:

WASTE MONITORING

PARAMETERS	LIMITATIONS	UNITS	MONITORING REQUIREMENTS	
			Frequency	Sample Type
Total Kjeldahl Nitrogen	NL	ppm	1/year	Composite
Ammonia Nitrogen	NL	ppm	1/year	Composite
Total Phosphorus	NL	ppm	1/year	Composite
Total Potassium	NL	ppm	1/year	Composite
Calcium	NL	ppm	1/year	Composite
Magnesium	NL	ppm	1/year	Composite
Moisture Content	NL	%	1/year	Composite

NL = No limit, this is a monitoring requirement only.

10. All monitoring data collected as required by Part I A shall be maintained on site in accordance with Part II C.
11. The following recommendations will assist the permittee in performing proper monitoring. The Department of Environmental Quality may be contacted for additional guidance on monitoring procedures.
 - a. A minimum of one up gradient and one down gradient well should be installed at each new earthen waste storage facility.
 - b. One data set should be collected from each well prior to any waste being placed in the storage facility.
 - c. The static water level should be measured prior to bailing well water for sampling.
 - d. At least three well volumes of groundwater should be withdrawn immediately prior to sampling each monitoring well.

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e. Soil monitoring should be conducted at a depth of between 0-6 inches.

f. The nitrate test should be conducted at a soil depth of 0-12 inches on those sites planted in corn or small grains.

12. The department encourages the permittee to conduct additional monitoring. All additional monitoring, if any, should be conducted under the oversight of the department. If the permittee conducts additional monitoring in response to a written request from another person, the permittee may request that the person making the request bear the cost of the additional monitoring.

B. Other requirements or special conditions.

1. The liquid manure collection and storage facility shall be designed and operated to (i) prevent point source discharges of pollutants to state waters except in the case of a storm event greater than the 25-year, 24-hour storm and (ii) provide adequate waste storage capacity to accommodate periods when the ground is frozen or saturated, periods when land application of nutrients should not occur due to limited or nonexistent crop nutrient uptake, and periods when physical limitations prohibit the land application of waste.

2. New waste storage facilities shall not be located on a 100-year floodplain ~~unless protected from inundation by a 100-year frequency flood event.~~

3. New earthen waste storage facilities shall include a properly designed and installed liner. Such liner shall be either a synthetic liner of at least 20 mils thickness or a compacted soil liner of at least one foot thickness with a maximum permeability rating of 0.0014 inches per hour. ~~Proper installation shall be certified by a liner manufacturer.~~ A *licensed* professional engineer, an employee of the *Soil and Natural Resources Conservation Service* of the United States Department of Agriculture with appropriate engineering approval authority, or an employee of a soil and water conservation district with appropriate engineering approval authority, ~~or other qualified individual and shall certify that the siting, design and construction of the waste storage facility comply with the requirements of this permit. This certification shall be maintained on site.~~

4. At earthen waste storage facilities constructed below the seasonal high water table, the top surface of the waste must be maintained at a level of at least two feet above the water table.

5. All waste storage facilities shall maintain one foot of freeboard at all times, up to and including a 25-year, 24-hour storm.

6. All equipment needed for the proper operation of the permitted facilities shall be maintained in good working order. The manufacturer's operating and maintenance manuals shall be retained for references to allow for

timely maintenance and prompt repair of equipment ~~as~~ *when* appropriate.

7. The "Nutrient Management Plan" (NMP) approved by the Department of Conservation and Recreation (DCR) shall be implemented, *and* maintained on site ~~and made available to department personnel upon request.~~ The NMP shall be enforceable through this permit. The NMP shall contain at a minimum the following information:

a. Site map indicating the location of the waste storage facilities and the fields where waste will be applied;

b. Site evaluation and assessment of soil types and potential productivities;

c. Nutrient management sampling including soil and waste monitoring;

d. Storage and land area requirements;

e. Calculation of waste application rates; ~~and~~

f. Waste application schedules; *and*

g. A plan for waste utilization in the event the operation is discontinued.

8. Buffer zones shall be maintained as follows:

a. Distance from occupied dwellings 200 feet
(unless the occupant of the dwelling signs a waiver of the buffer zone).

b. Distance from water supply wells or springs 100 feet

c. Distance from surface water courses
(by surface application) 50 feet
(by subsurface application) 25 feet

d. Distance from rock outcropping (except limestone) 25 feet

e. Distance from limestone outcroppings 50 feet

f. Waste shall not be applied in such a manner that it would discharge to sinkholes that may exist in the area.

9. Records shall be maintained to demonstrate where and at what rate waste has been applied, that the application schedule has been followed, and what crops have been planted. These records shall be maintained on site for a period of ~~two~~ five years after recorded application is made and shall be made available to department personnel upon request.

10. *The permittee shall notify the department's regional office at least 14 days prior to animals being placed in the confined facility.*

11. *Each operator of a facility covered by this general permit on July 1, 1999, shall, by January 1, 2000, complete the training program offered or approved by the Department of Conservation and Recreation. Each operator of a facility permitted after July 1, 1999, shall complete such training within one year after the*

registration statement has been submitted for general permit coverage. Thereafter, all operators shall complete the training program at least once every three years.

Part II.

A. Sampling and analysis methods.

1. Samples and measurements taken as required by this permit shall be representative of the volume and nature of the monitored activity.
2. Unless otherwise specified in this permit all sample preservation methods, maximum holding times and analysis methods for pollutants shall comply with requirements set forth in Guidelines Establishing Test Procedures for the Analysis of Pollutants (40 CFR 136 (1994)).
3. The sampling and analysis program to demonstrate compliance with the permit shall at a minimum, conform to Part I of this permit.
4. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.

B. Recording of results. For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

1. The date, exact place and time of sampling or measurements;
2. The persons who performed the sampling or measurements;
3. The dates analyses were performed;
4. The persons who performed each analysis;
5. The analytical techniques or methods used; and
6. The results of such analyses and measurements.

C. Records retention. All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed and calibration and maintenance of instrumentation and recording from continuous monitoring instrumentation shall be retained on site for ~~two~~ five years from the date of the sample, measurement or report. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the director.

D. Additional monitoring by permittee. If the permittee monitors any pollutant at the locations designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the project report. Such increased frequency shall also be reported.

E. Reporting requirements.

1. If, for any reason, the permittee does not comply with one or more limitations, standards, monitoring or management requirements specified in this permit, the permittee shall submit to the department at least the following information:

- a. A description and cause of noncompliance;
- b. The period of noncompliance, including exact dates and times or the anticipated time when the noncompliance will cease; and
- c. Actions taken or to be taken to reduce, eliminate, and prevent recurrence of the noncompliance. Whenever such noncompliance may adversely affect state waters or may endanger public health, the permittee shall submit the above required information by oral report within 24 hours from the time the permittee becomes aware of the circumstances and by written report within five days. The director may waive the written report requirement on a case-by-case basis if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

2. The permittee shall report any unpermitted, unusual or extraordinary discharge which enters or could be expected to enter state waters. The permittee shall provide information, specified in Part II ~~E~~ 1 a through c, regarding each such discharge immediately, that is, as quickly as possible upon discovery, however, in no case later than 24 hours. A written submission covering these points shall be provided within five days of the time the permittee becomes aware of the circumstances covered by this paragraph. If the department's regional office cannot be reached, the department maintains a 24-hour telephone service in Richmond (804-527-5200) to which the report required above is to be made.

F. Signatory requirements. Any registration statement or certification required by this permit shall be signed as follows:

1. For a corporation, by a responsible corporate official. For purposes of this section, a responsible corporate official means (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25,000,000 (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. For a municipality, state, federal or other public agency by either a principal executive officer or ranking elected official. (A principal executive officer of a federal, municipal, or state agency includes the chief executive officer of the agency or head executive officer having

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responsibility for the overall operation of a principal geographic unit of the agency.)

3. For a partnership or sole proprietorship, by a general partner or proprietor respectively.

Part III.

A. Change in management of pollutants.

1. All pollutant management activities authorized by this permit shall be made in accordance with the terms and conditions of the permit. The permittee shall submit a new registration statement 30 days prior to all expansions, production increases, or process modifications, that will result in the management of new or increased pollutants. The management of any pollutant at a level greater than that identified and authorized by this permit, shall constitute a violation of the terms and conditions of this permit.

2. The permittee shall promptly provide written notice of the following:

a. Any new introduction of pollutant or pollutants, into treatment works or pollutant management activities which represents a significant increase in the management of pollutant or pollutants which may interfere with, pass through, or otherwise be incompatible with such works or activities, from an establishment or treatment works, if such establishment, treatment works has the potential to discharge pollutants to state waters; and

b. Any substantial change, whether permanent or temporary, in the volume or character of pollutants being introduced into such treatment works by an establishment, treatment works, or pollutant management activity that was introducing pollutants into such treatment works at the time of issuance of the permit.

Such notice shall include information on: (i) the characteristics and quantity of pollutants to be introduced into or from such treatment works or pollutant management activities; (ii) any anticipated impact of such change in the quantity and characteristics of the pollutants to be managed at a pollutant management activity; and (iii) any additional information that may be required by the director.

B. Treatment works operation and quality control.

1. Design and operation of facilities or treatment works and disposal of all wastes shall be in accordance with the registration statement filed with the department. The permittee has the responsibility of designing and operating the facility in a reliable and consistent manner to meet the facility performance requirements in the permit. If facility deficiencies, design or operational, are identified in the future which could affect the facility performance or reliability, it is the responsibility of the permittee to correct such deficiencies.

2. All waste collection, control, treatment, management of pollutant activities and disposal facilities shall be operated in a manner consistent with the following:

a. At all times, all facilities and pollutant management activities shall be operated in a prudent and workmanlike manner.

b. The permittee shall provide an adequate operating staff to carry out the operation, maintenance and testing functions required to ensure compliance with the conditions of this permit.

c. Maintenance of treatment facilities or pollutant management activities shall be carried out in such a manner that the monitoring and limitation requirements are not violated.

d. Collected solids shall be stored and utilized as specified in the approved Nutrient Management Plan in such a manner as to prevent entry of those wastes (or runoff from the wastes) into state waters.

C. Adverse impact. The permittee shall take all feasible steps to minimize any adverse impact to state waters resulting from noncompliance with any limitation or limitations or conditions specified in this permit, and shall perform and report such accelerated or additional monitoring as is necessary to determine the nature and impact of the noncomplying limitation or limitations or conditions.

D. Duty to halt, reduce activity or to mitigate.

1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

2. The permittee shall take all reasonable steps to minimize, correct or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

E. Structural stability. The structural stability of any of the units or parts of the facilities herein permitted is the sole responsibility of the permittee and the failure of such structural units or parts shall not relieve the permittee of the responsibility of complying with all terms and conditions of this permit.

F. Compliance with state law. Compliance with this permit during its term constitutes compliance with the State Water Control Law. Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation.

G. Property rights. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

H. Severability. The provisions of this permit are severable.

I. Duty to reregister. If the permittee wishes to continue to operate under a general permit after the expiration date of this permit, the permittee must submit a new registration statement at least 30 days prior to the expiration date of this permit.

J. Right of entry. The permittee shall allow, or secure necessary authority to allow, authorized state representatives, upon the presentation of credentials:

1. To enter upon the permittee's premises on which the establishment, treatment works, pollutant management activities, or discharge or discharges is located or in which any records are required to be kept under the terms and conditions of this permit;
2. To have access to inspect and copy at reasonable times any records required to be kept under the terms and conditions of this permit;
3. To inspect at reasonable times any monitoring equipment or monitoring method required in this permit;
4. To sample at reasonable times any waste stream, process stream, raw material or by-product; and
5. To inspect at reasonable times any collection, treatment, or pollutant management activities required under this permit. For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging or involved in managing pollutants. Nothing contained here shall make an inspection time unreasonable during an emergency.

K. Transferability of permits. This permit may be transferred to a new owner by a permittee if:

1. The current permittee notifies the department 30 days in advance of the proposed transfer of the title to the facility or property;
2. The notice to the department includes a written agreement between the existing and proposed new permittee containing a specific date of transfer of permit responsibility, coverage and liability between them; and
3. The department does not within the 30-day time period notify the existing permittee and the proposed permittee of the board's intent to modify or revoke and reissue the permit. Such a transferred permit shall, as of the date of the transfer, be as fully effective as if it had been issued directly to the new permittee.

L. Permit modification. The permit may be modified when any of the following developments occur:

1. When a change is made in the promulgated standards or regulations on which the permit was based; or
2. When the level of management of a pollutant, not limited in the permit, exceeds applicable Water Quality Standards or the level which can be achieved by technology-based treatment requirements appropriate to the permittee.

M. Permit termination. After public notice and opportunity for a hearing, the general permit may be terminated for cause.

N. When an individual permit may be required. The director may require any permittee authorized to manage pollutants under this permit to apply for and obtain an individual permit. Cases where an individual permit may be required include, but are not limited to, the following:

1. The pollutant management activities violate the terms or conditions of this permit;
2. When additions or alterations have been made to the affected facility which require the application of permit conditions that differ from those of the existing permit or are absent from it; and
3. When new information becomes available about the operation or pollutant management activities covered by this permit which were not available at permit issuance and would have justified the application of different permit conditions at the time of permit issuance.

This permit may be terminated as to an individual permittee for any of the reasons set forth above after appropriate notice and an opportunity for a hearing.

O. When an individual permit may be requested. Any permittee operating under this permit may request to be excluded from the coverage of this permit by applying for an individual permit. When an individual permit is issued to a permittee the applicability of this general permit to the individual permittee is automatically terminated on the effective date of the individual permit.

P. Civil and criminal liability. Nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance with the terms of this permit.

Q. Oil and hazardous substance liability. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under § 311 of the Clean Water Act or §§ 62.1-44.34:14 through 62.1-44.34:23 of the Code of Virginia.

R. Unauthorized discharge of pollutants. Except in compliance with this permit, it shall be unlawful for any permittee to:

1. Discharge into state waters sewage, industrial wastes, other wastes or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the uses of such waters for domestic or industrial consumption, or for recreation, or for other uses.

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NOTICE: The forms used in administering 9 VAC 25-192-10 et seq., Virginia Pollution Abatement General Permit for Confined Animal Feeding Operations, are listed below. Added forms are reflected in the listing and are published following the listing.

FORMS

Instructions. VPA General Permit Registration Statement for Confined Animal Feeding Operations (eff. 11/94).

Virginia Pollution Abatement General Permit Registration Statement for Confined Animal Feeding Operations (eff. 11/94).

Local Government Ordinance Form (eff. 11/94).

COMMONWEALTH of VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
VIRGINIA POLLUTION ABATEMENT GENERAL PERMIT REGISTRATION STATEMENT
FOR CONFINED ANIMAL FEEDING OPERATIONS

INSTRUCTIONS
VPA GENERAL PERMIT REGISTRATION STATEMENT FOR
CONFINED ANIMAL FEEDING OPERATIONS

General
A VPA General Permit Registration Statement must be submitted when an owner makes application to the Department of Environmental Quality for coverage under the VPA General Permit for Confined Animal Feeding Operations.

Section 1 Facility Information
Give the name of the animal feeding operation and enter its complete mailing address.

Section 2 Owner Information
Give the legal name of the person, firm, public organization, or any other entity that owns the facility or site described in this registration statement. The address of the owner may or may not be the same as the address of the facility. If they are the same, write "SAME AS ABOVE" in the appropriate spaces. Please include the owner's telephone number.

Section 3 Operator Information
Give the operator's name, mailing address and phone number. If these are the same as the owner information, write "SAME AS ABOVE" in the appropriate spaces. The operator is the person who manages daily activities at the site. Please also provide the name of a contact person, their phone number and the best time to make contact with them during regular working hours.

Section 4 Existing Permit Numbers
List the number of any expiring or currently effective permits issued to the animal feeding operation under the VPA permit program or the IW-ND certificate program.

Section 5 Animal Information
Indicate the maximum number and average weights of animals in each category that the operation will have at any one time.

Section 6 Local Government Ordinance Form (LOGOF)
Every animal feeding operation seeking coverage under the general permit must provide notification that the operation is not in conflict with the local ordinance. The notification should be made to the Local Government Ordinance Form (LOGOF) which was provided with the Registration Statement and it must be signed by either the County Administrator, the City/Town Manager, or the Mayor. If the operation is not in conflict with the local ordinance, the LOGOF must bear an original signature in ink, photocopies are not acceptable. Operations which have previously been issued a VPA permit are not required to submit the LOGOF because this issue was resolved during the earlier permit/certificate issuance. All operations which are applying for a permit for the first time must attach the LOGOF to the Registration Statement.

Section 7 Nutrient Management Plan (NMP)
State law requires that every animal feeding operation seeking coverage under the VPA general permit have a Nutrient Management Plan. A copy of the operation's Nutrient Management Plan and a copy of the letter from the Virginia Department of Conservation and Recreation approving the operation's NMP must be attached to the Registration Statement.

Section 8 Certification
The Certification must bear an original signature in ink, photocopies are not acceptable. State statutes provide for severe penalties for submitting false information on this Registration Statement. State regulations require this Registration Statement to be signed as follows:
For a corporation: by a responsible corporate officer, which means: (i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1990 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
For a partnership or sole proprietorship: by a general partner or the proprietor; or
For a municipality, state, Federal, or other public facility: by either a principal executive officer or ranking elected official.

1. Facility Name: _____ City: _____ State: _____ Zip Code: _____
Address: _____
2. Owner Name: _____ City: _____ State: _____ Zip Code: _____
Address: _____
Phone: _____
3. Operator Name: _____ City: _____ State: _____ Zip Code: _____
Address: _____
Phone: _____
Facility Contact: _____
4. Does this facility have an existing VPA permit or IW-ND Certificate? Yes _____ No _____
If yes, list the existing VPA Permit Number or IW-ND Certificate Number: _____
Indicate the maximum number and average weight of the type(s) of animal which will be maintained at your facility:

Animal Type	Maximum Number	Average Weight
Dairy Cattle	_____	_____
Slaughter and Feeder Cattle	_____	_____
Swine	_____	_____
Other	_____	_____

6. The owner of any proposed pollutant management activities or those which have not previously been issued a valid VPA permit or IW-ND Certificate must attach to the Registration Statement the notification from the governing body of the county, city or town where the operation is located that the operation is consistent with all ordinances adopted pursuant to Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2 of the Code of Virginia.

7. The owner of the pollutant management activities must attach to the Registration Statement a copy of the letter from the Department of Conservation and Recreation certifying approval of the Nutrient Management Plan and a copy of the approved Nutrient Management Plan.

8. **Certification:**
"I certify that notice of the registration statement has been given to all owners or residents of property that adjoins the property on which the confined animal feeding operation will be located. This notice included the types and numbers of animals which will be maintained at the facility and the address and phone number of the appropriate Department of Environmental Quality regional office to which comments relevant to the permit may be submitted. I certify under penalty of law that all the requirements of the Board for the general permit are being met and that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

Print Name: _____ Title: _____
Signature: _____ Date: _____

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LOCAL GOVERNMENT ORDINANCE FORM
For requests for coverage under the Virginia Pollution Abatement General Permit for Confined Animal Feeding Operations

Local_Government_Ordinance_Form
SUBJECT: Local and Areawide Planning Requirements
TO: Applicants For Coverage Under The Virginia Pollution Abatement General Permit For Confined Animal Feeding Operations

In reference to the request from: _____ Applicant's Name
For certification of an operation located at: _____
Location of Facility

§62.1-44.17:1 C (ii) of the State Water Control Law states:
"For coverage under the General Permit, the owner of the confined animal feeding operation shall file a registration statement... The owner shall attach to the registration statement... (ii) a notification from the governing body of the locality where the operation is located that the operation is consistent with all ordinances adopted pursuant to Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2..." (These are local zoning and planning ordinances)

I hereby certify,
(1) That the proposed location, and operation of the facility is consistent with all ordinances adopted pursuant to Chapter 22 (§15.2-2200 et seq.) of Title 15.2 of the Code of Virginia

In accordance with this section, requests for coverage under the Virginia Pollution Abatement General Permit will not be considered complete until the certification statement is submitted to the Department of Environmental Quality Regional Office. Applicants may use the bottom of this page to transmit the request to the locality.

OR
(2) That no local ordinances are in effect pursuant to Chapter 22 (§15.2-2200 et seq.) of Title 15.2 of the Code of Virginia

To: _____
(County, City, or Town Administrator/Manager)

OR
(3) That the proposed location and operation of the facility is not consistent with all ordinances adopted pursuant to Chapter 22 (§15.2-2200 et seq.) of Title 15.2 of the Code of Virginia

I am in the process of completing a registration statement for coverage under the Virginia Pollution Abatement General Permit for Confined Animal Feeding Operations. In accordance with Chapter 22 (§15.2-2200 et seq.) of Title 15.2 of the Code, I request that you sign one of the three statements certifying that the operation described on the attached registration statement is or is not consistent with your local ordinances. Please return this form to me at: _____

Signature _____ Title _____
Printed Name _____ Date _____

(Applicant's address) : _____

PLEASE SEE THE REVERSE SIDE OF THIS FORM FOR CERTIFICATION REQUIREMENTS

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF NURSING

Title of Regulation: 18 VAC 90-20-10 et seq. Regulations of the Board of Nursing (amending 18 VAC 90-20-10, 18 VAC 90-20-20, 18 VAC 90-20-40, 18 VAC 90-20-50, 18 VAC 90-20-60, 18 VAC 90-20-70, 18 VAC 90-20-80, 18 VAC 90-20-90, 18 VAC 90-20-100, 18 VAC 90-20-110, 18 VAC 90-20-120, 18 VAC 90-20-130, 18 VAC 90-20-140, 18 VAC 90-20-160, 18 VAC 90-20-170, 18 VAC 90-20-190, 18 VAC 90-20-210, 18 VAC 90-20-280, 18 VAC 18-90-290, 18 VAC 90-20-300, 18 VAC 90-20-310, 18 VAC 90-20-330, 18 VAC 90-20-340 and 18 VAC 90-20-350; adding 18 VAC 90-20-35, 18 VAC 90-20-95, 18 VAC 90-20-275, 18 VAC 90-20-400 and 18 VAC 90-20-410; repealing 18 VAC 90-20-150, 18 VAC 90-20-180, 18 VAC 90-20-250 and 18 VAC 90-20-260).

Statutory Authority: § 54.1-2400 and Chapter 30 (§ 54.1-3000 et seq.) of Title 54.1 of the Code of Virginia.

Effective Date: December 3, 1998.

Summary:

Amendments to these regulations are pursuant to Executive Order 15 (94) which called for clarification and simplification of regulations and the elimination of any unnecessary regulations. In addition, the board is (i) amending its regulation to require registered nurses, licensed practical nurses, certified nurse aides, and clinical nurse specialists to wear identification which indicates the person's name and appropriate title granted by the board; (ii) adding a regulation that establishes a standard protocol, so groups operating "flu vaccine clinics" using persons without prescriptive authority will have guidelines to follow; and (iii) amending its renewal fee for certified nurse aides in order to have sufficient funds to operate the investigative and disciplinary functions related to that program. In response to public comment, the amendments also clarify the term "caring for the skin" with regard to nurse aide education requirements by adding the phrase, "to include the prevention of pressure ulcers."

Summary of Public Comments and Agency's Response: A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

Agency Contact: Copies of the regulation may be obtained from Nancy K. Durrett, Board of Nursing, 6606 West Broad Street, 4th floor, Richmond, VA 23230-1717, telephone (804) 662-9909.

18 VAC 90-20-10. Definitions.

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

"Approval" means the process by which the board or a governmental agency in another state or foreign country evaluates and grants official recognition to nursing education programs that meet established standards not inconsistent with Virginia law.

"Associate degree nursing program" means a nursing education program preparing for registered nurse licensure, offered by a Virginia college or other institution and designed to lead to an associate degree in nursing, provided that the institution is authorized to confer such degree by the State Board of Education, State Council of Higher Education or an Act of the General Assembly.

"Baccalaureate degree nursing program" means a nursing education program preparing for registered nurse licensure, offered by a Virginia college or university and designed to lead to a baccalaureate degree with a major in nursing, provided that the institution is authorized to confer such degree by the State Board of Education, the State Council of Higher Education or an Act of the General Assembly.

"Board" means the Board of Nursing.

"Clinical nurse specialist" means a licensed registered nurse who holds:

1. A master's degree from a board-approved program which prepares the nurse to provide advanced clinical nursing services; and
2. Specialty certification from a national certifying organization acceptable to the board or an exception available from March 1, 1990, to July 1, 1990.

"Clinical setting" means any location in which the clinical practice of nursing occurs as specified in an agreement between the cooperating agency and the school of nursing.

"Conditional approval" means a time-limited status which results when an approved nursing education program has failed to maintain requirements as set forth in Article 2 (18 VAC 90-20-10 et seq.) of Part II of this chapter.

"Cooperating agency" means an agency or institution that enters into a written agreement to provide learning experiences for a nursing education program.

"Diploma nursing program" means a nursing education program preparing for registered nurse licensure, offered by a hospital and designed to lead to a diploma in nursing, provided the hospital is licensed in this state.

"National certifying organization" means an organization that has as one of its purposes the certification of a specialty in nursing based on an examination attesting to the knowledge of the nurse for practice in the specialty area.

"Nursing education program" means an entity offering a basic course of study preparing persons for licensure as registered nurses or as licensed practical nurses. A basic course of study shall include all courses required for the degree, diploma or certificate.

"Nursing faculty" means registered nurses who teach the practice of nursing in nursing education programs.

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"*Practical nursing program*" means a nursing education program preparing for practical nurse licensure, offered by a Virginia school, that leads to a diploma or certificate in practical nursing, provided the school is authorized by the appropriate governmental agency.

"*Preceptor*" means a licensed health care provider who is employed in the clinical setting, serves as a resource person and role model, and is present with the nursing student in that setting.

"*Program director*" means a registered nurse who has been designated by the controlling authority to administer the nursing education program.

"*Provisional approval*" means the initial status granted to a nursing education program which shall continue until the first class has graduated and the board has taken final action on the application for approval.

"*Recommendation*" means a guide to actions that will assist an institution to improve and develop its nursing education program.

"*Requirement*" means a mandatory condition that a nursing education program must meet to be approved.

18 VAC 90-20-20. Delegation of authority.

~~A. The executive director of the board shall issue a certificate of registration to each person who meets the requirements for initial licensure under §§ 54.1-3017, 54.1-3018, 54.1-3020 and 54.1-3021 of the Code of Virginia. Such certificates of registration shall bear the signature of the president of the board, the executive director and the director of the Department of Health Professions.~~

~~B. The executive director shall issue license to each applicant who qualifies for such license under § 54.1-3011 of the Code of Virginia. Such licenses shall bear the name of the executive director.~~

~~C. The executive director shall be delegated the authority to issue licenses and certificates and execute all notices, orders and official documents of the board unless the board directs otherwise.~~

18 VAC 95-20-35. Identification; accuracy of records.

A. Any person regulated by this chapter who provides direct patient care shall, while on duty, wear identification which clearly indicates the person's name and the appropriate title for the license, certification, or registration issued to such person by the board.

B. A licensee who has changed his name shall submit as legal proof to the board a copy of the marriage certificate or court order evidencing the change. A duplicate license shall be issued by the board upon receipt of such evidence and the required fee.

C. Each licensee shall maintain a record of his current mailing address with the board, and any change of address by a licensee shall be submitted in writing to the board within 30 days of such change. All notices required by law and by

this chapter to be mailed by the board to any licensee shall be validly given when mailed to the latest address on file with the board.

18 VAC 90-20-40. Phase I.

A. An institution wishing to establish a nursing education program shall:

1. Submit to the board, at least 45 12 months in advance of expected opening date, a statement of intent to establish a nursing education program;

2. Submit to the board, along with the statement of intent, ~~a feasibility study to include~~ the following information:

a. ~~Studies documenting the need for the program~~
Organizational structure of the institution and relationship of nursing program therein;

b. Purpose and type of program;

c. Availability of qualified faculty;

d. Budgeted faculty positions;

e. Availability of clinical facilities for the program;

f. Availability of academic facilities for the program;

g. Evidence of financial resources for the planning, implementation and continuation of the program; *and*

~~h. Anticipated student population;~~

~~i. h. Tentative time schedule for planning and initiating the program; and.~~

~~j. Current catalog, if applicable.~~

3. Respond to the board's request for additional information.

B. A site visit ~~shall~~ *may* be conducted by a representative of the board.

C. The Education Special Conference Committee (the "committee"), comprised of not less than ~~three~~ *two* members of the board, shall, in accordance with § 9-6.14:11 of the Code of Virginia, receive and review applications and the report of the site visit and shall make recommendations to the board regarding the grant or denial of approval of Phase I.

1. If the board accepts the recommendation to approve Phase I, the institution may apply for provisional approval of the nursing education program as set forth in this chapter.

2. If the committee recommendation is to deny approval of Phase I, no further action will be required of the board unless the program requests a hearing before the board or a panel thereof in accordance with § 9-6.14:12 and subdivision 9 of § 54.1-2400 of the Code of Virginia.

18 VAC 90-20-50. Phase II.

A. The application for provisional approval shall be complete when the following conditions are met:

1. A program director has been appointed, and there are sufficient faculty to initiate the program (18 VAC 90-20-90 ~~of this chapter~~);
2. A tentative written curriculum plan developed in accordance with 18 VAC 90-20-120 ~~of this chapter~~ has been submitted.

B. The committee shall, in accordance with § 9-6.14:11 of the Code of Virginia, make recommendations to the board for the grant or denial of provisional approval.

1. If provisional approval is granted:
 - a. The admission of students is authorized; and
 - b. The program director shall submit quarterly progress reports to the board which shall include evidence of progress toward application for approval and other information as required by the board.
2. If the committee recommendation is to deny approval of Phase II, no further action will be required of the board unless the program requests a hearing before the board or a panel thereof in accordance with § 9-6.14:12 and subdivision 9 of § 54.1-2400 of the Code of Virginia.

~~C. Following graduation of the first class, the institution shall apply for approval of the nursing education program.~~

18 VAC 90-20-60. Phase III.

A. The application for approval shall be complete when:

1. A self-evaluation report of compliance with Article 2 (18 VAC 90-20-70 *et seq.*) of this part has been submitted;
2. *The first graduating class has taken the licensure examination;* and
3. A survey visit has been made by a representative of the board.

B. The committee shall, in accordance with § 9-6.14:11 of the Code of Virginia, receive and review the self-evaluation and survey reports and shall make a recommendation to the board for the grant or denial of approval.

C. If the committee's recommendation is to deny approval of Phase III, no further action will be required of the board unless the program requests a hearing before the board or a panel thereof in accordance with § 9-6.14:12 and subdivision 9 of § 54.1-2400 of the Code of Virginia.

18 VAC 90-20-70. Organization and administration.

~~A. The institution shall be authorized to conduct a nursing education program by charter or articles of incorporation of the controlling institution, by resolution of its board of control, or by the institution's own charter or articles of incorporation.~~

~~B. Universities, colleges, community or junior colleges, proprietary schools and public schools~~ A. *The governing or parent institution offering nursing education programs shall be approved or accredited by the appropriate state agencies and the Southern Association of Colleges and Schools or by an accrediting agency recognized by the United States Department of Education.*

~~C. Hospitals conducting a nursing education program shall be accredited by the Joint Commission on Accreditation of Healthcare Organizations.~~

~~D. B.~~ Any agency or institution that is utilized *used for clinical experience* by a nursing education program shall be one that is authorized to conduct business in the Commonwealth of Virginia, or in the state in which the agency or institution is located *in good standing with its licensing body.*

~~E. The authority and responsibility for the operation of the nursing education program shall be vested in a program director who is duly licensed to practice professional nursing in Virginia and who is responsible to the controlling board, either directly or through appropriate administrative channels.~~ C. *The director of the nursing education program shall be a registered nurse licensed in the Commonwealth, with the additional education and experience necessary to administer, plan, implement and evaluate the nursing education program.*

~~F. A written~~ D. An organizational plan shall indicate the lines of authority and communication of the nursing education program to the controlling body; to other departments within the controlling institution; to the cooperating agencies; and to the advisory committee, if one exists.

~~G. Funds shall be allocated by the controlling agency to carry out the stated purposes of the~~ E. *There shall be evidence of financial support and resources to meet the goals of the nursing education program.* The program director of the nursing education program shall be responsible for the budget recommendations and administration, consistent with the established policies of the controlling agency.

18 VAC 90-20-80. Philosophy and objectives.

Written statements of philosophy and objectives shall be *the foundation of the curriculum and shall be:*

1. Formulated and accepted by the faculty;
- ~~2. Directed toward achieving realistic goals;~~
- ~~3. Directed toward the meaning of education, nursing and the learning process;~~
4. 2. Descriptive of the practitioner to be prepared; and
- ~~5.~~ 3. The basis for planning, implementing and evaluating the total program.

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18 VAC 90-20-90. Faculty.

A. Qualifications.

1. Every member of a ~~the~~ nursing faculty, including the program director, shall hold a current license to practice as a registered nurse in Virginia. *Persons providing instruction in topics other than nursing shall not be required to hold a license as a registered nurse.*

2. Every member of a nursing faculty ~~responsible for teaching students in a cooperating agency located outside the jurisdictional limits of Virginia supervising the clinical practice of students~~ shall meet the licensure requirements of ~~that~~ the jurisdiction in which that practice occurs.

3. The program director and each member of the nursing faculty shall maintain professional competence through such activities as nursing practice, continuing education programs, conferences, workshops, seminars, academic courses, research projects and professional writing.

4. For baccalaureate degree programs:

- a. The program director shall hold a doctoral degree.
- b. Every member of the nursing faculty shall hold a graduate degree. Faculty members ~~without~~ with a graduate degree with a major *other than* in nursing shall have a baccalaureate degree with a major in nursing.

5. For associate degree and diploma programs:

- a. The program director shall hold a graduate degree, preferably with a major in nursing.
- b. The majority of the members of the nursing faculty shall hold a graduate degree, preferably with a major in nursing.
- c. Other members of the nursing faculty shall hold a baccalaureate degree, preferably with a major in nursing.

6. For practical nursing programs.

- a. The program director shall hold a baccalaureate degree, preferably with a major in nursing.
- b. The majority of the members of the nursing faculty shall hold a baccalaureate degree, preferably with a major in nursing.

7. Exceptions to provisions of subdivisions 4, 5, and 6 of this subsection shall be by board approval.

a. Initial request for exception.

(1) The program director shall submit a request for initial exception in writing for ~~considerations~~ *consideration* at a regular board meeting prior to the term during which the nursing faculty member is scheduled to teach.

(2) A description of teaching assignment, a curriculum vitae, and a statement of intent, from the prospective faculty member, to pursue the required degree shall accompany each request.

b. Request for continuing exception.

(1) Continuing exception will be based on the progress of the nursing faculty member toward meeting the degree required by this chapter during each year for which the exception is requested.

(2) The program director shall submit the request for continuing exception in writing for consideration at a regular board meeting prior to the next term during which the nursing faculty member is scheduled to teach.

(3) A list of courses required for the degree being pursued and college transcripts showing successful completion of a minimum of two of the courses during the past academic year shall accompany each request.

c. The executive director of the board shall be authorized to make the initial decision on requests for exceptions. Any appeal of that decision shall be in accordance with the provisions of the Administrative Process Act (§ 9-6.14:1 et seq. of the Code of Virginia).

B. Number.

1. The number of faculty shall be sufficient to prepare the students to achieve the objectives of the educational program and ~~such number shall be reasonably proportionate to:~~ *ensure safety for patients to whom students provide care.*

- ~~a. Number of students enrolled;~~
- ~~b. Frequency of admissions;~~
- ~~c. Education and experience of faculty members;~~
- ~~d. Number and location of clinical facilities; and~~
- ~~e. Total responsibilities of the faculty.~~

2. When students are giving direct care to patients, the ratio of students to faculty ~~in clinical areas~~ shall not exceed 10 students to one faculty member.

3. *When preceptors are utilized for specified learning experiences in clinical settings, the ratio shall not exceed 15 students to one faculty member.*

~~C. Conditions of employment.~~

- ~~1. Qualifications and responsibilities for faculty positions shall be defined in writing.~~
- ~~2. Faculty assignments shall allow time for class and laboratory preparation; teaching; program revision; improvement of teaching methods; academic advisement and counseling of students; participation in faculty organizations and committees; attendance at~~

~~professional meetings; and participation in continuing education activities.~~

~~D.~~ C. Functions. The principal functions of the faculty shall be to:

1. Develop, implement and evaluate the philosophy and objectives of the nursing education program;
2. ~~Participate in designing, implementing, teaching, and evaluating and revising~~ *Design, implement, teach, evaluate and revise* the curriculum;
3. Develop and evaluate student admission, progression, retention and graduation policies within the framework of the controlling institution;
4. Participate in academic advisement and counseling of students; ~~and~~
5. Provide opportunities for student and graduate evaluation of curriculum and teaching and program effectiveness; ~~and~~
6. *Document actions taken in faculty and committee meetings.*

~~E.~~ Organization.

1. ~~The nursing faculty shall hold regular meetings for the purpose of developing, implementing and evaluating the nursing education program.~~
2. ~~Minutes of faculty and committee meetings, including actions taken, shall be recorded and available for reference.~~
3. ~~There shall be provision for student participation.~~

18 VAC 90-20-95. Preceptorships.

A. *Clinical preceptors may be used to augment the faculty and enhance the clinical learning experience. The clinical preceptor shall be licensed at or above the level for which the student is preparing.*

B. *When giving direct care to patients, students shall be supervised by faculty or preceptors as designated by faculty. In utilizing preceptors to supervise students, the ratio shall not exceed two students to one preceptor at any given time.*

C. *Preceptorships shall include:*

1. *Written objectives, methodology, and evaluation procedures for a specified period of time;*
2. *An orientation program for faculty, preceptors, and students;*
3. *The performance of skills for which the student has had clinical and didactic preparation; and*
4. *The overall coordination by faculty who assume ultimate responsibility for implementation, periodic monitoring, and evaluation.*

18 VAC 90-20-100. Admission, promotion and graduation of students.

A. Requirements for admission to the nursing education program shall not be less than the ~~statutory~~ requirements of § 54.1-3017 A 1 of the Code of Virginia that will permit the graduate to be admitted to the appropriate licensing examination.

~~EXPLANATORY NOTE: Reference subdivision 1 of subsection A of § 54.1-3017 of the Code of Virginia: B. The equivalent of a four-year high school course of study is considered to be:~~

1. A General Educational Development (GED) certificate for high school equivalence; or
2. Satisfactory completion of the college courses required by the nursing education program.

~~B. Students shall be selected on the basis of established criteria and without regard to age, race, creed, sex or national origin.~~

C. Requirements for admission, readmission, advanced standing, progression, retention, dismissal and graduation shall be available to the students in written form.

18 VAC 90-20-110. School records; student records; school bulletin or catalogue.

A. A system of records shall be maintained and be made available to the board representative and shall include:

1. Data relating to accreditation by any agency or body.
2. Course outlines.
3. Minutes of faculty and committee meetings.
4. ~~A record of the performance of graduates on the licensing examination;~~
5. ~~Survey reports.~~

B. A file shall be maintained for each student. Each file shall be available to the board representative and shall include: ~~4.~~ the student's:

1. Application;
2. High school transcript or copy of high school equivalence certificate; ~~and~~
3. Current record of achievement.

A final transcript shall be retained in the permanent file of the institution.

Provision shall be made for the protection of student and graduate records against loss, destruction and unauthorized use.

C. Current information about the nursing education program shall be published periodically and distributed to students, applicants for admission and the board. Such information shall include:

1. Description of the program.

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2. Philosophy and objectives of the controlling institution and of the nursing program.
3. Admission and graduation requirements.
4. Fees.
5. Expenses.
6. Financial aid.
7. Tuition refund policy.
8. Education facilities.
- ~~9. Living accommodations.~~
- ~~10. 9. Student activities and services.~~
- ~~11. 10. Curriculum plan.~~
- ~~12. 11. Course descriptions.~~
- ~~13. 12. Faculty-staff roster.~~
- ~~14. 13. School calendar.~~

18 VAC 90-20-120. Curriculum.

A. Curriculum shall reflect the philosophy and objectives of the nursing education program, and shall be consistent with the law governing the practice of nursing.

~~B. The ratio between nursing and nonnursing credit shall be based on a rationale to ensure sufficient preparation for the safe and effective practice of nursing.~~

~~C. Learning experiences shall be selected to fulfill curriculum objectives.~~

~~D. B.~~ Nursing education programs preparing for practical nursing licensure shall include:

1. Principles and practice in nursing encompassing the attainment and maintenance of physical and mental health and the prevention of illness for individuals and groups throughout the life cycle;
2. Basic concepts of the nursing process;
3. Basic concepts of anatomy, physiology, chemistry, physics and microbiology;
4. Basic concepts of communication, growth and development, interpersonal relations, patient education and cultural diversity;
5. *Basic concepts* of ethics, nursing history and trends, vocational and legal aspects of nursing, including regulations and sections of the Code of Virginia related to nursing; and
6. Basic concepts of pharmacology, nutrition and diet therapy.

~~E. C.~~ Nursing education programs preparing for registered nurse licensure shall include:

1. Theory and practice in nursing, encompassing the attainment and maintenance of physical and mental

health and the prevention of illness throughout the life cycle for individuals, groups and communities;

2. Concepts of the nursing process;
3. Concepts of anatomy, physiology, chemistry, microbiology and physics;
4. Sociology, psychology, communications, growth and development, interpersonal relations, group dynamics, cultural diversity and humanities;
5. Concepts of pharmacology, nutrition and diet therapy, and pathophysiology;
6. Concepts of ethics, nursing history and trends, and the professional and legal aspects of nursing, including regulations and sections of the Code of Virginia related to nursing; and
7. Concepts of leadership, management and patient education.

18 VAC 90-20-130. Resources, facilities and services.

A. Periodic evaluations of resources, facilities and services shall be conducted by the administration, faculty, students and graduates of the nursing education program.

B. Secretarial and other support services shall be provided.

C. Classrooms, conference rooms, laboratories, clinical facilities and offices shall be available to meet the objectives of the nursing education program and the needs of the students, faculty, administration and staff.

D. The library shall have ~~holdings~~ *resources* that are current, pertinent and accessible to students and faculty, and sufficient in number to meet the needs of the students and faculty.

E. Written agreements with cooperating agencies shall be developed, maintained and periodically reviewed. The agreement shall:

1. Ensure full control of student education by the faculty of the nursing education program, including the selection and supervision of learning experiences.
2. Provide that ~~an instructor shall~~ *faculty members or preceptors* be present ~~on the clinical unit(s) unit or units in the clinical setting~~ to which students are assigned for direct patient care.
3. Provide for cooperative planning with designated agency personnel *to ensure safe patient care.*
4. *Provide that faculty be available to students and preceptors while students are involved in preceptorship experiences.*

F. Any observational experiences shall be planned in cooperation with the agency involved to meet stated course objectives.

G. Cooperating agencies shall be approved by the appropriate accreditation, evaluation or licensing bodies, if such exist.

18 VAC 90-20-140. Program changes.

~~A. The following proposed changes require board approval prior to their implementation:~~

~~1. Proposed changes in the nursing education program's philosophy and objectives that result in program revision.~~

~~2. Proposed changes in the curriculum that result in alteration of the length of the nursing education program.~~

B. ~~Other~~ Additions, deletions or revisions of courses shall be reported to the board with the annual report required in 18 VAC 90-20-160 A of this chapter.

18 VAC 90-20-150. Procedure for approval of program change. (Repealed.)

~~A. When a program change is contemplated, the program director shall inform the board or board representative.~~

~~B. When a program change is requested, a plan shall be submitted to the board including:~~

~~1. Proposed change,~~

~~2. Rationale for the change,~~

~~3. Relationship of the proposed change to the present program.~~

~~C. Fifteen copies of these materials shall be submitted to the board at least three weeks prior to the board meeting at which the request will be considered.~~

[18 VAC 90-20-160. Maintaining an approved nursing education program.

A. The program director of each nursing education program shall submit an annual report to the board.

B. Each nursing education program shall be reevaluated at least every eight years and shall require:

1. A comprehensive self-evaluation report based on Article 2 of this part; and

2. A survey visit by a representative(s) of the board on dates mutually acceptable to the institution and the board.

C. The Education Special Conference Committee (the "committee"), comprised of not less than ~~three~~ two members of the board, shall, in accordance with § 9-6.14:11 of the Code of Virginia, receive and review the self-evaluation and survey reports and shall make a recommendation to the board for grant of continued or conditional approval.

1. A nursing education program shall continue to be approved provided the requirements set forth in Article 2 of this part are attained and maintained.

2. If the committee determines that a nursing education program is not maintaining the requirements of Article 2 of this part, the committee shall recommend to the board that the program be placed on conditional approval and the governing institution shall be given a reasonable period of time to correct the identified deficiencies.

a. The committee shall receive and review reports of progress toward correcting identified deficiencies and, when a final report is received at the end of the specified time showing correction of deficiencies, make a recommendation to the board for grant of continued approval.

b. If the governing institution fails to correct the identified deficiencies within the time specified by the committee or the board, the board or a panel thereof may withdraw the approval following a hearing.

c. The governing institution may request a formal hearing before the board or a panel thereof pursuant to § 9-6.14:12 and subdivision 9 of § 54.1-2400 of the Code of Virginia if it objects to any action of the board relating to conditional approval.

D. Interim visits shall be made to the institution by board representatives at any time within the eight-year period either by request or as deemed necessary by the board.]

18 VAC 90-20-170. Closing of an approved nursing education program; voluntary closing; closing as a result of denial or withdrawal of approval; custody of records.

A. When the governing institution anticipates the closing of a nursing education program, it shall notify the board in writing, stating the reason, plan and date of intended closing. ~~The governing institution shall choose one of the following closing procedures:~~

~~1. The program shall continue until the last class enrolled is graduated.~~

~~a. The program shall continue to meet the standards for approval until all of the enrolled students have graduated.~~

~~b. The date of closure is the date on the degree, diploma or certificate of the last graduate.~~

~~c. The governing institution shall notify the board of the closing date.~~

~~2. The program shall close after the governing institution has assisted~~ shall assist in the transfer of students to other approved programs: *with the following conditions:*

~~a-~~ 1. The program shall continue to meet the standards required for approval until all students are transferred.

~~b-~~ 2. A list of the names of students who have been transferred to approved programs and the date on which the last student was transferred shall be submitted to the board by the governing institution.

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3. The date on which the last student was transferred shall be the closing date of the program.

B. When the board denies or withdraws approval of a program, the governing institution shall comply with the following procedures:

1. The program shall close after the institution has made a reasonable effort to assist in the transfer of students to other approved programs. A time frame for the transfer process shall be established by the board.

2. A list of the names of students who have transferred to approved programs and the date on which the last student was transferred shall be submitted to the board by the governing institution.

3. The date on which the last student was transferred shall be the closing date of the program.

C. Provision shall be made for custody of records as follows:

1. If the governing institution continues to function, it shall assume responsibility for the records of the students and the graduates. The institution shall inform the board of the arrangements made to safeguard the records.

2. If the governing institution ceases to exist, the academic transcript of each student and graduate shall be transferred by the institution to the board for safekeeping.

Article 4.

~~Clinical Nurse Specialist Education Program.~~

18 VAC 90-20-180. ~~Clinical nurse specialist education program. (Repealed.)~~

~~An approved program shall be offered by:~~

~~1. A nationally accredited school of nursing within a college or university that offers a master's degree in nursing designed to prepare a registered nurse for advanced practice in a clinical specialty in nursing; or~~

~~2. A college or university that offers a master's degree consistent with the requirements of a national certifying organization as defined in 18 VAC 90-20-10 of this chapter.~~

18 VAC 90-20-190. Licensure by examination.

A. The board shall authorize the administration of examinations for registered nurse licensure and examinations for practical nurse licensure.

B. A candidate shall be eligible to take the examination (i) upon receipt by the board of the completed application, fee and an official transcript from the nursing education program; and (ii) when a determination has been made that no grounds exist upon which the board may deny licensure pursuant to § 54.1-3007 of the Code of Virginia.

C. To establish eligibility for licensure by examination, an applicant for the licensing examination shall:

1. File the required application, any necessary documentation and fee no later than 60 days prior to the first day of the month in which the applicant expects to take the examination.

2. Arrange for the board to receive an official transcript from the nursing education program which shows either:

a. That the degree or diploma has been awarded; or

b. That all requirements for awarding the degree or diploma have been met and specifies the date of conferral.

3. File a new application and fee if:

a. The examination is not taken within six months of the date that the board determines the applicant to be eligible; or

b. Eligibility is not established within six months of the original filing date.

D. The minimum passing ~~score~~ *standard* on the examination for registered nurse licensure and practical nurse licensure shall be determined by the board.

E. Any applicant suspected of giving or receiving unauthorized assistance during the examination may be noticed for a hearing pursuant to the provisions of the Administrative Process Act (§ 9-6.14:1 et seq. of the Code of Virginia) to determine eligibility for licensure or reexamination.

F. The board shall not release examination results of a candidate to any individual or agency without written authorization from the applicant or licensee.

G. Practice of nursing pending receipt of examination results.

1. An eligible graduate who has filed an application for licensure in Virginia may practice nursing in Virginia for a period not to exceed 90 days between completion of the nursing education program and the receipt of the results of the candidate's first licensing examination.

2. Candidates who practice nursing as provided in ~~18 VAC 90-20-190 G~~ *subdivision 1* of this ~~chapter~~ *subsection* shall use the designation "R.N. Applicant" or "L.P.N. Applicant" when signing official records.

3. The designations "R.N. Applicant" and "L.P.N. Applicant" shall not be used by applicants who either do not take the examination within 90 days following completion of the nursing education program or who have failed the examination.

H. Applicants who fail the examination.

1. An applicant who fails the licensing examination shall not be licensed or be authorized to practice nursing in Virginia.

2. An applicant for licensure by reexamination shall file the required application and fee no later than 60 days prior to the first day of the month in which the applicant

expects to take the examination in order to establish eligibility.

3. Applicants who have failed the examination for licensure in another U.S. jurisdiction but satisfy the qualifications for licensure in this jurisdiction may apply for licensure by examination in Virginia. Such applicants shall submit the required application and fee. Such applicants shall not, however, be permitted to practice nursing in Virginia until the requisite license has been issued.

18 VAC 90-20-210. Licensure of applicants from other countries.

A. Applicants whose basic nursing education was received in, and who are duly licensed under the laws of, another country, shall be scheduled to take the licensing examination provided they meet the statutory qualifications for licensure. Verification of qualification shall be based on documents submitted as required in subsections B and C of this section.

B. Such applicants for registered nurse licensure shall:

1. Submit evidence of a passing score on the Commission on Graduates of Foreign Nursing Schools Qualifying Examination; and
2. Submit the required application and fee for licensure by examination.

C. Such applicants for practical nurse licensure shall:

1. ~~Request a transcript from the nursing education program to be submitted directly to the board office; Submit evidence from a recognized agency that reviews credentials of foreign-educated nurses that the secondary education, nursing education, and license are comparable to those required for licensed practical nurses in the Commonwealth;~~
2. ~~Provide evidence of secondary education to meet the statutory requirements;~~
2. Request that the credentialing agency, in the country where licensed, submit the verification of licensure form directly to the board office; and
3. Submit the required application and fee for licensure by examination.

18 VAC 90-20-250. Evidence of change of name. (Repealed.)

~~A licensee who has changed his name shall submit as legal proof to the board a copy of the marriage certificate or court order evidencing the change. A duplicate license shall be issued by the board upon receipt of such evidence and the required fee.~~

18 VAC 90-20-260. Requirements for current mailing address. (Repealed.)

~~A. All notices, required by law and by this chapter to be mailed by the board to any licensee, shall be validly given when mailed to the latest address on file with the board.~~

~~B. Each licensee shall maintain a record of his current mailing address with the board.~~

~~C. Any change of address by a licensee shall be submitted in writing to the board within 30 days of such change.~~

PART IV.

CLINICAL NURSE SPECIALISTS.

18 VAC 90-20-275. Clinical nurse specialist education programs.

An approved program shall be offered by:

1. *A nationally accredited school of nursing within a college or university that offers a master's degree in nursing designed to prepare a registered nurse for advanced practice in a clinical specialty in nursing; or*
2. *A college or university that offers a master's degree consistent with the requirements of a national certifying organization as defined in 18 VAC 90-20-10.*

18 VAC 90-20-280. Clinical nurse specialist registration.

A. Initial registration. An applicant for initial registration as a clinical nurse specialist shall:

1. Be currently licensed as a registered nurse in Virginia;
2. Submit evidence of graduation from an approved program as defined in ~~18 VAC 90-20-180~~ 18 VAC 90-20-275 of this chapter;
3. Submit evidence of current specialty certification from a national certifying organization as defined in 18 VAC 90-20-10 of this chapter; and
4. Submit the required application and fee.

B. Renewal of registration.

1. Registration as a clinical nurse specialist shall be renewed biennially at the same time the registered nurse license is renewed.
2. The clinical nurse specialist shall complete the renewal application and return it with the required fee and evidence of current specialty certification unless registered in accordance with an exception.
3. Registration as a clinical nurse specialist shall lapse if the registered nurse license is not renewed and may be reinstated as follows:

- a. Reinstatement of R.N. license;
- b. Payment of reinstatement and current renewal fees; and
- c. Submission of evidence of continued specialty certification unless registered in accordance with an exception.

Final Regulations

18 VAC 90-20-290. Clinical nurse specialist practice.

A. The practice of clinical nurse specialists shall be consistent with the:

1. Education required in ~~18 VAC 90-20-180~~ 18 VAC 90-20-275 of this chapter, and
2. Experience required for specialist certification.

B. The clinical nurse specialist shall provide those advanced nursing services that are consistent with the standards of specialist practice as established by a national certifying organization for the designated specialty and in accordance with the provisions of Title 54.1 of the Code of Virginia.

C. Advanced practice as a clinical nurse specialist shall include but shall not be limited to performance as an expert clinician to:

1. Provide direct care and counsel to individuals and groups;
2. Plan, evaluate and direct care given by others; and
3. Improve care by consultation, collaboration, teaching and the conduct of research.

PART ~~IV~~ V. DISCIPLINARY PROVISIONS.

18 VAC 90-20-300. Disciplinary provisions.

A. The board has the authority to deny, revoke or suspend a license issued, or to otherwise discipline a licensee, upon proof that the licensee has violated any of the provisions of § 54.1-3007 of the Code of Virginia. For the purpose of establishing allegations to be included in the notice of hearing, the board has adopted the following definitions:

1. Fraud or deceit means, but shall not be limited to:
 - a. Filing false credentials;
 - b. Falsely representing facts on an application for initial license, reinstatement or renewal of a license; or
 - c. Giving or receiving assistance in ~~writing~~ the *taking of the* licensing examination.
2. Unprofessional conduct means, but shall not be limited to:
 - a. Performing acts beyond the limits of the practice of professional or practical nursing as defined in Chapter 30 (§ 54.1-3000 et seq.) of Title 54.1 of the Code of Virginia, or as provided by §§ 54.1-2901 and 54.1-2957 of the Code of Virginia;
 - b. Assuming duties and responsibilities within the practice of nursing without adequate training or when competency has not been maintained;
 - c. Obtaining supplies, equipment or drugs for personal or other unauthorized use;

d. Employing or assigning unqualified persons to perform functions that require a licensed practitioner of nursing;

e. Falsifying or otherwise altering patient or employer records;

f. Abusing, neglecting or abandoning patients or clients; ~~or~~

g. Practice of a clinical nurse specialist beyond that defined in 18 VAC 90-20-290 ~~of this chapter~~; or

h. ~~Holding self out~~ *Representing oneself* as or performing acts constituting the practice of a clinical nurse specialist unless so registered by the board.

B. Any sanction imposed on the registered nurse license of a clinical nurse specialist shall have the same effect on the clinical nurse specialist registration.

PART ~~V~~ VI. CERTIFIED NURSE AIDES.

18 VAC 90-20-310. Definitions.

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

"Nurse aide education program" means a program designed to prepare nurse aides for certification.

"Nursing facility" means a licensed nursing home or an entity which is certified for Medicare or Medicaid long-term care reimbursement.

"Primary instructor" means a registered nurse who is responsible for teaching and evaluating the students enrolled in a nurse aide education program.

"Program coordinator" means a registered nurse who is administratively responsible and accountable for a nurse aide education program.

"Program provider" means an entity which conducts a nurse aide education program.

18 VAC 90-20-330. Nurse aide education programs.

A. Establishing a nurse aide education program.

1. A program provider wishing to establish a nurse aide education program shall submit an application to the board at least 90 days in advance of the expected opening date.

2. The application shall provide evidence of the ability of the institution to comply with subsection B of this section.

3. The Education Special Conference Committee (the "committee"), comprised of not less than ~~three~~ two members of the board, shall, in accordance with § 9-6.14:11 of the Code of Virginia, receive and review the application and shall make a recommendation to the board for grant or denial of approval.

4. If the committee's recommendation is to deny approval, no further action will be required of the board unless the program requests a hearing before the board or a panel thereof in accordance with § 9-6.14:12 and subdivision 9 of § 54.1-2400 of the Code of Virginia.

B. Maintaining an approved nurse aide education program. To maintain approval, the nurse aide education program shall:

1. Demonstrate evidence of compliance with the following essential elements:

~~4.~~ a. Curriculum content and length as set forth in subsections D and G of this section.

~~2.~~ b. Maintenance of qualified instructional personnel as set forth in subsection C of this section.

~~3.~~ c. Classroom facilities that meet requirements set forth in subsection H of this section.

~~4.~~ d. Maintenance of records as set forth in subsection E of this section.

~~5.~~ e. Skills training experience in a nursing facility which has not been subject to penalty or penalties as provided in 42 CFR 483.151(b)(2) (Medicare and Medicaid Programs: Nurse Aide Training and Competency Evaluation Programs, effective April 1, 1992) in the past two years. *The foregoing shall not apply to a nursing facility which has received a waiver from the state survey agency in accordance with federal law.*

~~6.~~ f. Agreement that board representatives may make unannounced visits to the program.

g. Financial support and resources sufficient to meet requirements of this chapter.

~~7.~~ 2. Impose no fee for any portion of the program on any nurse aide who, on the date on which the nurse aide begins the program, is either employed or has an offer of employment from a nursing facility.

~~8.~~ ~~Must~~ 3. Report all substantive changes in ~~subdivisions subdivision 1 through 7 of this section~~ *subdivision B of this section* within 10 days of the change to the board.

C. Instructional personnel.

1. Program coordinator.

a. The program coordinator in a nursing facility based program may be the director of nursing services. The director of nursing may assume the administrative responsibility and accountability for the nurse aide education program but shall not engage in the actual classroom and clinical teaching.

b. The primary instructor may be the program coordinator in any nurse aide education program.

2. Primary instructor.

a. Qualifications. The primary instructor, who does the actual teaching of the students:

(1) Shall hold a current Virginia license as a registered nurse; and

(2) Shall have two years of experience as a registered nurse ~~and at least one year of experience~~ within the previous five years *and at least one year of experience* in the provision of long-term care facility services. Such experience may include, but not be limited to, employment in a nurse aide education program or employment in or supervision of nursing students in a nursing facility or unit, geriatrics department, chronic care hospital, home care or other long-term care setting. Experience should include varied responsibilities, such as direct resident care, supervision and education.

b. Responsibilities. The primary instructor shall *participate in the teaching and evaluation of students and, in addition, shall:*

(1) Participate in the planning of each learning experience;

(2) Ensure that course objectives are accomplished;

(3) Ensure that the provisions of subdivision 6 of this subsection are maintained;

(4) Maintain records as required by subsection E of this section;

(5) Perform other activities necessary to comply with subsection B of this section; and

(6) Ensure that students do not perform services for which they have not received instruction and been found proficient by the instructor.

3. Other instructional personnel.

a. Qualifications.

(1) A registered nurse shall:

(a) Hold a current Virginia license as a registered nurse; and

(b) Have had at least one year, ~~within the preceding five years,~~ of direct patient care experience as a registered nurse ~~with the elderly or chronically ill, or both, of any age.~~

(2) A licensed practical nurse shall:

(a) Hold a current Virginia license as a practical nurse;

(b) Hold a high school diploma or equivalent;

(c) Have [been] graduated from a state-approved practical nursing program; and

(d) Have had at least two years, ~~within the preceding five years,~~ of direct patient care experience ~~with the elderly or chronically ill, or both, of any age as a licensed practical nurse.~~

Final Regulations

b. Responsibilities. Other personnel shall provide instruction under the general supervision of the primary instructor.

4. Prior to being assigned to teach the nurse aide education program, all instructional personnel shall demonstrate competence to teach adults by one of the following:

a. Complete satisfactorily a "train-the-trainer" program approved by the board. ~~Such a program shall be approved by the board for five years, at which time the sponsor must request reapproval of the program. The content of the program must include course in teaching adults that includes:~~

- (1) Basic principles of adult learning;
- (2) Teaching methods and tools for adult learners; and
- (3) Evaluation strategies and measurement tools for assessing the learning outcomes; or

b. ~~Complete satisfactorily a credit or noncredit course or courses approved by the board. Such courses shall be evaluated for approval by the board upon request from the individual taking the course. The content of such credit or noncredit course shall be comparable to that described in subdivision 4 a of this subsection. Have experience in teaching adults;~~ or

c. ~~Provide evidence acceptable to the board of experience in teaching adult learners within the preceding five years. Have experience in supervising nurse aides.~~

5. The program may utilize resource personnel who have had at least one year of experience in their field to meet the planned program objectives for specific topics.

6. When students are giving direct care to clients in [~~Virginia~~] clinical [areas], instructional personnel must be on site solely to supervise the students. The ratio of students to each instructor shall not exceed 10 students to one instructor.

D. Curriculum content.

1. ~~The graduate of the nurse aide education program shall be prepared to:~~

a. ~~Communicate and interact competently on a one-to-one basis with the clients;~~

b. ~~Demonstrate sensitivity to clients' emotional, social, and mental health needs through skillful directed interactions;~~

c. ~~Assist clients in attaining and maintaining functional independence;~~

d. ~~Exhibit behavior in support and promotion of clients' rights; and~~

e. ~~Demonstrate skills in observation and documentation needed to participate in the~~

~~assessment of clients' health, physical condition and well-being.~~

~~2. Content.~~

1. The curriculum shall include, but shall not be limited to, classroom and clinical instruction in the following:

a. Initial core curriculum. Prior to the direct contact of a student with a nursing facility client, a total of at least 16 hours of instruction in the following areas must be presented:

- (1) Communication and interpersonal skills;
- (2) Infection control;
- (3) Safety and emergency procedures, including the Heimlich Maneuver;
- (4) Promoting client independence; and
- (5) Respecting clients' rights.

b. Basic skills.

- (1) Recognizing abnormal changes in body functioning and the importance of reporting such changes to a supervisor.
- (2) Measuring and recording routine vital signs.
- (3) Measuring and recording height and weight.
- (4) Caring for the clients' environment.
- (5) Measuring and recording fluid and food intake and output.
- (6) Performing basic emergency measures.
- (7) Caring for client when death is imminent.

c. Personal care skills.

- (1) Bathing and oral hygiene.
- (2) Grooming.
- (3) Dressing.
- (4) Toileting.
- (5) Assisting with eating and hydration including proper feeding techniques.
- (6) Caring for skin [, to include prevention of pressure ulcers] .
- (7) Transfer, positioning and turning.

d. Individual client's needs, including mental health and social service needs.

~~(1) Identifying the psychosocial characteristics of the populations who reside in nursing homes.~~

~~(2) (1) Modifying the aide's behavior in response to the behavior of clients.~~

~~(3) (2) Identifying developmental tasks associated with the aging process.~~

~~(4) Providing training in and the opportunity for self care according to clients' capabilities.~~

~~(5)~~ (3) Demonstrating principles of behavior management by reinforcing appropriate behavior and causing inappropriate behavior to be reduced or eliminated.

~~(6)~~ (4) Demonstrating skills supporting age-appropriate behavior by allowing the client to make personal choices, *and by* providing and reinforcing other behavior consistent with *the* client's dignity.

~~(7)~~ (5) Utilizing *the* client's family or concerned others as a source of emotional support.

~~(8)~~ (6) Responding appropriately to *the* client's behavior.

e. Care of the cognitively impaired client.

(1) Using techniques for addressing the unique needs and behaviors of individuals with dementia (Alzheimer's and others).

(2) Communicating with cognitively impaired residents.

(3) Demonstrating and understanding the behavior of cognitively impaired residents.

(4) Responding appropriately to the behavior of cognitively impaired residents.

(5) Using methods to reduce the effects of cognitive impairment.

f. Skills for basic restorative services.

(1) Using assistive devices in transferring, ambulation, eating and dressing.

(2) Maintaining range of motion.

(3) Turning and positioning, both in bed and chair.

(4) Bowel and bladder training.

(5) Caring for and using prosthetic and orthotic devices.

(6) Teaching the client in self-care according to the client's abilities as directed by a supervisor.

g. Clients' rights.

(1) Providing privacy and maintaining confidentiality.

(2) Promoting the client's right to make personal choices to accommodate individual needs.

(3) Giving assistance in resolving grievances and disputes.

(4) Providing assistance necessary to participate in client and family groups and other activities.

(5) Maintaining care and security of the client's personal possessions.

(6) Promoting the resident's rights to be free from abuse, mistreatment and neglect and the need to report any instances of such treatment to appropriate staff.

(7) Avoiding the need for restraints in accordance with current professional standards.

h. Legal aspects of practice as a certified nurse aide.

~~3-~~ 2. Unit objectives.

a. Objectives for each unit of instruction shall be stated in behavioral terms which are measurable.

b. Objectives shall be reviewed with the students at the beginning of each unit.

E. Records.

1. Each nurse aide education program shall develop an individual record of major skills taught and the date of performance by the student. At the completion of the nurse aide education program, the nurse aide must receive a copy of this record.

2. A record of the reports of graduates' performance on the approved competency evaluation program shall be maintained.

3. A record that documents the disposition of complaints against the program shall be maintained.

F. Student identification. The nurse aide students shall wear identification that ~~is clearly recognizable~~ *distinguishes them as students* to clients, visitors and staff.

G. Length of program.

1. The program shall be at least 80 clock hours in length.

2. The program shall provide for at least 16 hours of instruction prior to direct contact of a student with a nursing facility client.

3. Skills training in clinical settings shall be at least 40 hours. Five of the clinical hours may be in a setting other than a nursing home.

4. Employment orientation to facilities used in the education program must not be included in the 80 hours allotted for the program.

H. Classroom facilities. The nurse aide education program shall provide facilities that meet federal and state requirements including:

1. Comfortable temperatures.

2. Clean and safe conditions.

3. Adequate lighting.

4. Adequate space to accommodate all students.

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5. All equipment needed, including audio-visual equipment and that needed for simulating resident care.

I. Program review.

1. Each nurse aide education program shall be reviewed on site by an agent of the board at least every two years following initial review.

2. The committee, in accordance with § 9-6.14:11 of the Code of Virginia, shall receive and review the report of the site visit and shall make recommendations to the board to grant or deny continued approval.

a. A nurse aide education program shall continue to be approved provided the requirements set forth in subsections B through H of this section are maintained.

b. If the committee determines that a nurse aide education program is not maintaining the requirements of subsections B through H of this section, with the exception of subdivision B ~~5~~ 1 e of this section, the committee shall recommend to the board that the program be placed on conditional approval and the program provider shall be given a reasonable period of time to correct the identified deficiencies.

(1) The committee shall receive and review reports of progress toward correcting identified deficiencies and, when a final report is received at the end of the specified time showing corrections of deficiencies, make a recommendation to the board for grant of continued approval.

(2) If the program provider fails to correct the identified deficiencies within the time specified by the committee or the board, the board or a panel thereof may withdraw approval following a hearing in accordance with § 9-6.14:12 and subdivision 9 of § 54.1-2400 of the Code of Virginia.

(3) The program provider may request a formal hearing before the board or a panel thereof pursuant to § 9-6.14:12 and subdivision 9 of § 54.1-2400 of the Code of Virginia if it objects to any action of the board relating to conditional approval.

3. The program coordinator shall prepare and submit a program evaluation report on a form provided by the board in the intervening year that an on-site review is not conducted.

J. Curriculum changes. Changes in curriculum ~~must shall~~ be approved by the board prior to implementation and shall be submitted ~~for approval~~ at the time of a ~~report of a~~ the site visit or *with* the report submitted by the program coordinator in the intervening ~~years~~ year.

K. Interruption of program.

1. When a program provider does not wish to admit students for a period not to exceed one year, the

provider may request that the program be placed on inactive status and shall not be subject to compliance with subsection B of this section for the specified time.

2. Unless the program provider notifies the board that it intends to admit students, the program will be considered closed at the end of the one-year period and be subject to the requirements of subsection L of this section.

3. *If the program provider does not offer the program for two consecutive years, the program shall be considered closed and shall be subject to the requirements of subsection L of this section.*

L. Closing of a nurse aide education program. When a nurse aide education program closes, the program provider shall:

1. Notify the board of the date of closing.

2. Submit to the board a list of all graduates with the date of graduation of each.

18 VAC 90-20-340. Nurse aide competency evaluation.

A. The board may contract with a test service for the development and administration of a competency evaluation.

B. All individuals completing a nurse aide education program in Virginia shall successfully complete the competency evaluation required by the board prior to making application for certification and to using the title Certified Nurse Aide.

C. The board shall determine the minimum passing ~~score~~ standard on the competency evaluation.

18 VAC 90-20-350. Nurse aide registry.

A. Initial certification by examination.

1. To be placed on the registry and certified, the nurse aide must:

a. Satisfactorily complete a nurse aide education program approved by the board; or

b. Be enrolled in a nursing education program preparing for registered nurse or practical nurse licensure, have completed at least one nursing course which includes clinical experience involving client care; or

c. Have completed a nursing education program preparing for registered nurse licensure or practical nurse licensure; and

d. Pass the competency evaluation required by the board; and

e. Submit the required application and fee to the board.

2. Initial certification by endorsement.

a. A graduate of a state-approved nurse aide education program who has satisfactorily completed a

competency evaluation program and is currently registered in another state may apply for certification in Virginia by endorsement.

b. An applicant for certification by endorsement shall submit the required application and fee and submit the required verification form to the credentialing agency in the state where registered, certified or licensed within the last two years.

3. Initial certification shall be for two years.

B. Renewal of certification.

1. No less than 30 days prior to the expiration date of the current certification, an application for renewal shall be mailed by the board to the last known address of each currently registered certified nurse aide.

2. The certified nurse aide shall return the completed application with the required fee of ~~\$20~~ \$30 and verification of performance of nursing-related activities for compensation within the preceding two years. *The board shall also charge a fee of \$15 for a returned check.*

3. Failure to receive the application for renewal shall not relieve the certificate holder of the responsibility for renewing the certification by the expiration date.

4. A certified nurse aide who has not performed nursing-related activities for compensation during the two years preceding the expiration date of the certification shall repeat and pass the nurse aide competency evaluation prior to applying for recertification.

C. Reinstatement of lapsed certification. An individual whose certification has lapsed shall file the required application and renewal fee and:

1. Verification of performance of nursing-related activities for compensation prior to the expiration date of the certificate and within the preceding two years; or

2. When nursing activities have not been performed during the preceding two years, evidence of having repeated and passed the nurse aide competency evaluation.

D. Evidence of change of name. A certificate holder who has changed his name shall submit as legal proof to the board a copy of the marriage certificate or court order authorizing the change. A duplicate certificate shall be issued by the board upon receipt of such evidence and the required fee.

E. Requirements for current mailing address.

1. All notices required by law and by this chapter to be mailed by the board to any certificate holder shall be validly given when mailed to the latest address on file with the board.

2. Each certificate holder shall maintain a record of his current mailing address with the board.

3. Any change of address by a certificate holder shall be submitted in writing to the board within 30 days of such change.

PART ~~VI~~ VII.

MEDICATION ADMINISTRATION TRAINING PROGRAM.

18 VAC 90-20-400. Post-course examination.

The program provider shall require that each student shall pass a written and practical examination at the conclusion of the training which measures minimum competency in medication administration.

PART VIII.

PROTOCOL FOR ADULT IMMUNIZATION.

18 VAC 90-20-410. Requirements for protocol for administration of adult immunization.

Pursuant to provisions of § [~~54.1-5408~~ 54.1-3408] of the Code of Virginia, a protocol shall be submitted to the board prior to the administration of an adult immunization program which includes the following:

1. Purpose and objectives of immunization program.
2. Target population.
3. Name and address of medical director.
4. A signed and dated medical directive.
5. Screening criteria for inclusion and exclusion.
6. Informed consent form.
7. Immunization procedures.
 - a. Dosage.
 - b. Single or multiple dose administration.
 - c. Injection site.
 - d. Vaccine storage.
 - e. Biohazardous waste disposal.
 - f. Universal precautions.
8. Post-immunization instructions.
9. Emergency guidelines.
10. Qualification of immunization providers.
 - a. Virginia licensure as a registered nurse, licensed practical nurse, or pharmacist.
 - b. Supervision of LPN provider.
11. Resource personnel and supervision.
12. Sample of patient record with date, vaccine, dose, site, expiration date, lot number, administering person's signature.

Final Regulations

NOTICE: The forms used in administering 18 VAC 90-20-10 et seq., Regulations of the Board of Nursing, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia.

FORMS

Application for Licensure by Endorsement - Registered Nurse (*with Instructions*) (rev. 7/97).

Application for Licensure by Endorsement - Licensed Practical Nurse.

Instructions for Filing Application for Licensure by Examination for Registered Nurses (8/97).

Application for Licensure by Examination - Registered Nurse (rev. 8/97).

Instructions for Filing Application for Licensure by Examination for Practical Nurses (rev. 11/96).

Application for Licensure by Examination - Licensed Practical Nurse (rev. 11/96).

Instructions for Filing Application for Licensure by Repeat Examination for Registered Nurses (rev. 8/97).

Application for Licensure by Repeat Examination for Registered Nurse (rev. 8/97).

Instructions for Filing Application for Licensure by Repeat Examination for Practical Nurses (rev. 8/97).

Application for Licensure by Repeat Examination - Licensed Practical Nurse (rev. 8/97).

Instructions for Filing Application for Licensure by Examination for Nurses Educated in Other Countries (rev. 8/97).

Application for Licensure by Examination for Nurses Educated in Other Countries (rev. 8/97).

Instructions for Filing Application by Practical Nurses from Other Countries (rev. 1/94).

Application for Licensure by Examination for Licensed Practical Nurses Educated in Other Countries (rev. 11/95).

Application for Reinstatement of License as a Registered Nurse (rev. 1/98).

Application for Reinstatement of License as a Licensed Practical Nurse (rev. 1/98).

Verification of Licensure or Registration (11/95).

Renewal Notice and Application (7/97).

Application for Registration as a Clinical Nurse Specialist.

Survey Visit Report.

Annual Report for Registered Nursing Programs.

Annual Report for Practical Nursing Programs.

Certified Nurse Aide Renewal.

Application for Reinstatement of Nurse Aide Certification.

Application for Nurse Aide Certification by Endorsement.

Nurse Aide Certification Verification Form.

Application to Establish Nurse Aide Education Program.

Program Evaluation Report.

On-Site Review Report.

Evaluation of On-Site Visitor.

Application for Approval of Train-the-Trainer Program.

Request for Statistical Information.

VA.R. Doc. No. R97-420; Filed October 6, 1998, 1:12 p.m.

EXECUTIVE ORDER NUMBER TWENTY-SEVEN (98)

DECLARATION OF A STATE OF EMERGENCY THROUGHOUT THE COMMONWEALTH ARISING FROM HURRICANE BONNIE

Recent meteorological forecasts concerning Hurricane Bonnie predict that the storm could cause storm surge, heavy rains, flooding, and high winds in the Commonwealth. The potential also exists for tornadoes which could be spawned as a collateral effect of the hurricane. The hurricane is projected to make landfall in an area of North Carolina, south of the Virginia coast. Should the hurricane make landfall and track as predicted, flash flooding, river flooding, and wind damage are anticipated in affected areas.

The health and general welfare of the citizens of the localities which may be affected require that state action be taken to help prepare for and, should this destructive storm impact the Commonwealth, to alleviate the conditions which may result from this situation. I also find that these potential hurricane effects may constitute a natural disaster wherein human life and public and private property are imperiled, as described in Section 44-146.16 of the Code of Virginia.

Therefore, by virtue of the authority vested in me by Section 44-146.17 of the Code of Virginia, as Governor and as Director of Emergency Services, and by virtue of the authority vested in me by Article V, Section 7 of the Constitution of Virginia and by Section 44-75.1 of the Code of Virginia, as Governor and Commander-in-Chief of the armed forces of the Commonwealth, and subject always to my continuing and ultimate authority and responsibility to act in such matters, I hereby declare that a state of emergency exists in the Commonwealth and direct that appropriate assistance be rendered by agencies of both state and local governments to prepare for and alleviate any conditions resulting from this hurricane, and to implement recovery and mitigation operations and activities so as to return impacted areas to pre-event conditions insofar as possible. Pursuant to Sections 44-75.1 (3) and (4) of the Code of Virginia, I also direct that the Virginia National Guard and the Virginia Defense Force be called forth to state duty to assist in providing such aid. This shall include Virginia National Guard assistance to the Virginia State Police to direct traffic, prevent looting, and perform such other law enforcement functions as the Superintendent of State Police, in consultation with the State Coordinator of Emergency Services and the Adjutant General, and with the approval of the Secretary of Public Safety, may find necessary.

In order to marshal all public resources and appropriate preparedness, response and recovery measures to meet this potential threat and recovery from its effects, and in accordance with my authority contained in Section 44-146.17 of the Code of Virginia, I hereby order the following protective and restoration measures:

1. The full implementation by agencies of the state and local governments of Volume II, Virginia Emergency Operations Plan (COVEOP) for Peacetime Disasters, July 1997, as amended, along with its attendant Annex

I-FF, Virginia Hurricane Emergency Response Plan, and other appropriate state agency plans.

2. Full activation of the Virginia Emergency Operations Center (VEOC) and the State Emergency Response Team (SERT), which is a multi-agency working group, to coordinate implementation of the COVEOP and to coordinate receipt and evaluation of information related to the effects of this storm. Furthermore, I am directing that the VEOC and SERT coordinate state operations in support of affected localities and the Commonwealth, to include issuing mission assignments to agencies designated in the COVEOP and others that may be identified by the State Coordinator of Emergency Services, in consultation with the Secretary of Public Safety, which are needed to provide for the preservation of life, protection of property, and implementation of recovery activities. The State Coordinator of Emergency Services will work closely with involved agencies to identify sources of funding to cover costs related to the execution of mission assignments.

3. The authorization to assume control over the Commonwealth's telecommunications systems, as required by the State Coordinator of Emergency Services, in coordination with the Department of Information Technology, and with the prior consent of the Secretary of Public Safety, making all systems assets available for use in providing adequate communications, intelligence and warning capabilities for the impending event, pursuant to Section 44-146.18 of the Code of Virginia.

4. The preparation for and if necessary, the evacuation of areas subject to the potential effects of this storm. Although I have the power to direct evacuation as authorized in Section 44-146.17 (1) of the Code of Virginia, I will defer to the authorities of the governing bodies of local jurisdictions as to exactly when and to what extent mandatory evacuation of their localities is implemented. I will retain the authority to implement mandatory evacuation, if warranted. The authority to issue local preventive evacuation orders is dependent upon a declaration of a local emergency by the governing body as outlined in Section 44-146.21 of the Code of Virginia. Violations of any order to citizens to evacuate shall constitute a violation of this Executive Order and are punishable as a Class I misdemeanor.

5. The activation, implementation and coordination of appropriate mutual aid agreements and compacts, including the Emergency Management Assistance Compact, and the authorization of the State Coordinator of Emergency Services to enter into any other supplemental agreements, pursuant to Sections 44-146.17 (5) and 44-146.28:1 of the Code of Virginia, to provide for the evacuation and reception of injured and other persons and the exchange of medical, fire, police, National Guard personnel and equipment, public utility, reconnaissance, welfare, transportation and communications personnel, and equipment and supplies. The State Coordinator of Emergency Services

Governor

is hereby designated as Virginia's authorized representative within the meaning of the Emergency Management Assistance Compact, Section 44-146.28:1 of the Code of Virginia.

6. The authorization of the Departments of State Police, Transportation, and Motor Vehicles to grant temporary overweight/registration/license exemptions to carriers transporting essential emergency relief supplies into and within the Commonwealth in order to support disaster response and recovery, particularly as regards donation management.

The axle and gross weights shown below are the maximum allowed, unless otherwise posted.

Any One Axle	24,000 Pounds
Tandem Axles (more than 40 inches but not more than 96 inches spacing between axle centers)	44,000 Pounds
Single Unit (2 Axles)	44,000 Pounds
Single Unit (3 Axles)	54,500 Pounds
Tractor-Semitrailer (4 Axles)	64,500 Pounds
Tractor-Semitrailer (5 or more Axles)	90,000 Pounds
Tractor-Twin Trailers (5 or more Axles)	90,000 Pounds
Other Combinations (5 or more Axles)	90,000 Pounds
Per Inch of Tire Width in Contact with Road Surface	850 Pounds

In addition to described overweight transportation privileges, carriers are also exempt from registration with the Department of Motor Vehicles (DMV). This includes the vehicles en route and returning to their home base. The above-cited agencies shall communicate this information to all staff responsible for permit issuance and truck legalization enforcement.

This authorization shall apply to hours worked by any carrier when transporting passengers, property, equipment, food, fuel, construction materials and other critical supplies to or from any portion of the Commonwealth for purpose of providing relief or assistance as a result of this disaster, pursuant to Section 52-8.4 of the Code of Virginia.

The foregoing overweight transportation privileges and the regulatory exemption provided by Section 52-8.4.A of the Code of Virginia, and implemented in Section 2.3.B of VR 545-01-1 [19 VAC 30-20-40], "Motor Carrier Safety Regulations," shall remain in effect for sixty (60) days from the onset of the disaster, or until emergency relief is no longer necessary, as determined by the Secretary of Public Safety in consultation with the Secretary of Transportation, whichever is earlier.

7. The discontinuance of provisions authorized in paragraph 6 above may be implemented and disseminated by publication of administrative notice to all affected and interested parties by the authority I herewith delegate to the Secretary of Public Safety, after

consultation with other affected Cabinet-level Secretaries.

8. If deemed necessary, the designation of a State Recovery Task Force under the leadership of the Secretary of Commerce and Trade to promote public, private and industrial redevelopment projects and help sustain long-term community economic vitality in the aftermath of the disaster. This task force will also assist in the restoration of critical public health and safety systems and will do so in close coordination with the State Coordinator of Emergency Services as the individual responsible for ensuring implementation of short-term recovery programs.

9. The authorization of appropriate oversight boards, commissions and agencies to ease building code restrictions, and to permit emergency demolition, hazardous waste disposal, debris removal, emergency landfill siting and operations and other activities necessary to address immediate health and safety needs. This state of emergency constitutes a major medical emergency under the Rules and Regulations of the Board of Health Governing Emergency Medical Services, pursuant to Article 3.01 (Section 32.1-111.1 et seq.) of Chapter 4 of Title 32.1 of the Code of Virginia, Statewide Emergency Medical Services System and Services, and exemptions specified in the Rules and Regulations regarding patient transport and provider certification in disasters apply.

10. Upon my approval, the costs incurred by state agencies and other agents of the Commonwealth as defined herein and in Section 44-146.17 of the Code of Virginia, except as defined in paragraph 6 below, in performing these missions shall be paid out of the sum sufficient appropriation for Disaster Planning and Operations contained in Item 43 of Chapter 1, Special Session 1, 1998 Virginia Acts of Assembly.

11. The implementation by public agencies under my supervision and control of their emergency assignments as directed in the COVEOP without regard to normal procedures pertaining to performance of public work, entering into contracts, incurring of obligations, or other logistical and support measures, as delineated in Section 44-146.28 (b) of the Code of Virginia. Section 44-146.24 of the Code of Virginia also applies to the disaster activities of state agencies.

12. The immunity provisions of Section 44-146.23 (a) of the Code of Virginia apply to volunteer, auxiliary and reserve groups including search and rescue team members (SAR), Virginia Association of Volunteer Rescue Squad (VAVRS) personnel, Civil Air Patrol (CAP), member organizations of the Voluntary Organizations Active in Disasters (VOAD), Radio Amateur Civil Emergency Services (RACES), volunteer fire fighters and others when designated as agents of the Commonwealth for specific disaster-related mission assignments and identified by the State Coordinator of Emergency Services.

The following conditions apply to the deployment of the Virginia National Guard and the Virginia Defense Force:

1. The Adjutant General of Virginia, after consultation with the State Coordinator of Emergency Services, shall make available on state active duty such units and members of the Virginia National Guard and Virginia Defense Force and such equipment as may be desirable to assist in pre-storm preparations and in alleviating the human suffering and damage to property as a result of Hurricane Bonnie.

2. Pursuant to Section 52-6 of the Code of Virginia, I authorize and direct the Superintendent of State Police to appoint any and all such Virginia Army and Air National Guard personnel called to state active duty as additional police officers. These police officers shall have the same powers and perform the same duties as the regular State Police officers appointed by the Superintendent. However, they shall nevertheless remain members of the Virginia National Guard, subject to military command as members of the State Militia. Any bonds and/or insurance required by Section 52-7 of the Code of Virginia shall be provided for them at the expense of the Commonwealth.

3. In all instances, members of the Virginia National Guard and Virginia Defense Force shall remain subject to military command as prescribed by Section 44-78.1 of the Code of Virginia and not subject to the civilian authorities of the state or local governments. This shall not be deemed to prohibit working in close cooperation with members of the Virginia Department of State Police or Emergency Services or local law enforcement or emergency management authorities or receiving guidance from them in the performance of their duties.

4. Should service under this Executive Order result in the injury or death of any member of the Virginia National Guard, the following will be provided to the member and the member's dependents or survivors:

(a) Workers' Compensation benefits provided to members of the National Guard by the Virginia Workers' Compensation Act, subject to the requirements and limitations thereof; and, in addition,

(b) The same benefits, or their equivalent, for injury, disability and/or death, as would be provided by the federal government if the member were serving on federal active duty at the time of the injury or death. Any such federal-type benefits due to a member and his or her dependents or survivors during any calendar month shall be reduced by any payments due under the Virginia Workers' Compensation Act during the same month. If and when the time period for payment of Workers' Compensation benefits has elapsed, the member and his or her dependents or survivors shall thereafter receive full federal-type benefits for as long as they would have received such benefits if the member had been serving on federal active duty at the time of injury or death. Any federal-type benefits due shall be computed on the basis of

military pay grade E-5 or the member's military grade at the time of injury or death, whichever produces the greater benefit amount. Pursuant to Section 44-14 of the Code of Virginia, and subject to the concurrence of the Board of Military Affairs, and subject to the availability of future appropriations which may be lawfully applied to this purpose, I now approve of future expenditures out of appropriations to the Department of Military Affairs for such federal-type benefits as being manifestly for the benefit of the military service.

5. The following conditions apply to service by the Virginia Defense Force:

(a) Compensation shall be at a daily rate that is equivalent of base pay only for a National Guard Unit Training Assembly, commensurate with the grade and years of service of the member, not to exceed 20 years of service;

(b) Lodging and meals shall be provided by the Adjutant General or reimbursed at standard state per diem rates;

(c) All privately owned equipment, including, but not limited to, vehicles, boats, and aircraft, will be reimbursed for expense of fuel. Damage or loss of said equipment will be reimbursed, minus reimbursement from personal insurance, if said equipment was authorized for use by the Adjutant General in accordance with Section 44-54.12 of the Code of Virginia; and

(d) In the event of death or injury, benefits shall be provided in accordance with the Virginia Workers' Compensation Act, subject to the requirements and limitations thereof.

6. The costs incurred by the Department of Military Affairs and Virginia Defense Force in performing these missions shall be paid out of the sum sufficient appropriation for Disaster Planning and Operations contained in Item 511 of Chapter 1, Special Session 1, 1998 Acts of Assembly.

This Executive Order shall be effective upon its signing, and shall remain in full force and effect until June 30, 1999, unless sooner amended or rescinded by further executive order. That portion providing for benefits for members of the National Guard and other agents of the Commonwealth herein provided for in the event of injury or death shall continue to remain in effect after termination of this Executive Order as a whole.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 25th day of August, 1998.

/s/ James S. Gilmore, III
Governor

VA.R. Doc. No. R99-27; Filed September 25, 1998, 12:02 p.m.

Governor

EXECUTIVE ORDER NUMBER TWENTY-EIGHT (98)

EXECUTIVE BRANCH LEGISLATIVE COORDINATION

By virtue of the authority vested in me under Article V of the Constitution of Virginia and under the laws of the Commonwealth, including but not limited to Sections 2.1-39.1 and 2.1-41.1 of the Code of Virginia, and subject always to my continuing and ultimate authority and responsibility to act in such matters, I hereby establish policies and procedures for the coordination of legislative activities of all Executive Branch agencies, institutions and employees.

GENERAL PROVISIONS

The policies and procedures set forth herein are directed to the following purposes:

- To ensure that all legislation proposed by the Executive Branch is consistent with the principles and policies established by the Governor;
- To ensure that all legislation proposed by the Executive Branch is necessary for the efficient and effective operation of state government and is responsive to the needs and priorities of citizens of the Commonwealth;
- To provide for the assessment of the policy and fiscal impact of all proposed legislation under consideration by the General Assembly;
- To facilitate development of the Executive Branch's position regarding proposed legislation before, during, and after each session of the General Assembly;
- To ensure the accurate and authoritative communication of the Executive Branch's position on proposed legislation to the General Assembly, its committees, and individual members;
- To provide for the accurate and authoritative communication of the Executive Branch's position on proposed legislation for the guidance of all Executive Branch agencies, institutions and employees; and
- To ensure that Executive Branch personnel are made available to assist the work of legislative committees and that members of the General Assembly are afforded timely access to information from Executive Branch agencies and institutions upon request.

The Governor's Policy Office will, with the assistance of the Department of Planning and Budget (DPB), oversee the implementation of the policies and procedures set forth in this Executive Order, and will perform the central coordinating function in support of the Governor's legislative initiatives and in the development of the Executive Branch's position on proposed, pending, and enrolled legislation.

The Governor's Secretaries will coordinate the development of agency and secretariat recommendations on

all proposed, pending, and enrolled legislation, and will oversee communications between Executive Branch agencies and the General Assembly.

All Executive Branch agencies, institutions, and employees will assist and cooperate fully with the Governor's Secretaries, DPB, and the Governor's Policy Office in the implementation of this Executive Order.

SPECIFIC PROVISIONS

A. Review and Approval of Agency Legislative Proposals

1. **Prior Approval Required.** No Executive Branch agency or institution will cause proposed legislation to be drafted by the Division of Legislative Services, nor obtain a patron for proposed legislation, nor procure the introduction of any proposed legislation, without the prior approval of the responsible Governor's Secretary and the Governor's Policy Office.
2. **Review Process and Time Line.** The Chief of Staff to the Governor will annually cause instructions to be delivered to all Executive Branch agencies setting forth the process and time lines for review of agency legislative proposals by DPB, the responsible Governor's Secretary, and the Governor's Policy Office.
3. **Employee Obligations.** Executive Branch employees will comply with the review and approval process required under paragraphs A.1 and A.2 with respect to any legislation that pertains to the subject matter of the employee's official duties. Employees may not circumvent this requirement by informally approaching members of the General Assembly regarding the sponsorship or initiation of legislation.
4. **Decisions by Governor; Implementation.** Upon approval of an agency legislative proposal by the Governor, the Governor's Policy Office will notify the responsible Governor's Secretary of the approval of the proposal. The responsible Governor's Secretary then will notify the proposing agency and will arrange for the preparation of the legislation in a form appropriate for introduction.
5. **Introduction of Legislation; Tracking; Support.** The Governor's Policy Office will designate one or more patrons for each approved agency legislative proposal, and will coordinate the introduction of all Executive Branch legislative proposals. DPB thereafter will track the progress of all such legislative proposals and will make such information available to the Governor's Secretaries and the Governor's Policy Office. The responsible Governor's Secretary will ensure that the sponsoring agency provides all necessary committee testimony and other activity in support of each legislative proposal.
6. **Exemptions.** The procedures in paragraphs A.1 through A.5 will apply to all legislative proposals initiated by the Executive Branch. Any exemptions from the procedures set forth above, or from the procedures and

time lines established pursuant thereto, will be approved by the Governor's Policy Office.

B. Review and Decisions on Pending Legislation

1. Procedures for Legislative Action Summaries

a) Agency Preparation of Legislative Action Summary. Each Executive Branch agency and institution will closely monitor all legislation as it is introduced in the General Assembly and will determine which legislative proposals relate to matters within the jurisdiction and responsibility of the agency. As soon as practicable, but no more than four business days following introduction of legislation, the affected agency will prepare and forward to the responsible Governor's Secretary a Legislative Action Summary (LAS) setting forth the agency's analysis and recommended position regarding the legislation.

b) Review by Governor's Secretaries. For each legislative proposal introduced in the General Assembly, the responsible Governor's Secretary will review the Legislation Action Summary prepared by each affected agency, will record his or her recommendation on the Legislative Action Summary, and will forward the Legislative Action Summary to the Governor's Policy Office. Where agencies in more than one secretariat submit Legislative Action Summaries, the responsible Secretaries will coordinate their recommendations prior to forwarding the Legislative Action Summaries to the Governor's Policy Office. The Governor's Secretaries will ensure that Legislative Action Summaries are forwarded to the Governor's Policy Office as soon as practicable, but no less than four days before the legislation is to be considered in committee.

c) Determination by Governor; Notification. The Governor's Policy Office will coordinate the Governor's review of Legislative Action Summaries and will notify the responsible Governor's Secretary following the Governor's determination. The Governor's Secretary will then notify the affected agency or agencies.

d) Supplementation of Legislative Action Summary. The affected agency will prepare and forward to the responsible Governor's Secretary a supplemental or substitute Legislative Action Summary whenever, during the General Assembly's consideration of the legislation, there is proposed a significant substantive change that would render the previous Legislative Action Summary inaccurate or incomplete. In situations where time clearly does not permit submission of a supplemental or substitute Legislative Action Summary, the affected agency will notify the Secretary of the change and time constraints, and the Secretary will notify the Governor's Policy Office. Such notification may be verbal or may be transmitted electronically.

e) Confidentiality; Governor's Working Papers Exemption. All draft and completed Legislative Action Summaries and all documents used in the preparation of Legislative Action Summaries will be, and will be marked as, confidential Governor's working papers exempt from disclosure under the Virginia Freedom of Information Act, regardless of whether such documents are in the possession of Executive Branch agencies, the Offices of the Governor's Secretaries, or the Governor's Office.

2. Procedures for Fiscal Impact Statements

a) Development of a Fiscal Impact Statement Process. DPB will develop policies and procedures necessary for reviewing all legislation for potential fiscal implications to the Commonwealth. The procedures will include the format of a fiscal impact statement for reporting purposes. The Governor's Policy Office, assisted by the Secretary of Finance, will approve the policies and procedures.

b) Coordination of the Fiscal Impact Statement. DPB will coordinate the development of fiscal impact statements. Each executive branch agency and institution will assist in the development of fiscal impact statements upon request.

c) Updates to the Fiscal Impact Statement. As necessary, DPB will update fiscal impact statements for legislation to reflect change during the course of the consideration of the legislation by the General Assembly.

d) Distribution of the Fiscal Impact Statement. DPB will distribute copies of each fiscal impact statement to the Governor, affected Cabinet Secretaries, appropriate members of the General Assembly, and other parties identified in the procedures.

e) Availability. Fiscal impact statements are available for public review.

C. Coordination of Legislative Committee Testimony

1. Tracking By Affected Agencies. Each Executive Branch agency or institution will track pending legislation that is within the agency's jurisdiction and responsibility, and will maintain a current status list of all such legislation in a format prescribed by the responsible Governor's Secretary. An up-to-date status list prepared by each agency and institution will be provided to the responsible Governor's Secretary as requested.

2. Testimony by Affected Agencies. With respect to pending legislation that is within the agency's jurisdiction and responsibility, each Executive Branch agency will be responsible for attending committee meetings when legislation affecting the agency is being heard and for providing testimony before legislative committees when requested. In addition, agencies are responsible for taking such other actions as are necessary to facilitate consideration of the legislation by the General

Assembly, as directed by the responsible Governor's Secretary.

3. Oversight by Governor's Secretaries. The Governor's Secretaries will oversee and coordinate the legislative support and informational activities of all agencies and institutions under their supervision. The Governor's Secretaries will ensure that appropriate representatives of the Executive Branch are in attendance and prepared to provide testimony before all legislative committees. The Governor's Secretaries will coordinate generally with the Governor's Policy Office for the provision of testimony before legislative committees.

4. Legislators' Access to Information. Nothing herein will be construed or applied so as to limit the ability of the General Assembly, or any member, committee, or commission thereof, from obtaining information in the possession of state agencies and institutions as provided by law.

D. Review of Enrolled Legislation

1. Coordination; Adherence to Time Lines. The Governor's Policy Office will, with the assistance of DPB, coordinate the Governor's review of enrolled bills, and will prescribe procedures and prepare forms to ensure an orderly and efficient enrolled bill review process. Because severe time constraints frequently exist during this process, all Executive Branch agencies, institutions, and employees will comply strictly with the time lines and procedures prescribed pursuant hereto.

2. Review by Governor's Secretaries. The Governor's Secretaries will make recommendations to the Governor regarding his action on all enrolled bills, and will ensure timely compliance with enrolled bill review procedures by the agencies and employees within each Secretary's supervision.

3. Confidentiality; Governor's Working Papers Exemption. All draft and completed forms and other documents used in the enrolled bill review process will be, and will be marked as, confidential Governor's working papers exempt from disclosure under the Virginia Freedom of Information Act, regardless of whether such documents are in the possession of Executive Branch agencies, the Offices of the Governor's Secretaries, or the Governor's Office.

This Executive Order supersedes and rescinds Executive Order Number Thirty-Nine (95), Executive Branch Legislative Coordination, issued January 3, 1995, by Governor George Allen.

This Executive Order shall become effective upon its signing and shall remain in full force and effect until June 30, 2002, unless amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 2nd day of September, 1998.

/s/ James S. Gilmore, III
Governor

EXECUTIVE ORDER NUMBER TWENTY-NINE (98)

CREATING THE HAMMOND COMMISSION ON COMMUNITY SERVICES AND IN-PATIENT CARE

Virginians with mental illness, mental retardation and substance abuse problems need and deserve high-quality treatment and services. In recent years, state mental health and mental retardation facilities have come under intense scrutiny from the U.S. Department of Justice. Recently, reports submitted by Jeffrey L. Geller, M.D., M.P.H., were released by this Administration. Dr. Geller reports that deficiencies exist in the quality of care, including interdisciplinary planning and treatment, quality assurance and monitoring, records management and documentation, human resources and training, and coordination between facilities and community programs. These issues must be addressed to ensure that Virginians with mental disabilities and substance abuse problems have access to high quality services in the most appropriate setting.

Accordingly, by virtue of the authority vested in me as Governor under Article V of the Constitution of Virginia and including, but not limited to § 2.1-51.36 of the Code of Virginia, and subject to my continuing and ultimate authority and responsibility to act in such matters, I hereby create the Hammond Commission on Community Services and In-Patient Care.

The Commission is classified as a gubernatorial advisory commission in accordance with §§ 2.1-51.35 and 9-6.25 of the Code of Virginia.

The Commission shall have the responsibility to advise the Governor as to how Virginia can best build a responsive, quality mental health, mental retardation and substance abuse services system for the next century. The specific duties of the Commission shall include the following:

- The Commission shall conduct a comprehensive review of the services systems and recommendations for improving the quality of care relying principally upon the work of Dr. Jeffrey L. Geller, M.D., M.P.H.; the work of the Joint Subcommittee Studying the Future Delivery of Publicly Funded Mental Health, Mental Retardation, and Substance Abuse Services; House Document 77, 1998; the recommendations of the Community and Facility Master Plan; and other relevant public and private studies.
- The Commission shall advise the Governor as to ways in which the Commonwealth can enact new laws or implement new initiatives to promote the delivery of high-quality health services in state facilities and community programs.
- The Commission shall advise the Governor as to management and operational improvements, and technology and training improvements that can best

be used to develop facility and community programs of superior quality.

- The Commission shall identify for the Governor methods to build a constructive role for the private sector in providing and coordinating effective mental health, mental retardation and substance abuse services.

The Commission shall be comprised of no more than 20 members appointed by the Governor and serving at his pleasure. The Governor shall designate the Chair of the Commission.

Members of the Commission shall serve without compensation but shall receive reimbursement for expenses incurred in the discharge of their official duties only upon the approval of the Secretary of Health and Human Resources.

Such staff support as is necessary for the conduct of the Commission's work during the term of its existence shall be furnished by the Office of the Governor, the Offices of the Governor's Secretaries, and such other executive branch agencies as the Governor may designate. Staff support over the term of the Commission is expected to total an estimated 1,800 hours.

Funding necessary to support the Commission's work shall be provided from sources, including both private contributions and state funds appropriated for purposes related to the work of the Commission, as authorized by § 2.1-51.37(2) of the Code of Virginia. Direct expenditures for the Commission's work are estimated to be \$28,500, exclusive of costs related to personnel.

The Commission shall make an initial report to the Governor no later than December 1, 1998, and may issue other reports and make recommendations at any time it deems necessary or upon the Governor's request.

This Executive Order shall be effective upon its signing and shall remain in full force and effect until August 27, 1999, unless continued or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 28th day of August, 1998.

/s/ James S. Gilmore, III
Governor

VA.R. Doc. No. R99-29; Filed September 25, 1998, 12:02 p.m.

EXECUTIVE ORDER NUMBER THIRTY (98)

ASSESSING VIRGINIA'S PROCUREMENT PROCESS

In 1983, responding to the needs of the day, the Commonwealth adopted the Virginia Public Procurement Act (VPPA). The Act formed the basis for public procurement practices in the Commonwealth. It established clear and consistent guidelines for fair and open competition in Virginia's public purchasing. It restored public trust in the state's procurement processes.

Over the past fifteen years, much has changed in the state government work environment. Decentralization of authority, best value procurement of goods and services, technology procurements, electronic commerce and public-private partnerships are concepts that have gained favor over the last decade and one-half. Electronic procurement systems and the use of the Internet for procurement are growing rapidly. During fiscal year 1998, the Commonwealth will spend in excess of \$4.5 billion on the purchase of goods and services. These purchases will be made under rules established over fifteen years ago.

The Commonwealth, while at the forefront of technological change, may be operating with dated processes and practices. The Commonwealth should review its procurement practices to determine if its current procurement law and business practices will serve the Commonwealth well in the future.

By virtue of the authority vested in me as Governor under Article V of the Constitution of Virginia and the laws of the Commonwealth, including, but not limited to, Section 2.1-51.36 of the Code of Virginia, and subject to my continuing and ultimate authority and responsibility to act in such matters, I hereby establish an initiative to examine the Commonwealth's procurement practices, to explore methods of creating greater efficiency in procurement, and to create business rules suited to a modern public business environment, while insuring the security of the assets of the Commonwealth. To this end, I hereby create the Commonwealth of Virginia Procurement Assessment Task Force.

The Task Force is classified as a gubernatorial advisory commission in accordance with Section 2.1-51.35 and Section 9-6.25 of the Code of Virginia. It shall have the following duties:

1. To identify best procurement practices in the private sector and other public sector organizations;
2. To develop a range of procurement goals, objectives, and policies that can benefit the Commonwealth;
3. To develop performance measures that will indicate whether the Commonwealth is meeting its objectives in the area of procurement management;
4. To draft a procurement strategic plan; and
5. If appropriate, to draft recommendations for revision to the Virginia Procurement Act for consideration of the General Assembly.

The Task Force shall be composed of no more than 30 members, appointed by the Governor and serving at his pleasure. The Task Force shall include a broad representation of procurement professionals from the private sector and state and local governments, as well as other citizens who have knowledge of, and an interest in, Virginia's procurement processes and procedures.

Membership shall also include two members of the Senate of Virginia and two members of the House of Delegates, the

Governor

Secretary of Technology, the director of the Department of General Services, and the heads of two state agencies or institutions. The Secretary of Administration shall chair the Task Force.

The Task Force shall complete its work and issue a final report to the Governor no later than April 15, 1999, and shall issue interim reports and make recommendations at such times as it deems appropriate, or upon the Governor's request.

An estimated 100 hours of staff time will be required to support the work of the Task Force. Such staff support as is necessary for the conduct of the Task Force's work during the term of its existence shall be furnished by the Department of General Services, Division of Purchases and Supply, and other such executive department agencies as the Governor may designate. Funding necessary to support the work of the Task Force shall be provided from federal funds, private contributions, and state funds appropriated for the same purposes as the Commission, as authorized by Section 2.1-51.37 of the Code of Virginia. Direct expenditures for the work of the Task Force, exclusive of staff time, are estimated to be \$26,000.

Members of the Task Force shall serve without compensation but shall receive reimbursement for expenses incurred in the discharge of their official duties upon the approval by the Secretary of Administration or his designee.

This Executive Order shall be effective upon signing and shall remain in full force and effect until June 30, 1999, unless superseded or rescinded by further executive action.

Given under my hand and under the Seal of the Commonwealth of Virginia this 2nd day of September, 1998.

/s/ James S. Gilmore, III
Governor

VA.R. Doc. No. R99-30; Filed September 25, 1998, 12:05 p.m.

GENERAL NOTICES/ERRATA

STATE CORPORATION COMMISSION

Bureau of Insurance

September 24, 1998

Administrative Letter 1998-12

TO: All Property and Casualty Insurers and Rate Service Organizations Licensed in Virginia

RE: Binding Arbitration Provisions in Insurance Contracts

The State Corporation Commission Bureau of Insurance has recently reviewed its position with regard to binding arbitration provisions and binding appraisal conditions in insurance contracts. Companies are advised that arbitration clauses or appraisal conditions that attempt to deprive a court of jurisdiction are not permitted in insurance contracts. This is based on language in § 38.2-312, which states in part: "No insurance contract delivered or issued for delivery in this Commonwealth and covering subjects which are located or residing in this Commonwealth, or which are performed in this Commonwealth shall contain any condition, stipulation or agreement...depriving the courts of this Commonwealth of jurisdiction in actions against the insurer." Arbitration clauses and appraisal conditions may be used in insurance contracts as long as they do not attempt to preclude jurisdiction of a dispute by a court in the Commonwealth of Virginia.

Consequently, Administrative Letter 1986-8 is withdrawn, and companies should review their policy forms on file with the Bureau to determine if any forms contain arbitration provisions or appraisal conditions which may be construed as binding. Such forms should be amended and re-filed with the Bureau no later than January 1, 1999. All new forms must be in compliance with § 38.2-312.

If you have any questions, please contact the Rates and Forms Section at (804) 371-9965.

/s/ Alfred W. Gross
Commissioner of Insurance

VA.R. Doc. No. C99-178; Filed September 30, 1998, 9:42 a.m.

October 1, 1998

Administrative Letter 1998-13

TO: ALL ENTITIES WITH AUTHORITY TO APPOINT AGENTS IN VIRGINIA, AND OTHER INTERESTED PARTIES

RE: PROCEDURAL AND ADMINISTRATIVE CHANGES REGARDING AGENT LICENSING

IMMEDIATE ATTENTION REQUIRED.

PLEASE ACQUAINT ALL THOSE INVOLVED IN THE AGENT LICENSING AND APPOINTMENT PROCESS WITH THE CONTENTS OF THIS ADMINISTRATIVE LETTER.

As was mentioned in Administrative Letter 1998-8, the Bureau is in the process of enhancing our automated system dealing with agent licensing and appointment processes. We expect the first phase of the enhanced system to be implemented during the first two weeks in November. These changes will affect the processing of forms received beginning November 16, 1998.

One of the goals of this system enhancement is to reduce both your and our costs and time required for processing license and appointment forms. To accomplish this, we are implementing the following procedural changes:

APPOINTMENT AND APPOINTMENT CANCELLATION FORMS

1. Beginning with forms received on November 16, 1998, appointing companies that are part of a group of companies and who wish to appoint one agent or one agency to represent all of the companies in the group (at least all those licensed in Virginia and holding authority to issue appointments of that type) will be permitted to do so using one appointment form to appoint one individual or one agency for the same appointment type for all authorized companies in a group.

Instead of having to list each company in the group, our new system will allow you to fill in the COMPANY NUMBER for any one of the companies AND the NAIC-assigned GROUP CODE on the Appointment Form (PIN4151). Our system will utilize the company number to find the other companies in that group code, and automatically record and issue acknowledgments of appointments for all companies in the group with the authority to issue that type of appointment.

The following is an example of how this would work:

- If Jane Smith, a person *shown in the Bureau's records as being authorized* to appoint agents on behalf of the Healthy Insurance Group of companies, wishes to issue a Life and Health Appointment to Arthur Agent to represent all of the companies in the group with life and/or accident and sickness authority, she would simply provide the company number of any one of the companies, the NAIC-assigned group code, and circle the appropriate appointment type on the appointment form, as follows:

**Company Number 12345 Group Number 0239
Life & Health (001)**

Our system will automatically process an appointment for each company in the group that has Life and/or Accident and Sickness authority.

2. If the individual or agency is **not** to be appointed for all companies in the group authorized for the same lines of

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insurance, then the Appointment Form should be completed in the same manner as it is completed at present, where specific company numbers can be shown on the form.

Do NOT fill in the Group Code on the form in this case, since use of the Group Code indicates the intent to appoint the agent to represent all authorized companies in the group.

- So, if Jane wishes to appoint Arthur to represent only four of the companies in the group, she would fill out the appointment form by providing the company number and company name for each company, and circle the appointment type, as follows:

Company Number	Company Name	Appointment Type
12345	ABC Health Insurance Company	LH (001)
67890	Agents Life Insurance Company	LH (001)
12487	Richmond Health Insurance Company	LH (001)
45678	Casualty & Accident Insurance Company	LH (001)

3. If Jane also wanted to appoint Arthur to sell Property and Casualty insurance on behalf of all of the companies in the group with that authority, she would need to send a separate appointment form with the company number of one of the P&C companies and the group code, and circle the appointment type. As stated above, our system would then process an appointment for each of the authorized companies.

4. If Jane instead wished to appoint Arthur for only one or two of the P&C companies, she would provide the company number and company name for each, and circle the appointment type.

THE PROCEDURE DESCRIBED ABOVE FOR COMPLETING THE APPOINTMENT FORM MAY ALSO BE USED FOR THE APPOINTMENT CANCELLATION FORM (PIN4921).

REJECTED APPOINTMENT AND APPOINTMENT CANCELLATION FORMS

We continue to receive thousands of appointment forms and appointment cancellation forms from insurers each year either appointing an agent who is not appropriately licensed or who is already appointed, or terminating the appointment of an agent who was never appointed or whose appointment had already been terminated by the insurer. Until now, in many of these situations, we had been returning the rejected form to the company, although processing and mailing such documents is not, as can be imagined, the best use of our resources.

As part of our attempt to reduce costs, we will discontinue the process of returning the Appointment or Cancellation of Appointment forms to the company when they are

incomplete or redundant. A rejection list will be sent to the companies as is done today, and the rejection list will describe all forms that were rejected and will indicate the reason for the rejection.

THE COMPANY WILL BE REQUIRED TO SUBMIT A NEW FORM IF NEEDED.

Most of the forms are rejected because they were not needed in the first place, such as an Appointment Form for an agent who is already appointed for the company. In this case, no further action will need to be taken by the company.

PERSONS AUTHORIZED TO APPOINT AGENTS

Included with Administrative Letter 1998-8 was a form that all companies were requested to complete and submit to us, updating the list of individuals authorized to appoint and cancel appointments for the company. If you have not done so, please complete that form and return it to the Bureau immediately.

APPOINTMENTS AND APPOINTMENT CANCELLATIONS WILL BE REJECTED IF THE INDIVIDUAL SIGNING THE FORM IS NOT ON OUR UPDATED AUTHORIZED LIST.

LICENSE APPLICATION PROCESSING FEES

The fee submitted with a license application is, by law, deemed a license application **processing** fee. Currently, however, the Bureau does not retain the fee if the application for licensure is rejected. Instead, the fee is returned to the applicant with the application form, even though the Bureau has spent the same amount of (or even more) time processing the form as it would for an acceptable form.

Beginning with applications received on November 16, however, there will be a new process for handling license application **processing** fees, and the Bureau will begin retaining the processing fees submitted with unacceptable or incomplete applications. Even though we will be retaining the fee, we will notify the applicant in writing that he has a specific number of days for correction of minor discrepancies, without necessitating the submission of a new processing fee. At the expiration of that time period, however, re-submitted applications will not be processed without submission of a new processing fee.

While this will most directly impact those paying the license application processing fees (usually the applicant), we want the companies to be aware of the new process.

THE NEXT PHASE

Implementation of the second phase of the enhanced system is expected to be around the end of this year or early next year. This phase is expected to provide the following:

- The ability for companies to file appointments and cancellations of appointments electronically.
- Lockbox functionality so that companies can pay appointment fees directly to the bank.

- Electronic Funds Transfer (EFT) so that companies can submit payments electronically.
- The ability for agents and companies to submit one check for multiple forms.

We look forward to your cooperation during the transition period, and thank you in advance for assisting us to implement these changes, many of which we believe will be to your benefit.

As a reminder, we encourage companies to take advantage of our new Interactive Voice Response (IVR) system. If you have been using the system and have suggestions for additional information that may be helpful to you, please let us know.

If you have any questions regarding the November 16th changes, please contact the Agents Licensing Section at 804-371-9631.

/s/ Alfred W. Gross
Commissioner of Insurance

VA.R. Doc. No. C99-210; Filed September 30, 1998, 3:49 p.m.

DEPARTMENT OF HEALTH

Periodic Review of Regulations

Pursuant to Executive Order Number 25 (98), the Department of Health is reviewing 14 VAC 5-220-10 et seq., Rules Governing Private Review Agents, to determine if the regulation should be terminated, amended or retained in its current form. The regulations were adopted by the State Corporation Commission in 1991. By operation of Senate Bill 224 (Chapter 129, 1998 Acts of Assembly, these regulations will be "deemed to be regulations of the Department of Health" until the department adopts its own regulations in this area, or until January 1, 2000, whichever comes earlier.

The review will be guided by the principles listed in Executive Order 25 (98). The department seeks public comment regarding (i) the essential need for the regulation; (ii) the specific and measurable goals that the regulation is intended to achieve; (iii) whether the regulation is clearly written and easily understandable; (iv) whether the regulation poses an unwarranted interference in private enterprise and life; and (v) whether less burdensome and intrusive alternatives to the regulation exist. If it is determined that the regulation should be terminated or amended, the process will be conducted in accordance with the Administrative Process Act (§ 9-6.14:1 et seq. of the Code of Virginia).

Written comments will be accepted until 5 p.m., November 26, 1998. All comments should be addressed to:

Nancy R. Hofheimer, Director
Center for Quality Health Care Services and Consumer Protection
Virginia Department of Health
3600 West Broad Street, Suite 216

Richmond, Virginia 23230
FAX: (804) 367-2149

STATE LOTTERY DEPARTMENT

DIRECTOR'S ORDER NUMBER TWENTY (98)

CERTAIN DIRECTOR'S ORDERS RESCINDED.

In accordance with the authority granted by Section 58.1-4006 A of the Code of Virginia, I hereby rescind the following Director's Orders:

<u>Order Number</u>	<u>Date Issued</u>	<u>Subject</u>
16(93)	05/18/93	Virginia's Thirty-Fourth Instant Game Lottery; "Black Jack," Final Rules for Game Operation.
30(93)	10/18/93	Virginia's Thirty-Eighth Instant Game Lottery; "Winning Hands," Final Rules for Game Operation.
35(93)	12/15/93	Virginia's Thirty-Ninth Instant Game Lottery; "\$10,000 Cash Match," Final Rules for Game Operation.
16(94)	04/04/94	Virginia's Forty-First Instant Game Lottery; "Winner's Circle," Final Rules for Game Operation.
23(94)	05/25/94	Virginia's Forty-Second Instant Game Lottery; "Joker's Wild," Final Rules for Game Operation.
39(94)	10/17/94	Virginia's Instant Game Lottery 302; "4 Card Bingo," Final Rules for Game Operation.
05(95)	02/06/95	Virginia's Forty-Seventh Instant Game Lottery; "Lucky for Life," Final Rules for Game Operation.
06(95)	03/07/95	Virginia's Instant Game Lottery 401; "Casino Cash," Final Rules for Game Operation.
15(95)	06/23/95	Virginia's Fiftieth Instant Game Lottery; "Ace in the Hole," Final Rules for Game Operation.
20(95)	09/11/95	Virginia's Fifty-First Instant Game Lottery; "Victory Lap," Final Rules for Game Operation.
27(95)	10/13/95	Virginia's Fifty-Second Instant Game Lottery; "Poker," Final Rules for Game Operation.
29(95)	11/06/95	Virginia's Instant Game Lottery 403; "Holiday Cash for Life," Final Rules for Game Operation.
01(96)	02/01/96	Virginia's Fifty-Fifth Instant Game Lottery; "\$25,000 Slots," Final Rules

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		for Game Operation.			Lottery, "Cold Cash," Final Rules for Game Operation.
03(96)	02/08/96	Virginia's Instant Game Lottery 404; "Decade of Dollars," Final Rules for Game Operation.	02(97)	01/01/97	Virginia's Sixty-Ninth Instant Game Lottery, "\$10,000 Slam Dunk," Final Rules for Game Operation.
09(96)	04/01/96	Virginia's Fifty-Sixth Instant Game Lottery; "Monte Carlo," Final Rules for Game Operation.	03(97)	02/01/97	Virginia's Seventieth Instant Game Lottery, "\$10,000 Cash Poker," Final Rules for Game Operation.
10(96)	04/01/96	Virginia's Instant Game Lottery 304; "Double Bonus Bingo," Final Rules for Game Operation.	04(97)	02/01/97	Virginia's Seventy-First Instant Game Lottery, "Cruise for Cash," Final Rules for Game Operation.
12(96)	05/05/96	Virginia's Fifty-Seventh Instant Game Lottery; "Instant Cash," Final Rules for Game Operation.	05(97)	03/14/97	Virginia's Instant Game Lottery 305, "Lucky Bingo," Final Rules for Game Operation.
13(96)	05/05/96	Virginia's Instant Game Lottery 405; "Money for Life," Final Rules for Game Operation.	08(97)	03/29/97	Virginia's Fifty-Sixth Instant Game Lottery, "Monte Carlo"; Fifty-Seventh Instant Game Lottery, "Instant Cash"; Fifty-Eighth Instant Game Lottery, "\$25,000 Derby"; Fifty-Ninth Instant Game Lottery, "Virginia's Riches"; Sixtieth Instant Game Lottery, "\$10,000 Cash Reward"; Sixty-Second Instant Game Lottery, "State Fair Shooting Gallery"; Sixty-Fourth Instant Game Lottery, "Monster Cash"; Instant Game 304, "Double Bonus Bingo"; and Instant Game 406, "\$2 "Black Jack"; End of Game.
15(96)	04/20/96	Virginia's Fifty-Ninth Instant Game Lottery; "Virginia's Riches," Final Rules for Game Operation.	09(97)	03/20/97	Virginia's Instant Game Lottery 408, "Weekly Grand for Life," Final Rules for Game Operation.
16(96)	06/07/96	Virginia's Fifty-Eighth Instant Game Lottery; "\$25,000 Derby," Final Rules for Game Operation.	10(97)	03/29/97	Virginia's Seventy-Second Instant Game Lottery; "Red Hot Money," Final Rules for Game Operation.
20(96)	07/23/96	Virginia's Sixtieth Instant Game Lottery; "\$10,000 Cash Reward," Final Rules for Game Operation.	11(97)	03/29/97	Virginia's Seventy-Sixth Instant Game Lottery; "Monte Carlo," Final Rules for Game Operation.
21(96)	07/23/96	Virginia's Instant Game Lottery 406; "Blackjack," Final Rules for Game Operation.	12(97)	03/29/97	Virginia's Seventy-Seventh Instant Game Lottery; "\$10,000 Cash Reward," Final Rules for Game Operation.
22(96)	08/13/96	Virginia's Sixty-First Instant Game Lottery; "Bank Roll," Final Rules for Game Operation.	13(97)	03/29/97	Virginia's Seventy-Eighth Instant Game Lottery; "Instant Cash," Final Rules for Game Operation.
23(96)	08/13/96	Virginia's Sixty-Second Instant Game Lottery; "State Fair Shooting Gallery," Final Rules for Game Operation.	14(97)	03/29/97	Virginia's Seventy-Ninth Instant Game Lottery; "\$25,000 Derby," Final Rules for Game Operation.
31(96)	10/06/96	Virginia's Sixty-Third Instant Game Lottery; "Lucky 7's," Final Rules for Game Operation.	15(97)	03/29/97	Virginia's Instant Game Lottery 409; "Black Jack," Final Rules for Game Operation.
34(96)	10/25/96	Virginia's Sixty-Fifth Instant Game Lottery; "Easy Cash," Final Rules for Game Operation.			
35(96)	10/25/96	Virginia's Sixty-Sixth Instant Game Lottery; "First & 10," Final Rules for Game Operation.			
36(96)	11/29/96	Virginia's Sixty-Seventh Instant Game Lottery, "Holiday Cash," Final Rules for Game Operation.			
37(96)	11/19/96	Virginia's Instant Game Lottery 407; "New Year's Cash for Life," Final Rules for Game Operation.			
01(97)	01/01/97	Virginia's Sixty-Eighth Instant Game			

16(97)	04/23/97	Virginia's Eightieth Instant Game Lottery; "Baseball Bucks," Final Rules for Game Operation.	Lottery, "Red Hot Money"; Seventy-Third Instant Game Lottery, "Black Jack"; Seventy-Fourth Instant Game Lottery, "Lucky for Life";
17(97)	04/23/97	Virginia's Instant Game Lottery 410; "Casino Nights," Final Rules for Game Operation.	Seventy-Fifth Instant Game Lottery, "Ace in the Hole"; Seventy-Sixth Instant Game Lottery, "Monte Carlo";
18(97)	05/12/97	Virginia's Eighty-First Instant Game Lottery; "Fat Cat," Final Rules for Game Operation.	Seventy-Seventh Instant Game Lottery, "\$10,000 Cash Reward"; Seventy-Eighth Instant Game Lottery, "Instant Cash";
19(97)	05/12/97	Virginia's Instant Game Lottery 411; "Instant Monopoly," Final Rules for Game Operation.	Seventy-Ninth Instant Game Lottery, "\$25,000 Derby"; Eightieth Instant Game Lottery, "Baseball Bucks";
20(97)	05/12/97	Virginia's Instant Game Lottery 412; "\$50,000 Slots," Final Rules for Game Operation.	Instant Game Lottery 305, "Lucky Bingo"; Instant Game Lottery 409, "\$2.00 Black Jack";
23(97)	05/16/97	Virginia's Forty-Seventh Instant Game Lottery, "Lucky for Life"; End of Game.	Instant Game Lottery 411, "Monopoly"; and Instant Game Lottery 412, "\$50,000 Slots"; End of Game.
31(97)	08/19/97	Virginia's Thirty-Fourth Instant Game Lottery, "Blackjack"; Thirty-Eighth Instant Game Lottery, "Winning Hands";	
		Thirty-Ninth Instant Game Lottery, \$10,000 Cash Match"; Forty-First Instant Game Lottery, "Winner's Circle";	
		Fiftieth Instant Game Lottery, "Ace in the Hole";	
		Fifty-First Instant Game Lottery, "Victory Lap";	
		Sixty-First Instant Game Lottery, "Bank Roll";	
		Sixty-Sixth Instant Game Lottery, "First & 10";	
		Sixty-Seventh Instant Game Lottery, "Holiday Cash";	
		Instant Game Lottery 302, "4 Card Bingo";	
		Instant Game Lottery 401, "Casino Cash";	
		Instant Game Lottery 403, "Holiday Cash for Life";	
		Instant Game Lottery 404, "Decade of Dollars";	
		Instant Game Lottery 405, "Money for Life";	
		and Instant Game Lottery 407, "New Year's Cash for Life";	
		End of Game.	
49(97)	12/15/97	Virginia's Forty-Second Instant Game Lottery, "Joker's Wild";	
		Fifty-Second Instant Game Lottery, "Poker";	
		Fifty-Fifth Instant Game Lottery, "\$25,000 Slots";	
		Sixty-Third Instant Game Lottery, "Lucky 7's";	
		Sixty-Fifth Instant Game Lottery, "Easy Cash";	
		Sixty-Eighth Instant Game Lottery, "Cold Cash";	
		Sixty-Ninth Instant Game Lottery, "\$10,000 Slam Dunk";	
		Seventieth Instant Game Lottery, "\$10,000 Cash Poker";	
		Seventy-First Instant Game Lottery, "Cruise for Cash";	
		Seventy-Second Instant Game	

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ David L. Norton
 Manager, Legal Affairs
 Date: August 27, 1998

VA.R. Doc. No. C99-171; Filed September 25, 1998, 12:57 p.m.

DIRECTOR'S ORDER NUMBER TWENTY-ONE (98)

VIRGINIA'S INSTANT GAME LOTTERY 133; "HOT SLOTS," FINAL RULES FOR GAME OPERATION; REVISED.

In accordance with the authority granted by Sections 9-6.14:4.1 B (15) and 58.1-4006 A of the Code of Virginia, I hereby promulgate the revised final rules for game operation in Virginia's Instant Game Lottery 133, "Hot Slots," a reprint of Instant Game 98. These rules amplify and conform to the duly adopted State Lottery Department regulations for the conduct of instant game lotteries.

The rules are available for inspection and copying during normal business hours at the State Lottery Department headquarters, 900 East Main Street, Richmond, Virginia, and at each of the State Lottery Department regional offices. A copy may be requested by mail by writing to Public Affairs Division, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order supersedes Director's Order Number Fifty-Four (97), issued December 17, 1997. This Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ David L. Norton
 Manager, Legal Affairs
 Date: August 27, 1998

VA.R. Doc. No. C99-172; Filed September 25, 1998, 12:57 p.m.

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DIRECTOR'S ORDER NUMBER TWENTY-TWO (98)

VIRGINIA'S INSTANT GAME LOTTERY 139; "FALL FEST," FINAL RULES FOR GAME OPERATION.

In accordance with the authority granted by Sections 9-6.14:4.1 B (15) and 58.1-4006 A of the Code of Virginia, I hereby promulgate the final rules for game operation in Virginia's Instant Game Lottery 139, "Fall Fest." These rules amplify and conform to the duly adopted State Lottery Department regulations for the conduct of instant game lotteries.

The rules are available for inspection and copying during normal business hours at the State Lottery Department headquarters, 900 East Main Street, Richmond, Virginia, and at each of the State Lottery Department regional offices. A copy may be requested by mail by writing to Public Affairs Division, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ David L. Norton
Manager, Legal Affairs
Date: August 27, 1998

VA.R. Doc. No. C99-173; Filed September 25, 1998, 12:57 p.m.

DIRECTOR'S ORDER NUMBER TWENTY-THREE (98)

VIRGINIA'S INSTANT GAME LOTTERY 432; "LIFETIME BONUS," FINAL RULES FOR GAME OPERATION.

In accordance with the authority granted by Sections 9-6.14:4.1 B (15) and 58.1-4006 A of the Code of Virginia, I hereby promulgate the final rules for game operation in Virginia's Instant Game Lottery 432, "Lifetime Bonus." These rules amplify and conform to the duly adopted State Lottery Department regulations for the conduct of instant game lotteries.

The rules are available for inspection and copying during normal business hours at the State Lottery Department headquarters, 900 East Main Street, Richmond, Virginia, and at each of the State Lottery Department regional offices. A copy may be requested by mail by writing to Public Affairs Division, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ David L. Norton
Manager, Legal Affairs
Date: August 27, 1998

VA.R. Doc. No. C99-174; Filed September 25, 1998, 12:58 p.m.

DIRECTOR'S ORDER NUMBER TWENTY-FOUR (98)

VIRGINIA'S FIRST ON-LINE GAME LOTTERY; "PICK 3," FINAL RULES FOR GAME OPERATION; FOURTH REVISION

In accordance with the authority granted by Sections 9-6.14:4.1 B (15) and 58.1-4006 A of the Code of Virginia, I hereby promulgate the revised rules for game operation in Virginia's first on-line game lottery, "Pick 3." These rules amplify and conform to the duly adopted State Lottery Department regulations for the conduct of on-line game lotteries.

The rules are available for inspection and copying during normal business hours at the State Lottery Department headquarters, 900 East Main Street, Richmond, Virginia, and at each of the State Lottery Department regional offices. A copy may be requested by mail by writing to Public Affairs Division, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order supersedes Director's Order Number Forty-Three (94), issued November 30, 1994. This Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ Penelope W. Kyle
Director
Date: September 18, 1998

VA.R. Doc. No. C99-175; Filed September 25, 1998, 12:58 p.m.

DIRECTOR'S ORDER NUMBER TWENTY-FIVE (98)

VIRGINIA'S FOURTH ON-LINE GAME LOTTERY; "CASH 5," FINAL RULES FOR GAME OPERATION; THIRD REVISION.

In accordance with the authority granted by Sections 9-6.14:4.1 B (15) and 58.1-4006 A of the Code of Virginia, I hereby promulgate the final rules for game operation in Virginia's fourth on-line game lottery, "Cash 5." These rules amplify and conform to the duly adopted State Lottery Department regulations for the conduct of on-line game lotteries.

The rules are available for inspection and copying during normal business hours at the State Lottery Department headquarters, 900 East Main Street, Richmond, Virginia, and at each of the State Lottery Department regional offices. A copy may be requested by mail by writing to Public Affairs Division, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order supersedes Director's Order Number Twenty-Two (95), issued September 19, 1995. This Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ Penelope W. Kyle
Director
Date: September 18, 1998

VA.R. Doc. No. C99-176; Filed September 25, 1998, 12:58 p.m.

DIRECTOR'S ORDER NUMBER TWENTY-SEVEN (98)

VIRGINIA'S INSTANT GAME LOTTERY 433; "BREAK THE BANK," FINAL RULES FOR GAME OPERATION.

In accordance with the authority granted by Sections 9-6.14:4.1 B (15) and 58.1-4006 A of the Code of Virginia, I hereby promulgate the final rules for game operation in Virginia's Instant Game Lottery 433, "Break the Bank." These rules amplify and conform to the duly adopted State Lottery Department regulations for the conduct of instant game lotteries.

The rules are available for inspection and copying during normal business hours at the State Lottery Department headquarters, 900 East Main Street, Richmond, Virginia, and at each of the State Lottery Department regional offices. A copy may be requested by mail by writing to Public Affairs Division, State Lottery Department, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ David L. Norton
Manager, Legal Affairs
Date: September 18, 1998

VA.R. Doc. No. C99-177; Filed September 25, 1998, 12:58 p.m.

Virginia Tax Bulletin

Virginia Department of Taxation

September 24, 1998

98-6

INTEREST RATES FOURTH QUARTER 1998

Rates remain unchanged: State and certain local interest rates are subject to change every quarter based on changes in federal rates established pursuant to I.R.C. § 6621. The federal rates for the fourth quarter of 1998 will remain at 8% for tax underpayments (assessments), 7% for tax overpayments (refunds), and 10% for "large corporate underpayments" as defined in I.R.C. § 6621(c). Code of Virginia § 58.1-15 provides that the underpayment rate for Virginia taxes will be 2% higher than the corresponding federal rates. Accordingly, the Virginia rates for the fourth quarter of 1998 remain at 10% for tax underpayments, 7% for tax overpayments, and 12% for "large corporate underpayments."

Rate for Addition to Tax for Underpayments of Estimated Tax

Taxpayers whose taxable year ends on December 31, 1998: For the purpose of computing the addition to the tax for underpayment of Virginia estimated income taxes on Form 760C (for individuals, estates and trusts), Form 760F (for farmers and fishermen) or Form 500C (for corporations), the 10% underpayment rate will apply through the due date of the return, January 15, 1999.

Local Tax

Assessments: Localities assessing interest on delinquent taxes pursuant to Code of Virginia § 58.1-3916 may impose interest at a rate not to exceed 10% for the first year of delinquency, and at a rate not to exceed 10% or the federal underpayment rate in effect for the applicable quarter, whichever is greater, for the second and subsequent years of delinquency. For the fourth quarter of 1998, the federal underpayment rate is 8%.

Refunds: Localities which have provided for refunds of erroneously assessed taxes may provide by ordinance that such refunds are repaid with interest at a rate which does not exceed the rate imposed by the locality for delinquent taxes.

BPOL Refunds: Effective January 1, 1997, interest on any refund will be paid at the same rate as assessments under Code of Virginia § 58.1-3916.

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Recent Interest Rates

Accrual Period		Overpayment	Underpayment	Large Corporate
<u>Beginning</u>	<u>Through</u>	<u>(Refund)</u>	<u>(Assessment)</u>	<u>Underpayment</u>
1-Jan-87	30-Sep-87	8%	9%	----
1-Oct-87	31-Dec-87	9%	10%	----
1-Jan-88	31-Mar-88	10%	11%	----
1-Apr-88	30-Sep-88	9%	10%	----
1-Oct-88	31-Mar-89	10%	11%	----
1-Apr-89	30-Sep-89	11%	12%	----
1-Oct-89	31-Mar-91	10%	11%	----
1-Apr-91	30-Jun-91	9%	10%	----
1-Jul-91	31-Dec-91	9%	12%	14%
1-Jan-92	31-Mar-92	8%	11%	13%
1-Apr-92	30-Sep-92	7%	10%	12%
1-Oct-92	30-Jun-94	6%	9%	11%
1-Jul-94	30-Sep-94	7%	10%	12%
1-Oct-94	31-Mar-95	8%	11%	13%
1-Apr-95	30-Jun-95	9%	12%	14%
1-Jul-95	31-Mar-96	8%	11%	13%
1-Apr-96	30-Jun-96	7%	10%	12%
1-Jul-96	31-Mar-98	8%	11%	13%
1-Apr-98	31-Dec-98	7%	10%	12%

For additional information: Contact the Office of Customer Services, Virginia Department of Taxation, P. O. Box 1115, Richmond, Virginia 23218-1115, or call the following numbers for additional information about interest rates and penalties.

Individual & Fiduciary Income Tax	(804) 367-8031
Corporation Income Tax	(804) 367-8037
Withholding Tax	(804) 367-8037
Soft Drink Excise Tax	(804) 367-8098
Aircraft Sales & Use Tax	(804) 367-8098
Other Sales & Use Taxes	(804) 367-8037

General Notices/Errata

STATE WATER CONTROL BOARD AND DEPARTMENT OF ENVIRONMENTAL QUALITY

Enforcement Actions Proposed Consent Special Order Beechwood Water Corporation, Inc. Proposed Consent Special Order Amendment Seaboard Farms

The State Water Control Board and the Department of Environmental Quality propose to issue a consent special order to Beechwood Water Corporation, Inc., for Beechwood Lagoon and Stone Hollow Lagoon in Henry County. The order is exactly the same as the order approved on July 14, 1998, except that the deadlines in Appendix A have been corrected and the penalty clause has been revised to reflect payment of the initial \$1,000 civil charge. The proposed order supersedes the July 1998 order.

The State Water Control Board and the Department of Environmental Quality propose to amend the consent special order for Seaboard Farms, a subsidiary of ISE America, Inc., in the Bent Mountain section of Roanoke County. The amendment requires Seaboard to enter a specifically worded deed restriction on the two tracts of land involved in the original order. The purposes of the deed restrictions are to protect the natural wetlands that act to remove nitrate pollution from shallow groundwater, to protect monitoring wells, and to provide notice of possible contamination with nitrate of future deep water supply wells if the property is developed. The amendment will cause the entire order to be canceled once the deed restrictions have been recorded.

On behalf of the State Water Control Board, the Department of Environmental Quality will receive written comments relating to the proposed action until November 25, 1998. Comments should be addressed to James F. Smith, West Central Regional Office, Department of Environmental Quality, 3019 Peters Creek Road, NW, Roanoke, VA 24019, or FAX (540) 562-6725, and should refer to the specific order being addressed. The proposed orders may be examined at the Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, NW, Roanoke, VA. Copies of the order may be obtained in person or by mail.

VIRGINIA CODE COMMISSION

Notice to State Agencies

Mailing Address: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219. You may FAX in your notice; however, we ask that you FAX two copies and do not follow up with a mailed copy. Our FAX number is: (804) 692-0625.

Forms for Filing Material for Publication in *The Virginia Register of Regulations*

All agencies are required to use the appropriate forms when furnishing material for publication in *The Virginia Register of Regulations*. The forms may be obtained from: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

Internet: Forms and other *Virginia Register* resources may be printed or downloaded from the *Virginia Register* web page:
<http://legis.state.va.us/codecomm/register/regindex.htm>

FORMS:

NOTICE of INTENDED REGULATORY ACTION - RR01
NOTICE of COMMENT PERIOD - RR02
PROPOSED (Transmittal Sheet) - RR03
FINAL (Transmittal Sheet) - RR04
EMERGENCY (Transmittal Sheet) - RR05
NOTICE of MEETING - RR06
AGENCY RESPONSE TO LEGISLATIVE OBJECTIONS
- RR08

CALENDAR OF EVENTS

Symbol Key

† Indicates entries since last publication of the *Virginia Register*

♿ Location accessible to handicapped

☎ Teletype (TTY)/Voice Designation

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) 698-1500 or Senate Information and Constituent Services at (804) 698-7410 or (804) 698-7419/TTY☎, or visit the General Assembly web site's Legislative Information System (<http://leg1.state.va.us/lis.htm>) and select "Meetings."

VIRGINIA CODE COMMISSION

EXECUTIVE

BOARD FOR ACCOUNTANCY

† **November 9, 1998 - 10 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Conference Room 5W, Richmond,
Virginia.♿

A meeting to consider enabling legislation and regulations.

Contact: David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8505, FAX (804) 367-2475 or (804) 367-9753/TTY☎

BOARD OF AGRICULTURE AND CONSUMER SERVICES

† **December 10, 1998 - 9 a.m.** -- Open Meeting
Department of Agriculture and Consumer Services,
Washington Building, 1100 Bank Street, 2nd Floor Board Room, Richmond, Virginia.♿

A regular meeting to discuss issues related to Virginia agriculture and consumer protection. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Roy E. Seward at least five days before the meeting date so that suitable arrangements can be made.

Contact: Roy E. Seward, Secretary to the Board, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Room 211, P.O. Box 1163, Richmond, VA 23218, telephone (804) 786-3538 or FAX (804) 371-7679.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Pesticide Control Board

November 2, 1998 - Public 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 Pesticide Control Board intends to **repeal** regulations entitled: **2 VAC 20-50-10 et seq. Regulations Governing Pesticide Applicator Certification Under Authority of Virginia Pesticide Control Act**, and to **adopt** regulations entitled: **2 VAC 20-51-10 et seq. Regulations Governing Pesticide Applicator Certification Under Authority of Virginia Pesticide Control Act**. The present proposed regulation is predicated on a Notice of Intended Regulatory Action published in the *Virginia Register of Regulations* on May 12, 1997, at page 1910. Although that Notice of Intended Regulatory Action indicated that the agency intended to amend 2 VAC 20-50-10 et seq., Regulations Governing Pesticide Applicator Certification Under Authority of Virginia Pesticide Control Act, the agency has determined, in consultation with the Registrar of Regulations, that it would be simpler to set out the amended language by repealing the entirety of the existing regulation and proposing a new regulation that contains much of the language of the existing regulation, along with the substantive amendments contemplated by the aforementioned Notice of Intended Regulatory Action. The substantive features of the proposed regulation not contained in the existing regulation will clarify requirements for certification of applicators of pesticides in accordance with statutory changes effective July 1, 1995, in §§ 3.1-249.27, 3.1-249.51, and 3.1-249.53 of the Code of Virginia, as well as respond to comments from the general public and industry workers in response to the agency's review of regulations under the Governor's Executive Order 15 (94). The certification regulation sets standards of certification for persons specified by statute who use or

Calendar of Events

supervise the use of pesticides in Virginia. Those persons governed by the regulation include, but are not limited to, farmers using restricted use pesticides (any pesticide classified for restricted use by the Administrator of the United States Environmental Protection Agency) on their own land and persons who apply pesticides commercially. The certification regulation does not apply to persons who use general use pesticides (any pesticide classified as general use by the Administrator of the United States Environmental Protection Agency) in and around their homes. The certification regulation will help to assure that those persons subject to the certification regulation are adequately trained and competent to use pesticides.

Several changes from the current regulation were made when the proposed regulation was being drafted. Several sections of the proposed regulation were developed to produce a document that is easier to read and comprehend. A few terms and definitions have been added to the proposed certification regulation where needed for clarification. The proposed certification regulation includes a summary of who must be certified to apply pesticides in Virginia. Lists of the various classifications of pesticide applicators and the procedures for becoming certified are also included.

In the section of the proposed certification regulation concerning exemptions (2 VAC 20-51-60), forestry applicators (commercial pesticide applicators who apply pesticides in forestry environments) using general use herbicides (any herbicide classified as general use by the Administrator of the United States Environmental Protection Agency) for forest vegetation control under the direct onsite supervision of a commercial pesticide applicator (an applicator who uses or supervises the use of any pesticide for any purpose or on any property for compensation) have been added to the list of those persons who are exempt from certification. The categories for private pesticide applicator (an applicator who uses or supervises the use of any pesticide which is classified for restricted use for the purposes of producing any agricultural commodity) certification have been combined to form four categories rather than the current seven. A section has been added to the proposed certification regulation to provide details about the specific requirements for on-the-job training for registered technicians (an individual who renders services similar to those of a certified commercial pesticide applicator, but who has not completed all the training or time in service requirements to be eligible for examination for certification as a commercial pesticide applicator and is limited to application of general use pesticides).

2 VAC 20-50-120 was combined with 2 VAC 20-50-130 to make renewal of certification (training) and certificates (the document) occur at the same time instead of two different years. This proposed section also requires payment of the certificate fee on a biennial basis instead of an annual basis.

2 VAC 20-51-190 has been added to the proposed certification regulation to allow individuals who have received reciprocal certification to be recertified in Virginia by maintaining their training in the state where they are certified. Evidence of Financial Responsibility (2 VAC 20-50-220), a section that is included in the current certification regulation, has been deleted from the proposed certification regulation because it is not the Pesticide Control Board's intent to require Commercial Applicators-Not-for-Hire (a commercial pesticide applicator who uses or supervises the use of pesticides as part of his duties only on property owned or leased by him or his employer) to provide evidence of financial responsibility. This is a requirement placed on commercial firms that apply pesticides and is adequately covered by Rules and Regulations Governing Licensing of Pesticide Businesses by the Department of Agricultural and Consumer Services Operating Under Authority of the Virginia Pesticide Control Act (2 VAC 20-40-80). Any person who needs any accommodation in order to participate at the meeting should contact the board at least 10 days before the meeting date so that suitable arrangements can be made.

Statutory Authority: § 3.1-249.30 of the Code of Virginia.

Contact: Dr. Marvin A. Lawson, Program Manager, Office of Pesticide Services, Virginia Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Room 401, P.O. Box 1163, Richmond, VA 23218-1163, telephone (804) 371-6558, FAX (804) 371-8598, toll-free (800) 552-9963 or (804) 371-6344/TTY ☎

Virginia Irish Potato Board

† **December 15, 1998 - 7 p.m.** -- Open Meeting
Eastern Shore Agricultural Research and Extension Center,
Painter, Virginia. ♿

A meeting to discuss programs (including promotion, research and education programs), the annual budget and other business that may come before the board. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any special accommodations in order to participate at the meeting should contact J. William Mapp at least five days before the meeting date so that suitable arrangements can be made.

Contact: J. William Mapp, Program Director, Virginia Irish Potato Board, P.O. Box 26, Onley, VA 23418, telephone (757) 787-5867 or FAX (757) 787-5973.

Virginia Pork Industry Board

† **November 6, 1998 - 3 p.m.** -- Open Meeting
Clarion Hotel, I-581 (off I-81), Roanoke, Virginia. ♿

A meeting to discuss programs (promotion, research and education), the annual budget and other business

that may come before the board. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodations in order to participate at the meeting should contact John H. Parker at least five days before the meeting date so that suitable arrangements can be made.

Contact: John H. Parker, Executive Director, Virginia Pork Industry Board, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Suite 1012, Richmond, VA 23219, telephone (804) 786-7092 or FAX (804) 371-7786.

Virginia Winegrowers Advisory Board

† **October 28, 1998 - 10 a.m.** -- Open Meeting
Boar's Head Inn, 200 Ednam Drive, The Blue Ridge Room, Charlottesville, Virginia. ☎

A meeting to elect a new chairman and vice chairman and to conduct regular business, including committee reports and the treasurer's report. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodations in order to participate at the meeting should contact Mary E. Davis-Barton at least five days before the meeting date so that suitable arrangements can be made.

Contact: Mary E. Davis-Barton, Secretary, Virginia Winegrowers Advisory Board, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Room 1010, Richmond, VA 23219, telephone (804) 371-7685 or FAX (804) 786-3122.

STATE AIR POLLUTION CONTROL BOARD

October 28, 1998 - 9 a.m. -- Public Hearing
Department of Environmental Quality, 629 East Main Street, Training Room, Richmond, Virginia.

November 13, 1998 - Public 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 State Air Pollution Control Board intends to amend regulations entitled: **Regulations for the Control and Abatement of Air Pollution (Rev. GG): 9 VAC 5-20-10 et seq. General Provisions and 9 VAC 5-40-10 et seq. Existing Sources.** The regulation amendments concern provisions covering municipal waste combustors (MWCs). The affected facility to which the provisions of the regulation apply is each MWC unit with a combustion capacity greater than 250 tons per day of municipal solid waste (MSW) for which construction was commenced on or before September 20, 1994.

Emissions limitations are established for particulate matter, carbon monoxide, cadmium, lead, sulfur dioxide,

hydrogen chloride, dioxin/furan, nitrogen oxides (No_x), opacity, and fugitive dust. Compliance provisions cover startup, shutdown, and malfunction; procedures for calculating unit capacity are specified. Nitrogen oxides emissions averaging, which may be used at the sources' discretion, is described in detail.

Compliance schedules are specified. Operating practices are delineated and include the regulation of particulate matter control device inlet temperature. An important component of the regulation is the operator training and certification provisions, which describe procedures and programs for assuring operator qualifications. Test methods and procedures describe which reference methods are to be used for determining compliance with each emission standard. Monitoring systems are specified, including specific performance specifications and averaging methods. Finally, reporting and recordkeeping requirements describe how all of the above information is to be gathered, stored, and reported.

Request for Comments: The purpose of this notice is to provide the public with the opportunity to comment on the proposed regulation and the costs and benefits of the proposal.

Localities Affected: There is no locality which will bear any identified disproportionate material air quality impact due to the proposed regulation which would not be experienced by other localities.

Location of Proposal: The proposal, an analysis conducted by the department (including a statement of purpose, a statement of estimated impact and benefits of the proposed regulation, an explanation of need for the proposed regulation, an estimate of the impact of the proposed regulation upon small businesses, identification of and comparison with federal requirements, and a discussion of alternative approaches), and any other supporting documents may be examined by the public at the department's Office of Air Regulatory Development (Eighth Floor), 629 East Main Street, Richmond, Virginia, and the department's regional offices (listed below) between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period.

Southwest Regional Office
Department of Environmental Quality
355 Deadmore Street
Abingdon, Virginia
Ph: (540) 676-4800

West Central Regional Office
Department of Environmental Quality
3019 Peters Creek Road
Roanoke, Virginia
Ph: (540) 562-6700

Calendar of Events

Lynchburg Satellite Office
Department of Environmental Quality
7705 Timberlake Road
Lynchburg, Virginia
Ph: (804) 582-5120

Valley Regional Office
Department of Environmental Quality
4411 Early Road
Harrisonburg, Virginia 22801
Ph: (540) 574-7800

Fredericksburg Satellite Office
Department of Environmental Quality
300 Central Road, Suite B
Fredericksburg, Virginia
Ph: (540) 899-4600

Northern Regional Office
Department of Environmental Quality
13901 Crown Court
Woodbridge, Virginia
Ph: (703) 583-3800

Piedmont Regional Office
Department of Environmental Quality
4949-A Cox Road
Glen Allen, Virginia
Ph: (804) 527-5020

Tidewater Regional Office
Department of Environmental Quality
5636 Southern Boulevard
Virginia Beach, Virginia
Ph: (757) 518-2000

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., November 13, 1998, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240.

Contact: Karen G. Sabastianski, Policy Analyst, Office of Program Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4426, FAX (804) 698-4510, toll-free 1-800-592-5482 or (804) 698-4021/TTY ☎

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS

Architect Section

† **November 2, 1998 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, 5th Floor, Richmond, Virginia.♿

A regular board meeting.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

Land Surveyor Section

† **November 18, 1998 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, 5th Floor, Richmond, Virginia.♿

A regular board meeting.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

Professional Engineer Section

† **November 12, 1998 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, 5th Floor, Richmond, Virginia.♿

A regular board meeting.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

VIRGINIA COMMISSION FOR THE ARTS

October 29, 1998 - 10 a.m. -- Open Meeting
Commission for the Arts, 223 Governor Street, First Floor
Conference Room, Richmond, Virginia.♿ (Interpreter for the
deaf provided upon request)

The Advisory Panel for Artist Roster will review and make recommendations on applications from artists to be included in the Artist Roster of the commission's Artist Residency Program. The commission will make the final decisions on which artists should be added to the roster at the board meeting on December 2.

Contact: Sharon Wilson, Arts in Education Coordinator, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327 or (804) 225-3132/TTY ☎

November 9, 1998 - 10 a.m. -- Open Meeting
Commission for the Arts, 223 Governor Street, First Floor
Conference Room, Richmond, Virginia.♿ (Interpreter for the
deaf provided upon request)

The Advisory Panel for Fiction Fellowships will review applications from Virginia writers for 1998-99 fellowships in fiction. The panel will make recommendations on the fellowships to the full commission. The commission will meet on December 2 to make the final decisions on the applications. To

receive the list of applicants and order of review, contact the commission office after November 2.

Contact: Mary C. Poole, Program Coordinator, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327 or (804) 225-3132/TTY ☎

December 2, 1998 - 8:30 a.m. -- Open Meeting
Sweet Briar College, Route 29, Elston Hall Conference Center, Amherst, Virginia.

A quarterly meeting to give final approval of artists to be added to the Arts in Education Artist Roster and 1998-99 fellowships to individual artists in fiction, crafts, sculpture and photography and discuss projects to celebrate the new millennium.

Contact: Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327 or (804) 225-3132/TTY ☎

BOARD FOR ASBESTOS AND LEAD

November 10, 1998 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5W, Richmond, Virginia. ♿

A meeting to conduct routine business. Public comment will be received at the beginning of the meeting.

Contact: David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8505, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND THEIR FAMILIES

State Executive Council

October 30, 1998 - 9 a.m. -- Open Meeting
Theater Row Building, 730 East Broad Street, Lower Level 2, Training Room, Richmond, Virginia.

November 20, 1998 - 9 a.m. -- Open Meeting

NOTE: CHANGE IN LOCATION

Koger Center West, Wythe Building, 1604 Santa Rosa Road, Large Conference Room, Richmond, Virginia.

A regular meeting to (i) provide for interagency programmatic and fiscal policies, (ii) oversee the administration of funds appropriated under the Comprehensive Services Act and (iii) advise the Governor.

Contact: Alan G. Saunders, Director, State Executive Council, Office of Comprehensive Services for At-Risk Youth and Their Families, 1604 Santa Rosa Road, Suite 137, Richmond, VA 23229, telephone (804) 662-9815.

State Management Team

† **November 5, 1998 - 9:15 a.m.** -- Open Meeting
St. Joseph's Villa, 8000 Brook Road, Richmond, Virginia. ♿
(Interpreter for the deaf provided upon request)

A meeting to discuss recommendations for policy and procedure to the State Executive Council on the Comprehensive Services Act. There will be a public comment period from 9:45 to 10 a.m.

Contact: Elisabeth Hutton, Secretary, State Management Team, Department of Health, P.O. Box 2448, Richmond, VA 23218, telephone (804) 371-4099.

BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

NOTE: CHANGE IN MEETING TIME

October 29, 1998 - 10 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. ♿

A meeting of the Advisory Committee on Support Personnel to discuss suggestions for regulatory support personnel.

Contact: Elizabeth Tisdale, Executive Director, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-7390, FAX (804) 662-9523 or (804) 662-7197/TTY ☎

VIRGINIA AVIATION BOARD

October 27, 1998 - 3 p.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A workshop for the board. No formal action will be taken.

Contact: Margaret Fuller, Department of Aviation, 5702 Gulfstream Road, Richmond International Airport, VA 23250-2422, telephone (804) 236-3632 or (804) 236-3624/TTY ☎

October 28, 1998 - 9 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular bimonthly meeting of the board. Applications for state funding will be presented to the board and other matters of the Virginia aviation community will be discussed. Individuals with disabilities should contact Margaret Fuller at least 10 days prior to the meeting if assistance is needed.

Contact: Margaret Fuller, Department of Aviation, 5702 Gulfstream Road, Richmond International Airport, VA 23250-2422, telephone (804) 236-3632 or (804) 236-3624/TTY ☎

Calendar of Events

BOARD FOR BRANCH PILOTS

October 28, 1998 - 9:30 a.m. -- Open Meeting
Virginia Port Authority, 600 World Trade Center, 6th Floor,
Norfolk, Virginia. (Interpreter for the deaf provided upon
request)

A meeting to conduct examinations.

Contact: Mark N. Courtney, Assistant Director, Department
of Professional and Occupational Regulation, 3600 W. Broad
St., Richmond, VA 23230, telephone (804) 367-8514, FAX
(804) 367-2475 or (804) 367-9753/TTY

October 29, 1998 - 9:30 a.m. -- Open Meeting
Virginia Port Authority, 600 World Trade Center, 6th Floor,
Norfolk, Virginia. (Interpreter for the deaf provided upon
request)

A general business meeting.

Contact: Mark N. Courtney, Assistant Director, Department
of Professional and Occupational Regulation, 3600 W. Broad
St., Richmond, VA 23230, telephone (804) 367-8514, FAX
(804) 367-2475 or (804) 367-9753/TTY

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October 29, 1998 - 9:30 a.m. -- Public Hearing
Virginia Port Authority, 600 World Trade Center, 6th Floor,
Norfolk, Virginia.

October 30, 1998 - Public 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 Board for Branch Pilots
intends to amend regulations entitled: **18 VAC 45-20-10
et seq. Board for Branch Pilots Regulations.** The
purpose of the proposed amendments is to increase
fees to comply with § 54.1-113 of the Code of Virginia.

Statutory Authority: §§ 54.1-902 and 54.1-907 of the Code
of Virginia.

Contact: Mark N. Courtney, Assistant Director, Department
of Professional and Occupational Regulation, 3600 W. Broad
St., Richmond, VA 23230, telephone (804) 367-8514.

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

† November 10, 1998 - 2 p.m. -- Open Meeting
Chesapeake Bay Local Assistance Department, 805 East
Broad Street, Suite 701, Richmond, Virginia. (Interpreter for
the deaf provided upon request)

A meeting of the Southern Area Review Committee to
review Chesapeake Bay Preservation Area programs for
the southern area. Persons interested in observing
should call the Chesapeake Bay Local Assistance
Department to verify meeting time, location and
schedule. No comments from the public will be

entertained at the review committee meeting; however,
written comments are welcome.

Contact: Carolyn J. Elliott, Executive Secretary,
Chesapeake Bay Local Assistance Department, 805 E.
Broad St., Suite 701, Richmond, VA 23219, telephone (804)
225-3440, FAX (804) 225-3447 or toll-free 1-800-243-
7229/Voice/TTY

STATE BOARD FOR COMMUNITY COLLEGES

† November 11, 1998 - 10:30 a.m. -- Open Meeting
Virginia Community College System, James Monroe
Building, 101 North 14th Street, Conference Rooms C, D,
and E, 1st Floor, Richmond, Virginia. (Interpreter for the
deaf provided upon request)

An annual meeting of the State Board for Community
Colleges and local advisory boards of the community
colleges.

Contact: Dr. Joy S. Graham, Assistant Chancellor, Public
Affairs, Virginia Community College System, James Monroe
Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219,
telephone (804) 225-2126, FAX (804) 371-0085, or (804)
371-8504/TTY

† November 11, 1998 - 4 p.m. -- Open Meeting
Virginia Community College System, James Monroe
Building, 101 North 14th Street, 16th Floor, Richmond,
Virginia. (Interpreter for the deaf provided upon request)

Meetings of the Facilities Committee and the Personnel
Committee.

Contact: Dr. Joy S. Graham, Assistant Chancellor, Public
Affairs, Virginia Community College System, James Monroe
Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219,
telephone (804) 225-2126, FAX (804) 371-0085, or (804)
371-8504/TTY

† November 12, 1998 - 8:30 a.m. -- Open Meeting
Virginia Community College System, James Monroe
Building, 101 North 14th Street, 15th Floor, Richmond,
Virginia. (Interpreter for the deaf provided upon request)

Meetings of the Academic and Student Affairs
Committee, the Budget and Finance Committee, and the
Audit Committee.

Contact: Dr. Joy S. Graham, Assistant Chancellor, Public
Affairs, Virginia Community College System, James Monroe
Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219,
telephone (804) 225-2126, FAX (804) 371-0085, or (804)
371-8504/TTY

† November 12, 1998 - 9:30 a.m. -- Open Meeting
Virginia Community College System, James Monroe
Building, 101 North 14th Street, Godwin-Hamel Board
Room, 15th Floor, Richmond, Virginia. (Interpreter for the
deaf provided upon request)

A regular meeting of the board.

Contact: Dr. Joy S. Graham, Assistant Chancellor, Public Affairs, Virginia Community College System, James Monroe Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 225-2126, FAX (804) 371-0085, or (804) 371-8504/TTY ☎

COMPENSATION BOARD

October 29, 1998 - 11 a.m. -- Open Meeting
November 25, 1998 - 11 a.m. -- Open Meeting
December 23, 1998 - 11 a.m. -- Open Meeting
202 North 9th Street, Ninth Street Office Building, 10th Floor, Richmond, VA. ♿ (Interpreter for the deaf provided upon request)

Monthly board meeting.

Contact: Cindy P. Waddell, Administrative Assistant, Compensation Board, 202 N. 9th St., Ninth Street Office Bldg., Richmond, VA 23219, telephone (804) 786-0786, FAX (804) 371-0235 or (804) 786-0786/TTY ☎

DEPARTMENT OF CONSERVATION AND RECREATION

October 27, 1998 - 7 p.m. -- Open Meeting
Great Neck Community Recreation Center, 2521 Shorehaven Drive, Room 3, Virginia Beach, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to present the draft recommendations for the development of the Virginia First Landing/Seashore State Park Master Plan and receive public input regarding those recommendations. Requests for an interpreter for the deaf must be made to Derral Jones by October 15.

Contact: Derral Jones, Environmental Program Manager, Department of Conservation and Recreation, Division of Planning and Recreation Resources, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-9042 or (804) 786-2121/TTY ☎

† **October 28, 1998 - 7 p.m.** -- Open Meeting
Restaurant, Douthat State Park, Route 629, Millboro, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to review the draft of the Douthat State Park Master Plan. The public will be provided an opportunity to comment on plan content.

Contact: Richard G. Gibbons, Environmental Program Planner, Department of Conservation and Recreation, Division of Planning and Recreation Resources, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-4132, FAX (804) 371-7899 or (804) 786-2121/TTY ☎

† **October 29, 1998 - 7 p.m.** -- Open Meeting
Ecology Center, Pocahontas State Park, 10301 State Park Road, Chesterfield, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to review the draft of the Pocahontas State Park Master Plan. The public will be provided an opportunity to comment on plan content.

Contact: Richard G. Gibbons, Environmental Program Planner, Department of Conservation and Recreation, Division of Planning and Recreation Resources, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-4132, FAX (804) 371-7899 or (804) 786-2121/TTY ☎

† **November 5, 1998 - 7 p.m.** -- Open Meeting
Livingston Elementary School, Route 208, Library, Spotsylvania, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to review the draft of the Lake Anna State Park Master Plan. The public will be asked to comment on the plan. Requests for interpreter for the deaf must be made to Derral Jones by November 2, 1998.

Contact: Derral Jones, Environmental Program Manager, Department of Conservation and Recreation, Division of Planning and Recreation Resources, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-9042, FAX (804) 371-7899 or (804) 786-2121/TTY ☎

† **November 19, 1998 - 7 p.m.** -- Open Meeting
Staunton River Battlefield State Park Visitor Center, Route 600, Halifax County, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to present the master plan for development of the Staunton River Battlefield State Park to the public and receive public comments. This park master plan was first presented to the public in March of 1995. Land acquisitions and other opportunities since then have resulted in a necessary change in scope. The proposed changes are the purpose for revisiting this plan with the public.

Contact: Robert S. Munson, Planner, Department of Conservation and Recreation, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-6140, FAX (804) 371-7899 or (804) 786-2121/TTY ☎

Board of Conservation and Development of Public Beaches

October 27, 1998 - 10 a.m. -- Open Meeting
Hampton City Hall, Hampton City Council Chambers, Hampton, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to discuss proposed projects by localities requesting matching grant funds, to review the draft report for the "Value of Beaches" study, to review the board's budget and expenditures for the fiscal year, and

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to receive public comments about public beaches or the activities of the board. Requests for an interpreter for the deaf must be made to Carlton Hill by October 16.

Contact: Carlton Lee Hill, Staff Advisor, Department of Conservation and Recreation, 203 Governor St., Suite 206, Richmond, VA 23219, telephone (804) 786-3998 or FAX (804) 786-1798.

Falls of the James Scenic River Advisory Board

† **November 5, 1998 - Noon** -- Open Meeting

† **December 3, 1998 - Noon** -- Open Meeting

City Hall, 900 East Broad Street, Planning Commission Conference Room, 5th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to discuss river issues. A public comment period will follow the business meeting.

Contact: Richard G. Gibbons, Environmental Program Manager, Department of Conservation and Recreation, Division of Planning and Recreation Resources, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-4132, FAX (804) 371-7899 or (804) 786-2121/TTY

BOARD OF CORRECTIONAL EDUCATION

† **November 6, 1998 - Noon** -- Open Meeting

Dillwyn Correctional Center, Route 20 North, Dillwyn, Virginia. (Interpreter for the deaf provided upon request)

A general monthly meeting.

Contact: Patty Ennis, Board Clerk, Department of Correctional Education, James Monroe Bldg., 101 N. 14th St., 7th Floor, Richmond, VA 23219, telephone (804) 225-3314.

BOARD FOR COSMETOLOGY

† **December 7, 1998 - 10 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

An open meeting to discuss regulatory review and other matters requiring board action, including disciplinary cases.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TTY

DEPARTMENT FOR THE DEAF AND HARD-OF-HEARING

November 4, 1998 - 9 a.m. -- Open Meeting

Department for the Deaf and Hard-of-Hearing, Koger Center, 1602 Rolling Hills Drive, Suite 203, Richmond, Virginia.

A regular meeting of the advisory board. Public comment will be received with advance notice.

Contact: Beverly Chamberlain, Executive Secretary, Department for the Deaf and Hard-of-Hearing, Ratcliffe Bldg., 1602 Rolling Hills Dr., Suite 203, Richmond, VA 23229, telephone (804) 662-9705/Voice/TTY, FAX 1-800-662-9718 or toll-free 1-800-552-7917/Voice/TTY

BOARD OF DENTISTRY

October 30, 1998 - 8 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to adopt final regulations on proposed amendments to regulations pursuant to Executive Order 15 (94) which called for clarification, simplification and, where possible, a reduction in regulatory burden (regulations are amended to allow the dentists to delegate acts which are not specifically reserved for dentists/dental hygienists and which are consistent with the training and experience of the assistant), and proposed amendments to regulations to increase fees for licensees of the Board of Dentistry in order to comply with a statutory mandate for the agency to raise revenues sufficient to meet expenses. Public comment on the proposed regulations closed on October 2, 1998; no comment will be accepted at this meeting.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906 or (804) 662-7197/TTY

† **November 6, 1998 - 9 a.m.** -- Open Meeting

† **November 13, 1998 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A Special Conference Committee will meet to hear disciplinary cases. This is a public meeting; however, no public comment will be taken.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906 or (804) 662-7197/TTY

† **November 10, 1998 - 9 a.m.** -- Open Meeting

† **November 20, 1998 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A panel of the board will conduct a formal administrative hearing in the matter of a disciplinary case. This is a public meeting; however, no public comment will be taken.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906 or (804) 662-7197/TTY ☎

VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP

Virginia Tourism Corporation

† **November 5, 1998 - 10 a.m.** -- Open Meeting
Virginia Economic Development Partnership, 901 East Byrd Street, Riverfront Plaza, West Tower, 19th Floor, Board Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Board of Directors to discuss strategic planning. Public comment will be taken at the beginning of the meeting.

Contact: Judy H. Bulls, Assistant to the President and CEO, Virginia Tourism Corporation, 901 East Byrd St., Richmond, VA 23219, telephone (804) 371-8174, FAX (804) 786-1919 or (804) 371-0327/TTY ☎

STATE BOARD OF EDUCATION

† **October 28, 1998 - 9 a.m.** -- Open Meeting
† **October 29, 1998 - 9 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

† **November 19, 1998 - 9 a.m.** -- Open Meeting
Department of Education, James Monroe Building, 101 North 14th Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regularly scheduled meeting of the board. The board will also meet in its capacity as the designated State Board of Vocational Education. The agenda is available upon request.

Contact: Dr. James E. Laws, Jr., Executive Assistant, State Board of Education, Department of Education, Monroe Bldg., 101 N. 14th St., P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2540, FAX (804) 225-2524 or toll-free 1-800-292-3820.

STATE BOARD OF ELECTIONS

† **October 27, 1998 - 2 p.m.** -- Open Meeting
State Capitol, House Room One, Richmond, Virginia. ♿

The board will conduct its voting equipment certification process.

Contact: M. Bruce Meadows, Secretary, State Board of Elections, Ninth St. Office Bldg., 200 N. 9th St., Room 101, Richmond, VA 23219, telephone (804) 786-6551, FAX (804) 371-0194, toll-free 1-800-552-9745 or 1-800-260-3466/TTY ☎

LOCAL EMERGENCY PLANNING COMMITTEE - CHESTERFIELD COUNTY

November 5, 1998 - 5:30 p.m. -- Open Meeting
December 3, 1998 - 5:30 p.m. -- Open Meeting
6610 Public Safety Way, Chesterfield, Virginia.

A regular meeting.

Contact: Lynda G. Furr, Emergency Services Coordinator, Chesterfield Fire Department, P.O. Box 40, Chesterfield, VA 23832, telephone (804) 748-1236.

DEPARTMENT OF ENVIRONMENTAL QUALITY

† **November 5, 1998 - 7:30 p.m.** -- Open Meeting
Peter Muhlenberg Middle School Forum, Woodstock, Virginia.

A meeting to discuss the proposed modification of the air permit for Mountain View Rendering Company. The meeting will be held immediately following the public hearing on the proposed reissuance of the VPDES permit issued to Rocco Farm Foods, Inc. (See listing under State Water Control Board.)

Contact: Kelly Showalter, Department of Environmental Quality, Valley Regional Office, P.O. Box 1129, Harrisonburg, VA 22801, telephone (540) 574-7800.

Virginia Ground Water Protection Steering Committee

† **November 17, 1998 - 9 a.m.** -- Open Meeting
Department of Agriculture and Consumer Services, 12th and Bank Streets, Richmond, Virginia. ♿

A meeting to discuss ground water protections issues. Meeting minutes and agenda may be obtained from Mary Ann Massie.

Contact: Mary Ann Massie, Environmental Program Planner, Department of Environmental Quality, P. O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4042 or FAX (804) 698-4032.

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

November 4, 1998 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, Virginia. ♿

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A meeting of the Task Force Committee on the Resident Trainee Program to discuss issues related to the program. Public comment will be received during the first 15 minutes of the meeting.

Contact: Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907, FAX (804) 662-9523 or (804) 662-7197/TTY ☎

November 17, 1998 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, Virginia. ♿

The Legislative Committee will meet to continue discussing a legislative proposal for the 2000 Session of the Virginia General Assembly.

Contact: Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907, FAX (804) 662-9523 or (804) 662-7197/TTY ☎

Special Conference Committee

October 28, 1998 - 9 a.m. -- Open Meeting

October 29, 1998 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, Virginia. ♿

† **December 2, 1998 - 9 a.m.** -- Open Meeting

† **December 3, 1998 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A meeting to conduct informal hearings. No public comment will be received.

Contact: Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9970, FAX (804) 662-9523 or (804) 662-7197/TTY ☎

TASK FORCE ON GANGS AND YOUTH VIOLENCE

October 26, 1998 - 1 p.m. -- Open Meeting
Richmond, Virginia, specific location to be announced.

A meeting of the task force. Specific location in Richmond to be announced.

Contact: Courtney Malveaux, Special Assistant to the Chief, Office of the Attorney General, 900 E. Main St., 6th Floor, Richmond, VA 23219, telephone (804) 692-0552 or FAX (804) 786-1991.

October 26, 1998 - 5 p.m. -- Open Meeting
Richmond, Virginia, specific location to be announced.

Attorney General's summit for the general public on Gangs and Youth Violence.

Contact: Courtney Malveaux, Special Assistant to the Chief, Office of the Attorney General, 900 E. Main St., 6th Floor,

Richmond, VA 23219, telephone (804) 692-0552 or FAX (804) 786-1991.

DEPARTMENT OF GENERAL SERVICES

Design-Build/Construction Management Review Board

† **November 16, 1998 - 11 a.m.** -- Open Meeting

† **December 21, 1998 - 11 a.m.** -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the board to review requests submitted by localities for the use of the design-build or construction management type of contract. Public comments will be taken. The chairman may cancel the meeting if there is not business for the board's consideration. Please contact Sandra H. Williams at the Division of Engineering and Buildings to confirm meeting date and time.

Contact: Sandra H. Williams, Administrative Assistant, Department of General Services, Division of Engineering and Buildings, 805 E. Broad St., Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934 or (804) 786-6152/TTY ☎

DEPARTMENT OF HEALTH PROFESSIONS

November 13, 1998 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

† **December 11, 1998 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Health Practitioners' Intervention Program Committee to meet with the committee's contractor and representatives to review reports, policies and procedures for the Health Practitioner's Intervention Program. The committee will meet in open session for general discussion of the program. The committee may meet in executive session to consider specific requests from applicants or participants in the program.

Contact: John W. Hasty, Director, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9424, FAX (804) 662-9114 or (804) 662-7197/TTY ☎

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

November 17, 1998 - 8:30 a.m. -- Open Meeting
James Madison University, Harrisonburg, Virginia. ♿

A monthly meeting of the committee and council.

Contact: Pamela H. Landrum, Administrative Staff Assistant, State Council of Higher Education, James Monroe Bldg., 101 N. 14th St., 9th Floor, Richmond, VA 23219, telephone (804) 225-2602 or FAX (804) 371-7911.

VIRGINIA HIGHER EDUCATION TUITION TRUST FUND

October 29, 1998 - 10 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, 3rd Floor, Richmond, Virginia. ♿

A regular meeting of the board of directors.

Contact: Libby Dutton, Director of Administration, Virginia Higher Education Tuition Trust Fund, James Monroe Building, 101 N. 14th St., 5th Floor, Richmond, VA 23219, telephone (804) 786-0719, FAX (804) 786-2453, toll-free 1-888-567-0540 or 1-888-203-1278/TTY ☎

HOPEWELL INDUSTRIAL SAFETY COUNCIL

November 3, 1998 - 9 a.m. -- Open Meeting
Hopewell Community Center, Second and City Point Road, Hopewell, Virginia. ♿ (Interpreter for the deaf provided upon request)

Local Emergency Preparedness Committee meeting on emergency preparedness as required by SARA Title III.

Contact: Robert Brown, Emergency Services Coordinator, 300 N. Main St., Hopewell, VA 23860, telephone (804) 541-2298.

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

† **November 16, 1998 - 10 a.m.** -- Open Meeting
The Jackson Center, 501 North 2nd Street, First Floor Board Room, Richmond, Virginia. ♿

A regular monthly business meeting of the board. Public comment will be received.

Contact: Stephen W. Calhoun, CPA, Manager, Board of Housing and Community Development, The Jackson Center, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7015, FAX (804) 371-7090 or (804) 371-7089/TTY ☎

COUNCIL ON INFORMATION MANAGEMENT

October 26, 1998 - 10 a.m. -- Open Meeting
Location to be determined.

A regular meeting of the Land Records Management Task Force.

Contact: Diane Wresinski, Policy and Planning Specialist, Council on Information Management, Washington Bldg.,

1100 Bank St., Suite 901, Richmond, VA 23219, telephone (804) 225-3622, FAX (804) 371-7952 or toll-free 1-800-828-1120.

† **November 13, 1998 - 10 a.m.** -- Open Meeting
Location to be determined.

A regular meeting of the council.

Contact: Linda Hening, Administrative Staff Specialist, Council on Information Management, Washington Bldg., 1100 Bank St., Suite 901, Richmond, VA 23219, telephone (804) 225-3622, FAX (804) 371-7952 or toll-free 1-800-828-1120/TTY ☎

VIRGINIA ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

† **November 17 1998 - 9:30 a.m.** -- Open Meeting
State Capitol, Capitol Square, House Room 1, Richmond, Virginia. ♿

A regular meeting of the commission.

Contact: Adele MacLean, Secretary, Virginia Advisory Commission on Intergovernmental Relations, 805 E. Broad St., Suite 702, Richmond, VA 23219, telephone (804) 786-6508, FAX (804) 371-7999 or (804) 786-1860/TTY ☎

DEPARTMENT OF LABOR AND INDUSTRY

† **November 12, 1998 - 9:30 a.m.** -- Open Meeting
Department of Labor and Industry, Powers-Taylor Bldg., 13 South 13th Street, Mezzanine Conference Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular quarterly meeting of the council subcommittee to discuss revisions to the Apprenticeship Council's bylaws and to review council goals and objectives.

Contact: Beverly Donati, Assistant Program Director, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418 or (804) 786-2376/TTY ☎

November 30, 1998 - Public 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 Labor and Industry intends to **repeal** regulations entitled: **16 VAC 15-20-10 et seq. Regulations Establishing a Multiple of Federal Minimum Hourly Wage Relating to Garnishment of Wages** and **adopt** regulations entitled: **16 VAC 15-21-10 et seq. Maximum Garnishment Amounts**. Section 34-29 of the Code of Virginia provides that the maximum amount which may be garnished by an employer is that amount by which an employee's disposable earnings for a week exceed 30 times the federal minimum hourly wage rate (F.M.W.R.) in effect at the time earnings are payable. That section

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also provides that an employer may not garnish more than 25% of disposable earnings in cases of ordinary debt. The section requires the Commissioner of Labor and Industry to establish equivalent maximum earnings which may be garnished by employers for other pay periods, such as biweekly, semimonthly, monthly, and longer than monthly pay periods.

The current regulation, 16 VAC 15-20-10 et seq., contains specific dollar figures based on the then-current F.M.W.R. Since 1970, the F.M.W.R. has increased several times, requiring the commissioner to repeatedly revise the regulation.

The commissioner proposed to repeal the current regulation and to replace it with a new regulation, proposed 16 VAC 15-21-10 et seq. Maximum Garnishment Amounts. The purpose of the replacement regulation is to clearly set forth the method for calculating the necessary amounts, but to omit specific dollar amounts. This new regulation will not make any substantive change to the previous method of calculating the maximum garnishment amounts. The new regulation will simply and clearly state the method of calculation, and omit any specific dollar amounts as shown in the current regulation.

Statutory Authority: § 34-29 of the Code of Virginia.

Public comments may be submitted until November 30, 1998, to Bonnie Hopkins, Regulatory Coordinator, Department of Labor and Industry, 13 South 13th Street, Richmond, VA 23219.

Contact: Anupama Agarwal, Agency Management Analyst Senior, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 371-2316, FAX (804) 371-2324 or (804) 786-2376/TTY ☎

Virginia Apprenticeship Council

† **December 10, 1998 - 9:30 a.m.** -- Open Meeting
Confederate Hills Recreation Center, 302 Lee Avenue, Highland Springs, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular quarterly meeting of the council to discuss the subcommittee's report on bylaws and goals and objectives of the council and to discuss the 60th Celebration Committee's report.

Contact: Beverly Donati, Assistant Program Director, Department of Labor and Industry, Powers-Taylor Bldg, 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418 or (804) 786-2376/TTY ☎

LIBRARY BOARD

† **November 16, 1998 - 10:30 a.m.** -- Open Meeting
The Library of Virginia, 800 East Broad Street, Board Meeting Room, Richmond, Virginia. ♿

A meeting of the Library Board to discuss matters pertaining to The Library of Virginia and the Library Board.

The following committees will meet at 8:15 a.m.:

Public Library Development Committee - Conference Room A
Publications and Educational Services Committee - Conference Room B
Records Management Committee - Conference Room C

The following committees will meet at 9:30 a.m.:

Archival and Information Services Committee - Conference Room A
Collection Management Committee - Conference Room B
Legislative and Finance Committee - Conference Room C

Contact: Jean H. Taylor, Executive Secretary, Library Board, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219-8000, telephone (804) 692-3535 or FAX (804) 692-3594.

LITTER CONTROL AND RECYCLING FUND ADVISORY BOARD

October 29, 1998 - 10 a.m. -- Open Meeting
701 East Franklin Street, Lower Level Conference Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A work session to review and make recommendations on pending competitive applications for litter prevention and recycling educational programs.

Contact: Michael P. Murphy, Director, Environmental Enhancement, Department of Environmental Quality, 629 E. Main St., Richmond, VA 23219, telephone (804) 698-4003, FAX (804) 698-4319, (804) 698-4021/TTY ☎ or e-mail mpmurphy@deq.state.va.us.

COMMISSION ON LOCAL GOVERNMENT

October 27, 1998 - 10:30 a.m. -- Open Meeting
Southampton County Office Center, Board of Supervisors Room, 26022 Administrative Center Drive, Courtland, Virginia. ♿ (Interpreter for the deaf provided upon request)

Oral presentations regarding the City of Franklin-Southampton County proposed revenue-sharing agreement.

Contact: Barbara Bingham, Administrative Assistant, Commission on Local Government, Eighth Street Office Bldg., 805 E. Broad St., Room 702, Richmond, VA 23219-1924, telephone (804) 786-6508, FAX (804) 371-7999 or (804) 786-1860/TTY ☎

October 27, 1998 - 7 p.m. -- Public Hearing
Southampton County Office Center, Board of Supervisors
Room, 26022 Administrative Center Drive, Courtland,
Virginia. ♿ (Interpreter for the deaf provided upon request)

A public hearing regarding the City of Franklin-Southampton County proposed revenue-sharing agreement.

Contact: Barbara Bingham, Administrative Assistant, Commission on Local Government, Eighth Street Office Bldg., 805 E. Broad St., Room 702, Richmond, VA 23219-1924, telephone (804) 786-6508, FAX (804) 371-7999 or (804) 786-1860/TTY ☎

November 16, 1998 - 10 a.m. -- Open Meeting
Eighth Street Office Building, 805 East Broad Street, Room 702, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting to consider such matters as may be presented. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the commission.

Contact: Barbara Bingham, Administrative Assistant, Commission on Local Government, Eighth Street Office Bldg., 805 E. Broad St., Room 702, Richmond, VA 23219-1924, telephone (804) 786-6508, FAX (804) 371-7999 or (804) 786-1860/TTY ☎

MARINE RESOURCES COMMISSION

October 27, 1998 - 9:30 a.m. -- Open Meeting
November 23, 1998 - 9:30 a.m. -- Open Meeting
December 21, 1998 - 9:30 a.m. -- Open Meeting
Marine Resources Commission, 2600 Washington Avenue, Room 403, Newport News, Virginia. ♿ (Interpreter for the deaf provided upon request)

The commission will hear and decide the following marine environmental matters at 9:30 a.m.: permit applications for projects in wetlands, bottom lands, coastal primary sand dunes and beaches; appeals of local wetland board decisions; and policy and regulatory issues. The commission will hear and decide the following fishery management items at approximately noon: regulatory proposals and fishery management plans; fishery conservation issues; licensing; and shellfish leasing. Meetings are open to the public. Testimony will be taken under oath from parties addressing agenda items on permits and licensing. Public comments will be taken on resource matters, regulatory issues and items scheduled for public hearing.

Contact: LaVerne Lewis, Secretary to the Commission, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607-0756, telephone (757) 247-2261, toll-free 1-800-541-4646 or (757) 247-2292/TTY ☎

MATERNAL AND CHILD HEALTH COUNCIL

October 28, 1998 - 1 p.m. -- Open Meeting
General Assembly, 9th and Broad Streets, 5th Floor, Speaker's Conference Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to focus on improving the health of the Commonwealth's mothers and children by promoting and improving programs and service delivery systems related to maternal and child health, including prenatal care, school health, and teenage pregnancy.

Contact: Janice M. Hicks, Ph.D., Policy Analyst, Department of Health, Office of Family Health Services, 1500 E. Main St., Room 104, Richmond, VA 23219, telephone (804) 371-0478 or FAX (804) 692-0184.

BOARD OF MEDICINE

† **December 5, 1998 - 8 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

The Credentials Committee will meet in open and closed session to (i) conduct general business, (ii) interview and review medical credentials of applicants applying for licensure in Virginia, and (iii) act on other issues that come before the committee. The committee will receive public comments of those persons appearing on behalf of candidates.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

Informal Conference Committee

† **October 29, 1998 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.

November 5, 1998 - 10 a.m. -- Open Meeting
Roanoke Airport Marriott, 2801 Hershberger Road, Roanoke, Virginia.

† **November 6, 1998 - 9 a.m.** -- Open Meeting
Fort Magruder Inn Conference Center, Route 60, Williamsburg, Virginia.

† **November 18, 1998 - 9:30 a.m.** -- Open Meeting
Sheraton In, 2801 Plank Road, Fredericksburg, Virginia.

A meeting to inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine and other healing arts in Virginia. The committee will meet in open and closed sessions pursuant to § 2.1-344 A 7 and A 15 of the Code of Virginia. Public comment will not be received.

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Contact: Karen W. Perrine, Deputy Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-7693, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

Advisory Board on Physical Therapy

November 18, 1998 - 9 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Room 1, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A public hearing regarding amendments to physical therapy regulations to include discussions on inactive license status, requirements for foreign-trained graduates, and biennial review of existing regulations. Following the public hearing, there will be a meeting of the advisory board.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

October 26, 1998 - Public comments may be submitted until 5 p.m. on this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Mental Health, Mental Retardation and Substance Abuse Services intends to adopt regulations entitled: **12 VAC 35-210-10 et seq. Certification of the Qualifications of Providers of Behavior Consultation Services.** The proposed regulation defines the specific knowledge, skills, and abilities that mental retardation behavior consultants must have at entry level for Medicaid reimbursement for mental retardation waiver services. The regulation further defines who is subject to certification, the application procedure, the conditions under which a certification can be revoked and subsequently reinstated, provider agreement to inspection of records, and notification that all certified behavior consultants are subject to the department's human rights regulations.

Statutory Authority: §§ 37.1-10 and 37.1-182.2 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on Monday, October 26, 1998, to Cathy Rowe, Office of Mental Retardation Services, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218.

Contact: Marion Greenfield, Policy Analyst, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218, telephone (804) 786-6431 or FAX (804) 371-0092.

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October 27, 1998 - 2 p.m. -- Public Hearing
George Mason University, 4400 University Drive, Fairfax, Virginia.

October 28, 1998 - 6 p.m. -- Public Hearing
Richard Bland College, Ernst Hall, 11301 Johnson Road, Petersburg, Virginia.

October 29, 1998 - 1 p.m. -- Public Hearing
Augusta County Government Center, 4801 Lee Highway, Verona, Virginia.

October 29, 1998 - 6 p.m. -- Public Hearing
Hampton City Hall, North King and Lincoln Streets, Hampton, Virginia.

October 30, 1998 - 1 p.m. -- Public Hearing
Wytheville Community College, 1000 East Main Street, Wytheville, Virginia.

November 13, 1998 - Public 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 State Mental Health, Mental Retardation and Substance Abuse Services Board intends to repeal regulations entitled: **12 VAC 35-110-10 et seq. Rules and Regulations to Assure the Rights of Residents of Facilities Operated by the Department of Mental Health, Mental Retardation and Substance Abuse Services.** The proposed regulation protects the legal and human rights of all clients who receive treatment in state operated mental health and mental retardation facilities. This regulation is being repealed and will be superseded by a new human rights regulation, which establishes a single standard for community and facility, public and private human rights programs; addresses consumer and family concerns; and reflects current practices and terminology.

Statutory Authority: § 37.1-84.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m., November 13, 1998, to Marlene Butler, State Board Secretary, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797.

Contact: Kli Kinzie, Secretary, Office of Human Rights, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-3988 or FAX (804) 371-0092.

* * * * *

October 27, 1998 - 2 p.m. -- Public Hearing
George Mason University, 4400 University Drive, Fairfax, Virginia.

October 28, 1998 - 6 p.m. -- Public Hearing
Richard Bland College, Ernst Hall, 11301 Johnson Road,
Petersburg, Virginia.

October 29, 1998 - 1 p.m. -- Public Hearing
Augusta County Government Center, 4801 Lee Highway,
Verona, Virginia.

October 29, 1998 - 6 p.m. -- Public Hearing
Hampton City Hall, North King and Lincoln Streets,
Hampton, Virginia.

October 30, 1998 - 1 p.m. -- Public Hearing
Wytheville Community College, 1000 East Main Street,
Wytheville, Virginia.

November 13, 1998 - Public 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 State Mental Health,
Mental Retardation and Substance Abuse Services
Board intends to adopt regulations entitled: **12 VAC 35-
115-10 et seq. Rules and Regulations to Assure the
Rights of Clients in Facilities and Programs
Operated, Funding or Licensed by the Department of
Mental Health, Mental Retardation and Substance
Abuse Services.** The proposed regulation protects the
legal and human rights of all clients who receive
treatment in state operated mental health and mental
retardation facilities and other agencies, public or private
that receive or benefit from state funding under the
provisions of Chapter 10, Title 37.1 of the Code of
Virginia, and all other providers that are required to be
licensed by the Department of Mental Health, Mental
Retardation and Substance Abuse Services.

Statutory Authority: § 37.1-84.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m., November
13, 1998, to Marlene Butler, State Board Secretary,
Department of Mental Health, Mental Retardation and
Substance Abuse Services, P.O. Box 1797, Richmond, VA
23218-1797.

Contact: Kli Kinzie, Secretary, Office of Human Rights,
Department of Mental Health, Mental Retardation and
Substance Abuse Services, P.O. Box 1797, Richmond, VA
23218-1797, telephone (804) 786-3988 or FAX (804) 371-
0092.

October 27, 1998 - 2 p.m. -- Public Hearing
George Mason University, 4400 University Drive, Fairfax,
Virginia.

October 28, 1998 - 6 p.m. -- Public Hearing
Richard Bland College, Ernst Hall, 11301 Johnson Road,
Petersburg, Virginia.

October 29, 1998 - 1 p.m. -- Public Hearing
Augusta County Government Center, 4801 Lee Highway,
Verona, Virginia.

October 29, 1998 - 6 p.m. -- Public Hearing
Hampton City Hall, North King and Lincoln Streets,
Hampton, Virginia.

October 30, 1998 - 1 p.m. -- Public Hearing
Wytheville Community College, 1000 East Main Street,
Wytheville, Virginia.

November 13, 1998 - Public 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 State Mental Health,
Mental Retardation and Substance Abuse Services
Board intends to repeal regulations entitled: **12 VAC 35-
120-10 et seq. Rules and Regulations to Assure the
Rights of Patients of Psychiatric Hospitals and
Other Psychiatric Facilities Licensed by the
Department of Mental Health, Mental Retardation
and Substance Abuse Services.** The proposed
regulation protects the legal and human rights of all
clients who receive treatment in psychiatric hospitals
and other psychiatric facilities licensed by the
Department of Mental Health, Mental Retardation and
Substance Abuse Services. This regulation is being
repealed and will be superseded by a new human rights
regulation, which establishes a single standard for
community and facility, public and private human rights
programs; addresses consumer and family concerns;
and reflects current practices and terminology.

Statutory Authority: § 37.1-84.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m., November
13, 1998, to Marlene Butler, State Board Secretary,
Department of Mental Health, Mental Retardation and
Substance Abuse Services, P.O. Box 1797, Richmond, VA
23218-1797.

Contact: Kli Kinzie, Secretary, Office of Human Rights,
Department of Mental Health, Mental Retardation and
Substance Abuse Services, P.O. Box 1797, Richmond, VA
23218-1797, telephone (804) 786-3988 or FAX (804) 371-
0092.

October 27, 1998 - 2 p.m. -- Public Hearing
George Mason University, 4400 University Drive, Fairfax,
Virginia.

October 28, 1998 - 6 p.m. -- Public Hearing
Richard Bland College, Ernst Hall, 11301 Johnson Road,
Petersburg, Virginia.

October 29, 1998 - 1 p.m. -- Public Hearing
Augusta County Government Center, 4801 Lee Highway,
Verona, Virginia.

October 29, 1998 - 6 p.m. -- Public Hearing
Hampton City Hall, North King and Lincoln Streets,
Hampton, Virginia.

Calendar of Events

October 30, 1998 - 1 p.m. -- Public Hearing
Wytheville Community College, 1000 East Main Street,
Wytheville, Virginia.

November 13, 1998 - Public 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 State Mental Health, Mental Retardation and Substance Abuse Services Board intends to repeal regulations entitled: **12 VAC 35-130-10 et seq. Rules and Regulations to Assure the Rights of Clients in Community Programs.** The proposed regulation protects the legal and human rights of all clients who receive treatment in community programs funding or licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services. This regulation is being repealed and will be superseded by a new human rights regulation, which establishes a single standard for community and facility, public and private human rights programs; addresses consumer and family concerns; and reflects current practices and terminology.

Statutory Authority: § 37.1-84.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m., November 13, 1998, to Marlene Butler, State Board Secretary, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797.

Contact: Kli Kinzie, Secretary, Office of Human Rights, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-3988 or FAX (804) 371-0092.

VIRGINIA MUSEUM OF FINE ARTS

November 3, 1998 - 8 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue,
Conference Room, Richmond, Virginia. ♿

The Executive Committee will hold a monthly briefing/work session with the staff. Public comment will not be received at the meeting.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

† November 17, 1998 - 11 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue,
Auditorium, Richmond, Virginia. ♿

A meeting of the Collections Committee to consider art acquisitions and loan requests. The committee will meet in closed session. Public comment will not be received.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond,

VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

† November 19, 1998 - 9:30 a.m. -- Open Meeting
Location to be announced. ♿

A meeting of the Buildings and Grounds Committee to continue its review of the site plan under development. Budget concerns will be discussed.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

† November 19, 1998 - 10 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Library
Reading Room, Richmond, Virginia. ♿

A meeting of the Communications and Marketing Committee to review communications and marketing strategies.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

November 19, 1998 - 10 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue,
Auditorium, Richmond, Virginia. ♿

A meeting of the Exhibitions Committee to discuss and consider upcoming exhibitions and review current and recent exhibitions. Public comment will not be received at the meeting.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

† November 19, 1998 - 11 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Main
Lobby Conference Room, Richmond, Virginia. ♿


A meeting of the Finance Committee to review the budget.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

† November 19, 1998 - 1 p.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue,
Auditorium, Richmond, Virginia. ♿


A meeting of the Education and Programs Committee to discuss technology plans for museum programming.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

† **November 19, 1998 - 1 p.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Main
Lobby Conference Room, Richmond, Virginia. 

The initial meeting of the Planning Committee for the 1998-99 season. Public comment will not be received at the meeting.


Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.

† **November 19, 1998 - 2:15 p.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Auditorium, Richmond, Virginia. 


A meeting of the Board of Trustees to hear reports from the president, the staff, and committees. The board will also consider art acquisitions and review the budget.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 367-0553 or FAX (804) 367-2633.


VIRGINIA MUSEUM OF NATURAL HISTORY

November 7, 1998 - 1 p.m. -- Open Meeting
Dutch Inn, 2360 Virginia Avenue, Collinsville, Virginia. 


A meeting of the Board of Trustees to receive reports from the development, executive, finance, legislative, marketing, nominating, outreach, personnel, planning and facilities, and research and collections committees. Public comment will be received following approval of the minutes of the August meeting.

Contact: Rhonda J. Knighton, Executive Assistant, Virginia Museum of Natural History, 1001 Douglas Ave., Martinsville, VA 24112, telephone (540) 666-8600 or (540) 666-0360, or (540) 666-8638/TTY 

BOARD OF NURSING

October 29, 1998 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A Special Conference Committee will conduct informal conferences with licensees and certificate holders. Public comments will not be received.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909, FAX (804) 662-9943 or (804) 662-7197/TTY 


BOARDS OF NURSING AND MEDICINE

† **November 4, 1998 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting of the Committee of the Joint Boards of Nursing and Medicine. Public comment will not be received.


Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909, FAX (804) 662-9512 or (804) 662-7197/TTY 

BOARD OF NURSING HOME ADMINISTRATORS


October 26, 1998 - 1 p.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. 


A Special Conference Committee will hold informal hearings. No public comments will be heard.

Contact: Senita Booker, Administrative Staff Assistant, Board of Nursing Home Administrators, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9111, FAX (804) 662-9523 or (804) 662-7197/TTY 


October 27, 1998 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. 

A discussion on adult care resident managers and the need for improved regulation in this area. Public comments will be received prior to the beginning of the meeting.


Contact: Senita Booker, Administrative Staff Assistant, Board of Nursing Home Administrators, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9111, FAX (804) 662-9523 or (804) 662-7197/TTY 

† **November 2, 1998 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. 

A meeting of the Administrator-in-Training Task Force Committee to finalize recommendations to submit to the full board for redesigning the current training program.

Contact: Senita Booker, Administrative Staff Assistant, Board of Nursing Home Administrators, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9111, FAX (804) 662-9523 or (804) 662-7197/TTY 

BOARD FOR OPTICIANS

November 13, 1998 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

Calendar of Events

A meeting to discuss regulatory review, disciplinary cases and other matters requiring board action.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TTY ☎

BOARD OF OPTOMETRY

† **October 30, 1998 - 8:30 a.m.** -- Open Meeting
Residence Inn by Marriott, 2121 Dickens Road, Richmond, Virginia. ♿

Informal conference meetings will be held. Public comment will not be received.

Contact: Carol Stamey, Administrative Assistant, Board of Optometry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910, FAX (804) 662-7098 or (804) 662-7197/TTY ☎

November 6, 1998 - 9 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia.

Notice is hereby given in accordance with § 9-6.14.7.1 of the Code of Virginia that the Board of Optometry intends to amend regulations entitled: **18 VAC 105-30-10 et seq. Regulations Governing the Certification of Optometrists to Use Therapeutic Pharmaceutical Agents.** The amendments are proposed to specify the training and examination required, to establish a protocol for treatment of acute angle closure glaucoma, to review the renewal schedule from biennially to annual with a fee of \$75 (currently \$125 biennially), and to lower the application fee from \$300 to \$200.

Statutory Authority: §§ 54.1-2400 and 54.1-3223 of the Code of Virginia.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Optometry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910 or FAX (804) 662-9943.

VIRGINIA OUTDOORS FOUNDATION

December 10, 1998 - 10 a.m. -- Open Meeting
State Capitol, Capitol Square, Richmond, Virginia.

A regularly scheduled meeting of the Board of Trustees to discuss foundation business and accept conservation easements. Public input will be accepted after the regular business meeting.

Contact: Tamara Vance, Executive Director, Virginia Outdoors Foundation, 203 Governor St., Room 317, Richmond, VA 23219, telephone (804) 225-2147 or FAX (804) 371-4810.

BOARD OF PHARMACY

October 28, 1998 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. ♿

A Special Conference Committee will hear informal conferences. Public comments will not be received.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911, FAX (804) 662-9313 or (804) 662-7197/TTY ☎

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

November 16, 1998 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A general business meeting.

Contact: Debra S. Vought, Agency Analyst, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8519 or (804) 367-9753/TTY ☎

BOARD OF LICENSED PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS AND SUBSTANCE ABUSE TREATMENT PROFESSIONALS

† **October 26, 1998 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ♿

An informal administrative hearing being held pursuant to § 9-6.14:11 of the Code of Virginia. No public comment will be received.

Contact: Evelyn Brown, Executive Director, Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9967 or FAX (804) 662-9943.

October 27, 1998 - 10 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ♿

The Regulatory Committee will consider results of a survey mailed to graduate counseling programs regarding proposed changes to its regulations governing marriage and family therapist and professional counselor licensure and to propose new regulations governing substance abuse treatment practitioner licensure. The committee will also discuss possible amendments to its regulations governing substance abuse counselor certification. Public comment will be received at the beginning of the meeting.

Contact: Janet Delorme, Deputy Executive Director, Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9575, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

November 12, 1998 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ♿

Meetings of the following committees: credentials, discipline, supervision, regulatory, public relations, executive and legislative. No public comment will be received.

Contact: Evelyn Brown, Executive Director, or Joyce Williams, Administrative Assistant, Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9912 or FAX (804) 662-9943.

November 13, 1998 - 10 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ♿

A regular meeting to conduct general board business, regulatory review, consider committee reports and correspondence and any other matters under the jurisdiction of the board.

Contact: Evelyn Brown, Executive Director, or Joyce Williams, Administrative Assistant, Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9912 or FAX (804) 662-9943.

VIRGINIA RACING COMMISSION

November 18, 1998 - 9:30 a.m. -- Open Meeting
Administrative Building, 12007 Courthouse Circle, New Kent, Virginia. ♿

A monthly meeting of the commission including a report by Colonial Downs. Public comment will be received.

Contact: William H. Anderson, Policy Analyst, Virginia Racing Commission, 10700 Horsemen's Rd., New Kent, VA 23124, telephone (804) 966-4200 or FAX (804) 966-8906.

November 18, 1998 - 9:30 a.m. -- Public Hearing
Virginia Racing Commission, 12007 Courthouse Circle, Administrative Building, New Kent, Virginia.

December 11, 1998 - Public 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 Virginia Racing

Commission intends to amend regulations entitled: **11 VAC 10-60-10 et seq. Regulations Pertaining to Horse Racing with Pari-Mutuel Wagering: Participants.** The proposed regulation reflects more closely the intent of the statute regarding the consideration of applications for participation in horse racing, thereby eliminating the provisional permit. Furthermore, the regulation takes into account changes in the standard operating procedures found at most racetracks in the mid-Atlantic region since the current regulation was promulgated seven years ago.

Statutory Authority: § 59.1-369 of the Code of Virginia.

Contact: William H. Anderson, Policy Analyst, Virginia Racing Commission, 10700 Horsemen's Road, New Kent, VA 23124, telephone (804) 966-4200 or FAX (804) 966-8906.

REAL ESTATE APPRAISER BOARD

October 27, 1998 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8526, FAX (804) 367-2475, or (804) 367-9753/TTY ☎

VIRGINIA RECYCLING MARKETS DEVELOPMENT COUNCIL


October 28, 1998 - 9 a.m. -- Open Meeting
Central Virginia Waste Management Authority, 2104 West Laburnum Avenue, Board Room, Richmond, Virginia. ♿
(Interpreter for the deaf provided upon request)

An ad hoc subcommittee meeting to discuss the results of the 1998 Virginia Local Government Recycling Program survey pursuant to House Bill 2881 (97).


Contact: Michael P. Murphy, Director, Environmental Enhancement, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4003, FAX (804) 698-4319, (804) 698-4021/TTY ☎ or email mpmurphy@deq.state.va.us.

Calendar of Events


STATEWIDE REHABILITATION ADVISORY COUNCIL

† **November 9, 1998 - 10 a.m.** -- Open Meeting
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


Council committee meetings followed by a regular business meeting of the full council.

Contact: Kay Magill, Statewide Rehabilitation Advisory Council Liaison, Department of Rehabilitative Services, 8004 Franklin Farms Dr., Richmond, VA 23288, telephone (804) 662-7527, FAX (804) 662-7696, or toll-free 1-800-552-5019 or 1-800-464-9950/TTY 

BOARD OF REHABILITATIVE SERVICES

† **November 5, 1998 -10 a.m.** -- Open Meeting
Center for Independent Living, Fredericksburg, Virginia.  (Interpreter for the deaf provided upon request)

A quarterly business meeting.

Contact: Loretta Petty, Deputy Commissioner, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box 300 K, Richmond, VA 23288-0300, telephone (804) 662-7010, toll-free 1-800-552-5019 or (804) 662-7000/TTY 


VIRGINIA RESOURCES AUTHORITY

November 10, 1998 - 9:30 a.m. -- Open Meeting
December 8, 1998 - 9:30 a.m. -- Open Meeting
Virginia Resources Authority, Mutual Building, 909 East Main Street, Suite 700, Richmond, Virginia.

A meeting to approve minutes of the prior meeting, to review the authority's operations for the prior month, and to consider other matters and take other actions as the authority 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. Public comments will be received at the beginning of the meeting.

Contact: Robert W. Lauterberg, Executive Director, Virginia Resources Authority, P.O. Box 1300, Richmond, VA 23218, telephone (804) 644-3100 or FAX (804) 644-3109.


RICHMOND HOSPITAL AUTHORITY

† **October 29, 1998 - 5 p.m.** -- Open Meeting
Richmond Nursing Home, 1900 Cool Lane, 2nd Floor Classroom, Richmond, Virginia. 

A regular meeting of the Board of Commissioners to discuss nursing home operations and related matters.

Contact: Marilyn H. West, Chairman, Richmond Hospital Authority, 700 E. Main St., Suite 904, P.O. Box 548, Richmond, VA 23219-0548, telephone (804) 782-1938.


VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

October 27, 1998 - 10 a.m. -- Open Meeting
Department of Business Assistance, 707 East Main Street, 3rd Floor, Main Board Room, Richmond, Virginia. 


A meeting of the Loan Committee to review applications for loans submitted to the authority for approval. The time will be moved to 8:30 a.m. if the VSBFA Board of Directors decides to combine meeting dates with the VSBFA Loan Committee.

Contact: Cathleen M. Surface, Executive Director, Virginia Small Business Financing Authority, 707 E. Main St., 3rd Floor, Richmond, VA 23219, telephone (804) 371-8254 or FAX (804) 225-3384.


STATE BOARD OF SOCIAL SERVICES

October 28, 1998 - 9 a.m. -- Open Meeting
October 29, 1998 - 9 a.m. -- Open Meeting
Department of Social Services, Western Regional Office, 190 Patton Street, Abingdon, Virginia. 


A work session and formal business meeting of the board.

Contact: Pat Rengnerth, Administrative Staff Specialist, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1826, FAX (804) 692-0319, toll-free 1-800-552-3431 or 1-800-552-7096/TTY 

BOARD FOR PROFESSIONAL SOIL SCIENTISTS

† **November 6, 1998 - 10 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regularly scheduled meeting of the board to address policy and procedural issues and other business matters which may require board action. The meeting is open to the public; however, a portion of the meeting may be discussed in executive session. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact Geralde Morgan in advance so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

Contact: Geralde W. Morgan, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-2785, FAX (804) 367-2474 or (804) 367-9753/TTY 

COUNCIL ON TECHNOLOGY SERVICES


October 27, 1998 - 9 a.m. -- Open Meeting
Washington D.C., - location to be announced.

November 24, 1998 - 9 a.m. -- Open Meeting
Location to be announced.

An organizational meeting of the council.


Contact: Jamie Breeden, Administrative Assistant, Department of Information Technology, 110 S. 7th St., 3rd Floor, Richmond, VA 23219, telephone (804) 371-5506, FAX (804) 371-5273 or (804) 371-8076.

COMMONWEALTH TRANSPORTATION BOARD

† **November 18, 1998 - 2 p.m.** -- Open Meeting
1401 East Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A work session of the board and the Department of Transportation staff.


Contact: Shirley J. Ybarra, Secretary of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675.

† **November 19, 1998 - 10 a.m.** -- Open Meeting
1401 East Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A monthly meeting of the board to vote on proposals presented regarding bids, permits, additions and deletions to the highway system, and any other matters requiring board approval. Public comment will be received at the outset of the meeting on items on the meeting agenda for which the opportunity for public comment has not been afforded in another forum. Remarks will be limited to five minutes. Large groups are asked to select one individual to speak for the group. The board reserves the right to amend these conditions. Separate committee meetings may be held on call of the chairman. Contact Department of Transportation Public Affairs at (804) 786-2715 for schedule.

Contact: Shirley J. Ybarra, Secretary of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675.

TRANSPORTATION SAFETY BOARD


† **December 3, 1998 - 10 a.m.** -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A quarterly meeting to discuss transportation safety matters.


Contact: Angelisa Jennings, Management Analyst, Department of Motor Vehicles, 2300 W. Broad St., Room


405, Richmond, VA 23220, telephone (804) 367-2026 or FAX (804) 367-6031.

BOARD OF VETERINARY MEDICINE


† **October 27, 1998 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the board to approve final regulations, consider ratification of consent orders, consider requests for reinstatements and waivers of the national board examination and clinical competency test, discuss correspondence received and handle general board business. A brief public comment period will be held at the beginning of the meeting.

Contact: Terri H. Behr, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9915 or (804) 662-7197/TTY 


† **October 28, 1998 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

Informal conferences will be held. Public comments will not be received.


Contact: Terri H. Behr, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9915 or (804) 662-7197/TTY 

DEPARTMENT FOR THE VISUALLY HANDICAPPED

Statewide Rehabilitation Council for the Blind

† **December 5, 1998 - 10 a.m.** -- Open Meeting
Department for the Visually Handicapped, 397 Azalea Avenue, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A quarterly meeting of the council to advise the department on matters related to vocational rehabilitation services for the blind and visually impaired citizens of the Commonwealth.

Contact: James G. Taylor, Vocational Rehabilitation Program Director, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3111, toll-free 1-800-622-2155 or (804) 371-3140/TTY 

Calendar of Events

VIRGINIA WAR MEMORIAL FOUNDATION

† **January 12, 1999 - Noon** -- Open Meeting
Virginia War Memorial, 621 South Belvidere Street,
Richmond, Virginia. (Interpreter for the deaf provided upon
request)

A regular business meeting of the Board of Trustees.

Contact: Sandra H. Williams, Administrative Assistant,
Department of General Services, 805 E. Broad St., Room
101, Richmond, VA 23219, telephone (804) 786-3263, FAX
(804) 371-7934 or (804) 786-6152/TTY

VIRGINIA WASTE MANAGEMENT BOARD

October 26, 1998 - 9 a.m. -- Open Meeting
November 12, 1998 - 9 a.m. -- Open Meeting
Department of Environmental Quality, 4949-A Cox Road,
Glen Allen, Virginia. (Interpreter for the deaf provided upon
request)

A meeting of the Technical Advisory Committee to
discuss the development of the proposed Regulation for
Transportation of Solid and Medical Wastes on State
Waters, 9 VAC 20-170-10 et seq.

Contact: Lily Choi, Environmental Engineer Senior,
Department of Environmental Quality, P.O. Box 10009,
Richmond, VA 23240, telephone (804) 698-4054 or FAX
(804) 698-4032.

BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS

October 26, 1998 - 10:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Conference Room 5 West,
Richmond, Virginia.

A meeting to conduct routine board business. A public
comment period will be held at the beginning of the
meeting.

Contact: David E. Dick, Assistant Director, Department of
Professional and Occupational Regulation, 3600 W. Broad
St., Richmond, VA 23230-4917, telephone (804) 367-8595,
FAX (804) 367-2474 or (804) 367-9753/TTY

STATE WATER CONTROL BOARD

† **November 5, 1998 - 6:30 p.m.** -- Public Hearing
Peter Muhlenberg Middle School Forum, Woodstock,
Virginia.

A public hearing to receive comments on the proposed
reissuance of a Virginia Pollutant Discharge Elimination
System Permit for Rocco Farms, Inc., in Edinburg,
Virginia. There will be an information meeting which will
begin at 6:30 p.m. prior to the hearing, which will begin
at 7:30 p.m. Immediately following the hearing, there
will be a public meeting to receive comments on the

proposed modification of the air permit issued for the
rendering facility.

Contact: Bill Kregloe, Department of Environmental Quality,
Valley Regional Office, P.O. Box 1129, Harrisonburg, VA
22801, telephone (540) 574-7800.

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

October 29, 1998 - 8:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Conference Room 5W, Richmond,
Virginia.

A routine business meeting. A public comment period
will be held at the beginning of the meeting.

Contact: David E. Dick, Assistant Director, Department of
Professional and Occupational Regulation, 3600 W. Broad
St., Richmond, VA, telephone (804) 367-8505, FAX (804)
367-2475 or (804) 367-9753/TTY

LEGISLATIVE

ADMINISTRATIVE LAW ADVISORY COMMITTEE

† **October 29, 1998 - 10 a.m.** -- Open Meeting
State Capitol, Capitol Square, House Room 2, Richmond,
Virginia. (Interpreter for the deaf provided upon request)

A meeting of the Hearing Officer Deskbook
Subcommittee to continue review and discussion of
guidelines for hearing officers.

Contact: Lyn Coughlin, Program Coordinator, Administrative
Law Advisory Committee, General Assembly Bldg., 910
Capitol St., Richmond, VA 23219, telephone (804) 786-3591
or FAX (804) 692-0625.

SENATE COMMITTEE ON AGRICULTURE, CONSERVATION AND NATURAL RESOURCES

Special Subcommittee Studying HB 1207

† **October 26, 1998 - 7 p.m.** -- Public Hearing
Bayside Middle School, 965 Newtown Road, Virginia Beach,
Virginia.

A hearing to receive public comment on whether the
General Assembly should require the State Water
Control Board to establish a poultry waste management
program in the Chesapeake Bay watershed. The
provisions of such a program are contained in House Bill
1207. The bill was continued to the 1999 Session of the
General Assembly. Those persons wishing to speak to
the subcommittee may register by calling Brian Taylor at

Senate Committee Operations. Speakers are requested to limit their remarks to three minutes. Questions regarding the meeting should be directed to Nicole M. Rovner, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact Brian Taylor at Senate Committee Operations.

Contact: Brian B. Taylor, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

JOINT SUBCOMMITTEE STUDYING FINANCING OPTIONS FOR THE PURPOSE OF CONSTRUCTING A BASEBALL STADIUM IN VIRGINIA (HJR 90, 1998)

† **November 17, 1998 - 1:30 p.m.** -- Open Meeting
Center for Innovative Technology, 2214 Rock Hill Road, Briefing Room, Herndon, Virginia.

Questions regarding the meeting agenda should be directed to John Garka or Stephanie Hamlett, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact Anne Howard at least 10 working days prior to the meeting.

Contact: Anne R. Howard, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

SPECIAL JOINT SUBCOMMITTEE OF THE SENATE COMMITTEE ON EDUCATION AND HEALTH AND THE HOUSE COMMITTEE ON HEALTH, WELFARE AND INSTITUTIONS TO STUDY THE CERTIFICATE OF PUBLIC NEED

November 12, 1998 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other accommodations should call or write Senate committee operations at least 10 working days prior to the meeting.

Contact: Brian B. Taylor, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

COMMISSION ON THE CONDITION AND FUTURE OF VIRGINIA'S CITIES (HJR 432)

† **November 5, 1998 - 1 p.m.** -- Open Meeting
Danville Community College, Danville, Virginia.

† **December 2, 1998 - 1 p.m.** -- Open Meeting
George Washington Memorial Masonic Temple, Alexandria, Virginia.

† **January 5, 1999 - Time to be announced** -- Open Meeting

General Assembly Building, 9th & Broad Streets, House Room D, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be directed to Jeff Sharp or Nikki Rovner, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact Barbara Regen at least 10 working days prior to the meeting.

Contact: Barbara L. Regen, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

PRIVILEGES AND ELECTIONS SUBCOMMITTEE TO STUDY RESTORATION OF CIVIL RIGHTS TO FELONS

† **October 29, 1998 - 2 p.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other accommodations should call or write Senate Committee Operations at least seven working days prior to the meeting.

Contact: Patty Lung, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

VIRGINIA CODE COMMISSION

November 18, 1998 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Speaker's Conference Room, 6th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to continue with the recodification of Titles 2.1 and 9 of the Code of Virginia and to conduct any other business of the commission.

Contact: Jane Chaffin, Registrar of Regulations, General Assembly Bldg., 9th and Broad Streets, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625 or e-mail jchaffin@leg.state.va.us.

HOUSE COURTS OF JUSTICE

November 16, 1998 - Noon -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Special House Courts of Justice Subcommittee Studying HJR 194 (State Employment);

Calendar of Events

HJR 218 (Disclosure—Autopsy and Medical Exam Records); and HJR 246 (Church Trustees). Questions regarding the meeting should be addressed to Carey Friedman, Courts Counsel, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact Anne Howard at least 10 working days prior to the meeting.

Contact: Anne R. Howard, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

† **November 23, 1998 - 2 p.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting of the full committee to discuss carryover legislation.

The following subcommittees will meet prior to the full committee meeting:

Juvenile and Family Law Subcommittee - 9 a.m., 4th Floor West Conference Room

Criminal Law Subcommittee - 10 a.m., House Room D

Civil Law Subcommittee - 10 a.m., 5th Floor West Conference Room

Contact: Anne R. Howard, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

† **December 4, 1998 - 9 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Judicial interviews.

Contact: Anne R. Howard, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

COMMISSION ON EARLY CHILDHOOD AND CHILD DAY CARE PROGRAMS

† **November 24, 1998 - 2 p.m.** -- Open Meeting

† **December 22, 1998 - 2 p.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Questions regarding the meeting should be directed to Amy Marschean, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other assistance should contact Brian Taylor, Senate Committee Operations.

Contact: Brian B. Taylor, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

COMMISSION ON EDUCATIONAL INFRASTRUCTURE (HJR 165)

October 28, 1998 - 10 a.m. -- Open Meeting

November 23, 1998 - 2 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be addressed to Norma Szakal, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the committee operations office at least 10 working days prior to the meeting.

Contact: Lois V. Johnson, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

SUBCOMMITTEE STUDYING THE FUTURE OF VIRGINIA'S ENVIRONMENT (HJR 136)

October 29, 1998 - 10 a.m. -- Open Meeting

December 17, 1998 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Please direct all questions regarding the agenda to Shannon Varner, Division of Legislative Services, at (804) 786-3591. Individuals requiring interpreter services or other accommodations should contact the committee operations office at least 10 working days prior to the meeting.

Contact: Lois V. Johnson, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

HOUSE COMMITTEE ON FINANCE

Business Tax Incentives Subcommittee


October 29, 1998 - 10 a.m. -- Open Meeting

General Assembly Building, 9th and Broad Streets, 4th Floor West Conference Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)


A regular meeting. Questions regarding the meeting should be addressed to Joan E. Putney or Stephanie L. Hamlett, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact Lois Johnson at least 10 working days prior to the meeting.

Contact: Lois V. Johnson, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎


Property Tax Subcommittee

October 26, 1998 - 10:30 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, 4th Floor
West Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting. Questions regarding the meeting should be addressed to Joan E. Putney or Stephanie L. Hamlett, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact Lois Johnson at least 10 working days prior to the meeting.

Contact: Lois V. Johnson, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 

JOINT SUBCOMMITTEE STUDYING THE VIRGINIA FREEDOM OF INFORMATION ACT (HJR 187)


November 4, 1998 - 9 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be addressed to Maria J.K. Everett, Senior Attorney, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the committee operations office at least 10 working days prior to the meeting. (The website for this study is <http://dls.state.va.us/hjr187.htm>.)


Contact: Anne R. Howard, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 

HOUSE COMMITTEE ON GENERAL LAWS


Subcommittee 6

October 27, 1998 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A meeting to consider the following resolutions: HJR 181 Study - Motion Picture Production Industry and HJR 260 Study - Waste Tires. Questions regarding the meeting agenda should be addressed to Maria Everett, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the committee operations office at least 10 working days prior to the meeting.

Contact: Lois V. Johnson, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 


JOINT COMMISSION ON HEALTH CARE

November 17, 1998 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting. Individuals requiring interpreter services or other special assistance should contact Kathleen Myers at least 10 working days prior to the meeting.

Contact: Kathleen Myers, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1547 or (804) 786-2369/TTY 


COMMISSION ON ACCESS AND DIVERSITY IN HIGHER EDUCATION IN VIRGINIA (HJR 226/1998)

November 18, 1998 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should contact Brenda Edwards, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact Dawn Smith at least 10 working days prior to the meeting.

Contact: Dawn B. Smith, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 


JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION

† **November 9, 1998 - 10 a.m.** -- Open Meeting
General Assembly Building, 910 Capitol Street, Senate Room A, Richmond, Virginia. 

A meeting for staff briefings on the Board of Elections and an interim report on health regulatory boards.

Contact: Phillip A. Leone, Director, Joint Legislative Audit and Review Commission, General Assembly Building, 910 Capitol St., Suite 1100, Richmond, VA 23219, telephone (804) 786-1258.

JOINT SUBCOMMITTEE OF THE HOUSE AND SENATE COURTS OF JUSTICE COMMITTEES STUDYING HJR 216 ON MANAGED CARE

† **November 9, 1998 - 2 p.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, 6th Floor Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Special House Courts of Justice Subcommittee Studying HJR 216 (Managed Care)

Calendar of Events

Organization Liability for Health Care Decisions). Questions regarding the meeting should be addressed to Robie Ingram, Courts Counsel, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact Anne Howard at least 10 working days prior to the meeting.

Contact: Anne R. Howard, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

JOINT SUBCOMMITTEE STUDYING MEDICAID REIMBURSEMENT BILLING PROGRAM FOR PUBLIC SCHOOLS (SJR 182/1998)

November 10, 1998 - 1:30 p.m. -- Open Meeting

December 18, 1998 - 1 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other accommodations should call or write Senate Committee Operations at least 10 working days prior to the meeting.

Contact: Patty Lung, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

JOINT SUBCOMMITTEE STUDYING THE FUTURE DELIVERY OF PUBLICLY FUNDED MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES (HJR 225)

October 27, 1998 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

December 16, 1998 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other special assistance should contact Dawn Smith at least 10 working days prior to the meeting.

Contact: Dawn B. Smith, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

JOINT COMMISSION ON TECHNOLOGY AND SCIENCE

† **October 27, 1998 - 1 p.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of Advisory Committee #3, co-chaired by Delegate Joe May and Senator Janet Howell, to study issues related to the "Year 2000" computer date change. About one week before the meeting, the proposed agenda will be posted on the commission's webpage at <http://legis.state.va.us/jcots/jcots.htm>.

Contact: Diane E. Horvath, Director, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169 or e-mail DHorvath@leg.state.va.us.

† **November 2, 1998 - 9:30 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, 5th Floor West Conference Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of Advisory Committee #4, co-chaired by Delegate Diamonstein and Senator Ticer, to study issues related to the HJR 38 (1998), which discusses Uniform Commercial Code Revised Article 2B (software licensing). About one week before the meeting, the proposed agenda will be posted on the commission's webpage at <http://legis.state.va.us/jcots/jcots.htm>.

Contact: Diane E. Horvath, Director, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169 or e-mail DHorvath@leg.state.va.us.

† **December 4, 1998 - 10 a.m.** -- Open Meeting
Library of Virginia, 800 East Broad Street, Conference Rooms C and D, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of Advisory Committee #1, co-chaired by Delegate Bennett and Senator Newman, to discuss Internet access in Virginia's public schools and libraries. About one week before the meeting, the proposed agenda will be posted on the commission's webpage at <http://legis.state.va.us/jcots/jcots.htm>.

Contact: Diane E. Horvath, Director, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169 or e-mail DHorvath@leg.state.va.us.

JOINT COMMISSION ON TECHNOLOGY AND SCIENCE AND HOUSE COMMITTEE ON SCIENCE AND TECHNOLOGY

† **November 18, 1998 - 10 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. (Interpreter for the deaf provided upon request)

† **December 18, 1998 - 1 p.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A general meeting. About one week before the meeting, the proposed agenda will be posted on the commission's webpage at <http://legis.state.va.us/jcots/jcots.htm>.

Contact: Diane E. Horvath, Director, Joint Commission on Technology and Science, General Assembly Bldg, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169 or e-mail DHorvath@leg.state.va.us.

CHRONOLOGICAL LIST

OPEN MEETINGS

October 26

Finance, House Committee on
- Property Tax Subcommittee
Gangs and Violence, Task Force on
Information Management, Council on
- Lands Records Management Task Force
Nursing Home Administrators, Board of
- Special Conference Committee
† Professional Counselors, Marriage and Family
Therapists and Substance Abuse Treatment
Professionals, Board of Licensed
Waste Management Board, Virginia
- Technical Advisory Committee
Waste Management Facility Operators, Board for

October 27

Aviation Board, Virginia
Conservation and Recreation, Department of
- Master Plan Development for First
Landing/Seashore State Park
- Board on Conservation and Development of Public
Beaches
† Elections, State Board of
General Laws, House Committee on
- Subcommittee 6
Local Government, Commission on
Marine Resources Commission
Nursing Home Administrators, Board of
Professional Counselors, Marriage and Family
Therapists and Substance Abuse Treatment
Professionals, Board of Licensed

Publicly Funded Mental Health, Mental Retardation and
Substance Abuse Services (HJR 225), Joint
Subcommittee Evaluating the Future Delivery of
Real Estate Appraiser Board
Small Business Financing Authority, Virginia
- Loan Committee
† Technology and Science, Joint Commission on
- Advisory Committee #3
Technology Services, Council on
† Veterinary Medicine, Board of

October 28

† Agriculture and Consumer Services, Department of
- Virginia Winegrowers Advisory Board
Aviation Board, Virginia
Branch Pilots, Board for
† Conservation and Recreation, Department of
- Master Plan Development for Douthat State Park
Educational Infrastructure, Commission on
† Education, Board of
Funeral Directors and Embalmers, Board of
- Special Conference Committee
Maternal and Child Health Council
Pharmacy, Board of
- Special Conference Committee
Recycling Markets Development Council, Virginia
- Ad Hoc Subcommittee
Social Services, State Board of
† Veterinary Medicine, Board of

October 29

† Administrative Law Advisory Committee
- Hearing Officer Deskbook Subcommittee
Arts, Virginia Commission for the
- Advisory Panel for Artist Roster
Audiology and Speech-Language Pathology, Board of
- Advisory Committee on Support Personnel
Branch Pilots, Board for
† Civil Rights to Felons, Privileges and Elections
Subcommittee to Study Restoration of
Compensation Board
† Conservation and Recreation, Department of
- Master Plan Development for Pocahontas State Park
† Education, Board of
Environment, Subcommittee Studying the Future of
Virginia's
Finance, House Committee on
- Business Tax Incentives
Funeral Directors and Embalmers, Board of
Higher Education Tuition Trust Fund, Virginia
- Special Conference Committee
Litter Control and Recycling Fund Advisory Board
† Medicine, Board of
- Informal Conference Committee
Nursing, Board of
- Special Conference Committee
† Richmond Hospital Authority
- Board of Commissioners
Social Services, State Board of
Waterworks and Wastewater Works Operators, Board
for

Calendar of Events

October 30

- At-Risk Youth and Their Families, Comprehensive Services for
 - State Executive Council
- Dentistry, Board of
- † Optometry, Board of

November 2

- † Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Board of
 - Architect Section
- † Nursing Home Administrators, Board of
 - Administrator-in-Training Task Force Committee
- † Technology and Science, Joint Commission on
 - Advisory Committee #4

November 3

- Hopewell Industrial Safety Council
- Museum of Fine Arts, Virginia
 - Executive Committee

November 4

- Deaf and Hard-of-Hearing, Virginia Department for the Freedom of Information Act, Joint Subcommittee Studying the Virginia
- Funeral Directors and Embalmers, Board of
 - Task Force Committee on Resident Trainee Program
- † Nursing and Medicine, Boards of

November 5

- † At-Risk Youth and Their Families, Comprehensive Services for
 - State Management Team
- † Cities, Commission on the Condition and Future of Virginia's
- † Conservation and Recreation, Department of
 - Falls of the James Scenic River Advisory Board
 - Master Plan Development for Lake Anna State Park
- † Economic Development Partnership
 - Virginia Tourism Corporation
- Emergency Planning Committee, Local - Chesterfield County
- † Environmental Quality, Department of
- Medicine, Board of
 - Informal Conference Committee
- † Rehabilitative Services, Board of

November 6

- † Agriculture and Consumer Services, Department of
 - Virginia Pork Industry Board
- † Correctional Education, Board of
- † Dentistry, Board of
 - Special Conference Committee
- † Medicine, Board of
 - Informal Conference Committee
- † Soil Scientists, Board of Professional

November 7

- Museum of Natural History, Virginia
 - Board of Trustees

November 9

- † Accountancy, Board for
- Arts, Virginia Commission for the Arts
 - Advisory Panel for Fiction Fellowships
- † Legislative Audit and Review Commission, Joint
- † Managed Care Organization Liability for Health Care Decisions, Courts of Justice Subcommittee Studying
- † Rehabilitation Advisory Council, Statewide

November 10

- Asbestos and Lead, Board for
- † Chesapeake Bay Local Assistance Board
 - Southern Area Review Committee
- † Dentistry, Board of
- Medicaid Reimbursement Billing Program for Public Schools, Joint Subcommittee Studying
- Resources Authority, Virginia

November 11

- † Community Colleges, State Board for

November 12

- † Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Board of
 - Professional Engineer Section
- Certificate of Public Need, Special Joint Subcommittee to Study the
- † Community Colleges, State Board for
- † Labor and Industry, Department of
 - Apprenticeship Council
- Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, Board of Licensed
- Waste Management Board, Virginia
 - Technical Advisory Committee

November 13

- † Dentistry, Board of
 - Special Conference Committee
- Health Professions, Department of
 - Health Practitioners' Intervention Program Committee
- † Information Management, Council on
- Opticians, Board for
- Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, Board of Licensed

November 16

- † General Services, Department of
 - Design-Build/Construction Management Review Board
- House Courts of Justice
 - Subcommittee Studying HJR 194 (State Employment); HJR 218 (Disclosure—Autopsy and Medical Exam Records); and HJR 246 (Church Trustees)
- † Housing and Community Development, Board of
- † Library Board
 - Archival and Information Services Committee
 - Collection Management Committee

- Legislative and Finance Committee
- Publications and Educational Services Committee
- Public Library Development Committee
- Records Management Committee

Local Government, Commission on
Professional and Occupational Regulation, Board for

November 17

- † Baseball Stadium in Virginia, Joint Subcommittee Studying Financing Options for the Purpose of Constructing a
- † Environmental Quality, Department of
 - Ground Water Protection Steering Committee
- Funeral Directors and Embalmers, Board of
 - Legislative Committee
- Health Care, Joint Commission on
- Higher Education for Virginia, State Council of
- † Intergovernmental Relations, Advisory Commission on
- † Museum of Fine Arts, Virginia
 - Collections Committee

November 18

- † Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Board of
 - Land Surveyor Section
- Code Commission, Virginia
- Higher Education in Virginia, Commission on Access and Diversity in
- † Medicine, Board of
 - Informal Conference Committee
- Racing Commission, Virginia
- † Technology and Science, Joint Commission on
- † Transportation Board, Commonwealth

November 19

- † Conservation and Recreation, Department of
 - Master Plan Development for Staunton River Battlefield State Park
- † Education, Board of
- Museum of Fine Arts, Virginia
 - Board of Trustees
 - Buildings and Grounds Committee
 - Communications and Marketing Committee
 - Education and Programs Committee
 - Exhibitions Committee
 - Finance Committee
 - Planning Committee
- † Transportation Board, Commonwealth

November 20

- At-Risk Youth and Their Families, Comprehensive Services for
 - State Executive Council
- † Dentistry, Board of

November 23

- Educational Infrastructure, Commission on
- † Justice, Courts of
 - Civil Law Subcommittee
 - Criminal Law Subcommittee
 - Juvenile and Family Law Subcommittee
- Marine Resources Commission

November 24

- † Early Childhood and Child Day Care Programs, Commission on
- Technology Services, Council on

November 25

- Compensation Board

December 2

- Arts, Virginia Commission for the
- † Cities, Commission on the Condition and Future of Virginia's
- † Funeral Directors and Embalmers, Board of
 - Special Conference Committee

December 3

- † Conservation and Recreation, Department of
 - Falls of the James Scenic River Advisory Board
- Emergency Planning Committee, Local - Chesterfield County
- † Funeral Directors and Embalmers, Board of
 - Special Conference Committee
- † Transportation Safety Board

December 4

- † Justice, Courts of
- † Technology and Science, Joint Commission on
 - Advisory Committee #1

December 5

- † Medicine, Board of
 - Credentials Committee
- † Visually Handicapped, Department for the
 - Statewide Rehabilitation Council for the Blind

December 7

- † Cosmetology, Board for

December 8

- Resources Authority, Virginia

December 10

- † Agriculture and Consumer Services, Board of
- † Labor and Industry, Department of
 - Apprenticeship Council
- Outdoors Foundation, Virginia
 - Board of Trustees

December 11

- † Health Professions, Department of
 - Health Practitioners' Intervention Program Committee

December 15

- † Agriculture and Consumer Services, Department of
 - Virginia Irish Potato Board

December 16

- Publicly Funded Mental Health, Mental Retardation and Substance Abuse Services, Joint Subcommittee Evaluating the Future Delivery of (HJR 225)

December 17

- Environment, Subcommittee Studying the Future of Virginia's

Calendar of Events

December 18

Medicaid Reimbursement Billing Program for Public Schools, Joint Subcommittee Studying
† Technology and Science, Joint Commission on

December 21

† General Services, Department of
- Design-Build/Construction Management Review Board
Marine Resources Commission

December 22

† Early Childhood and Child Day Care Programs, Commission on

December 23

Compensation Board

January 5, 1999

† Cities, Commission on the Condition and Future of Virginia's

January 12

† War Memorial Foundation, Virginia
- Board of Trustees

PUBLIC HEARINGS

October 26

† Agriculture, Conservation and Natural Resources, Senate Committee on
- Special Subcommittee Studying HB 1207

October 27

Local Government, Commission on
Mental Health, Mental Retardation and Substance Abuse Services, State Board of

October 28

Air Pollution Control Board, State
Mental Health, Mental Retardation and Substance Abuse Services, State Board of

October 29

Branch Pilots, Board for
Mental Health, Mental Retardation and Substance Abuse Services, State Board of

October 30

Mental Health, Mental Retardation and Substance Abuse Services, State Board of

November 5

† Water Control Board, State

November 6

Optometry, Board of

November 18

Medicine, Board of
- Advisory Board on Physical Therapy
Racing Commission, Virginia