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CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

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printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Fall 2003 VAC Supplement includes final regulations published through *Virginia Register* Volume 19, Issue 24, dated August 11, 2003). 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 55-10-10	Amended	20:5 VA.R. 454	12/17/03
1 VAC 55-10-20	Amended	20:5 VA.R. 454	12/17/03
1 VAC 55-10-30	Amended	20:5 VA.R. 454	12/17/03
1 VAC 55-20-320 emer	Amended	19:25 VA.R. 3829	10/1/03-9/30/04
Title 2. Agriculture			
2 VAC 5-320-10	Amended	20:10 VA.R. 1010	2/26/04
2 VAC 5-325-10 through 2 VAC 5-325-120	Added	20:9 VA.R. 886	12/15/03
2 VAC 5-360	Erratum	20:11 VA.R. 1387	--
2 VAC 5-360-10 through 2 VAC 5-360-100	Amended	20:9 VA.R. 889	2/12/04 *
2 VAC 5-360-110 through 2 VAC 5-360-140	Repealed	20:9 VA.R. 889	2/12/04 *
2 VAC 5-440-10 through 2 VAC 5-440-60	Amended	20:12 VA.R. 1471-1474	3/25/04
2 VAC 5-440-80	Repealed	20:12 VA.R. 1474	3/25/04
2 VAC 5-440-90	Repealed	20:12 VA.R. 1474	3/25/04
2 VAC 20-30	Erratum	20:1 VA.R. 39	--
Title 4. Conservation and Natural Resources			
4 VAC 5-36-20	Amended	20:13 VA.R. 1604	4/7/04
4 VAC 5-36-50 through 4 VAC 5-36-150	Amended	20:13 VA.R. 1604-1621	4/7/04
4 VAC 5-36-170 through 4 VAC 5-36-210	Amended	20:13 VA.R. 1621-1632	4/7/04
4 VAC 5-36-220	Added	20:13 VA.R. 1632	4/7/04
4 VAC 15-30-40	Amended	19:25 VA.R. 3780	7/30/03
4 VAC 20-20-50	Amended	20:14 VA.R. 1709	3/1/04
4 VAC 20-252-50	Amended	20:10 VA.R. 1011	1/5/04
4 VAC 20-252-55	Amended	20:10 VA.R. 1011	1/5/04
4 VAC 20-252-60	Amended	20:10 VA.R. 1011	1/5/04
4 VAC 20-252-70	Amended	20:10 VA.R. 1012	1/5/04
4 VAC 20-252-90	Amended	20:10 VA.R. 1012	1/5/04
4 VAC 20-252-100	Amended	20:10 VA.R. 1012	1/5/04
4 VAC 20-252-130	Amended	20:10 VA.R. 1012	1/5/04
4 VAC 20-252-150	Amended	20:10 VA.R. 1013	1/5/04
4 VAC 20-252-160	Amended	20:10 VA.R. 1014	1/5/04
4 VAC 20-490-35	Added	20:6 VA.R. 584	11/1/03
4 VAC 20-490-40	Amended	20:6 VA.R. 584	11/1/03
4 VAC 20-490-45	Added	20:6 VA.R. 584	11/1/03
4 VAC 20-620-30	Amended	20:4 VA.R. 342	10/15/03
4 VAC 20-620-40	Amended	20:4 VA.R. 342	10/15/03
4 VAC 20-650-10 through 4 VAC 20-650-40	Amended	20:6 VA.R. 585	11/1/03
4 VAC 20-720-20	Amended	20:6 VA.R. 585	11/1/03
4 VAC 20-720-20	Amended	20:14 VA.R. 1710	3/1/04
4 VAC 20-720-40	Amended	20:6 VA.R. 586	11/1/03

* Effective date changed in 20:11

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 20-720-40	Amended	20:10 VA.R. 1014	1/1/04
4 VAC 20-720-40	Amended	20:14 VA.R. 1710	3/1/04
4 VAC 20-720-40 through 4 VAC 20-720-80	Amended	20:4 VA.R. 344-346	10/8/03
4 VAC 20-720-50 through 4 VAC 20-720-90	Amended	20:6 VA.R. 587-588	11/1/03
4 VAC 20-720-48 emer	Added	20:14 VA.R. 1714	3/1/04-3/31/04
4 VAC 20-720-50	Amended	20:10 VA.R. 1015	1/1/04
4 VAC 20-720-50	Amended	20:14 VA.R. 1711	3/1/04
4 VAC 20-720-60	Amended	20:10 VA.R. 1015	1/1/04
4 VAC 20-720-60	Amended	20:14 VA.R. 1711	3/1/04
4 VAC 20-720-80	Amended	20:10 VA.R. 1016	1/1/04
4 VAC 20-720-80	Amended	20:14 VA.R. 1712	3/1/04
4 VAC 20-752-20	Amended	19:25 VA.R. 3780	7/23/03
4 VAC 20-950-46	Amended	20:6 VA.R. 589	11/1/03
4 VAC 20-950-47	Amended	20:6 VA.R. 589	11/1/03
4 VAC 20-950-48	Amended	20:6 VA.R. 589	11/1/03
4 VAC 20-1070-10 through 4 VAC 20-1070-50	Added	19:25 VA.R. 3781	8/1/03
4 VAC 25-10-10 through 4 VAC 25-10-80	Amended	20:10 VA.R. 1016	2/26/04
4 VAC 25-31 (Forms)	Amended	20:2 VA.R. 135	--
4 VAC 25-31 (Forms)	Amended	20:5 VA.R. 487	--
4 VAC 25-130 (Forms)	Amended	20:1 VA.R. 33	--
4 VAC 25-130-700.5	Amended	20:10 VA.R. 1017	2/25/04
4 VAC 25-130-800.21	Amended	20:10 VA.R. 1017	2/25/04
Title 6. Criminal Justice and Corrections			
6 VAC 20-171-10	Amended	20:3 VA.R. 214	11/19/03
6 VAC 20-171-20	Amended	20:3 VA.R. 217	11/19/03
6 VAC 20-171-30	Amended	20:3 VA.R. 217	11/19/03
6 VAC 20-171-40	Repealed	20:3 VA.R. 217	11/19/03
6 VAC 20-171-50 through 6 VAC 20-171-130	Amended	20:3 VA.R. 217-221	11/19/03
6 VAC 20-171-140	Repealed	20:3 VA.R. 221	11/19/03
6 VAC 20-171-150	Repealed	20:3 VA.R. 222	11/19/03
6 VAC 20-171-170 through 6 VAC 20-171-200	Amended	20:3 VA.R. 222-223	11/19/03
6 VAC 20-171-220	Amended	20:3 VA.R. 224	11/19/03
6 VAC 20-171-230	Amended	20:3 VA.R. 225	11/19/03
6 VAC 20-171-240	Amended	20:3 VA.R. 226	11/19/03
6 VAC 20-171-250 through 6 VAC 20-171-280	Amended	20:3 VA.R. 227-229	11/19/03
6 VAC 20-171-300	Amended	20:3 VA.R. 230	11/19/03
6 VAC 20-171-310	Amended	20:3 VA.R. 231	11/19/03
6 VAC 20-171-320	Amended	20:3 VA.R. 232	11/19/03
6 VAC 20-171-325	Repealed	20:3 VA.R. 233	11/19/03
6 VAC 20-171-330	Repealed	20:3 VA.R. 233	11/19/03
6 VAC 20-171-340	Repealed	20:3 VA.R. 233	11/19/03
6 VAC 20-171-350 through 6 VAC 20-171-400	Amended	20:3 VA.R. 234-241	11/19/03
6 VAC 20-171-420	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-171-430	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-171-440	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-171-460	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-171-480	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-171-500	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-171-510	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-171-540	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-171-560	Amended	20:3 VA.R. 241	11/19/03
6 VAC 20-190	Erratum	20:8 VA.R. 850	--
6 VAC 20-190-10	Amended	20:4 VA.R. 346	12/3/03
6 VAC 20-190-40	Amended	20:4 VA.R. 347	12/3/03
6 VAC 20-190-60	Amended	20:4 VA.R. 347	12/3/03
6 VAC 20-190-90	Amended	20:4 VA.R. 347	12/3/03

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
6 VAC 20-190-100	Amended	20:4 VA.R. 347	12/3/03
6 VAC 20-190-120	Amended	20:4 VA.R. 347	12/3/03
6 VAC 20-190-150	Amended	20:4 VA.R. 348	12/3/03
6 VAC 20-190-160	Amended	20:4 VA.R. 348	12/3/03
6 VAC 20-190-170	Amended	20:4 VA.R. 348	12/3/03
6 VAC 20-200	Repealed	20:4 VA.R. 348	12/3/03
6 VAC 20-220-10 through 6 VAC 20-220-80	Added	20:4 VA.R. 348-350	12/3/03
6 VAC 20-230-10 through 6 VAC 20-230-99 emer	Added	20:9 VA.R. 905-915	1/12/04-1/11/05
Title 7. Economic Development			
7 VAC 10-20-10	Amended	20:10 VA.R. 1018	2/15/04
7 VAC 10-20-120	Amended	20:10 VA.R. 1020	2/15/04
7 VAC 10-20-300	Amended	20:10 VA.R. 1020	2/15/04
Title 8. Education			
8 VAC 20-70-10	Amended	20:7 VA.R. 656	1/14/04
8 VAC 20-70-30	Amended	20:7 VA.R. 657	1/14/04
8 VAC 20-70-40	Amended	20:7 VA.R. 657	1/14/04
8 VAC 20-70-70	Amended	20:7 VA.R. 657	1/14/04
8 VAC 20-70-80	Amended	20:7 VA.R. 657	1/14/04
8 VAC 20-70-100 through 8 VAC 20-70-170	Amended	20:7 VA.R. 657-658	1/14/04
8 VAC 20-70-190	Amended	20:7 VA.R. 658	1/14/04
8 VAC 20-70-200	Amended	20:7 VA.R. 658	1/14/04
8 VAC 20-70-210	Amended	20:7 VA.R. 658	1/14/04
8 VAC 20-70-220	Amended	20:7 VA.R. 658	1/14/04
8 VAC 20-70-230	Amended	20:7 VA.R. 658	1/14/04
8 VAC 20-70-235	Added	20:7 VA.R. 658	1/14/04
8 VAC 20-70-240 through 8 VAC 20-70-270	Repealed	20:7 VA.R. 658	1/14/04
8 VAC 20-70-280	Amended	20:7 VA.R. 658	1/14/04
8 VAC 20-70-290	Amended	20:7 VA.R. 659	1/14/04
8 VAC 20-70-300	Amended	20:7 VA.R. 659	1/14/04
8 VAC 20-70-340 through 8 VAC 20-70-380	Amended	20:7 VA.R. 659-660	1/14/04
8 VAC 20-70-390	Repealed	20:7 VA.R. 660	1/14/04
8 VAC 20-70-400 through 8 VAC 20-70-440	Amended	20:7 VA.R. 660	1/14/04
8 VAC 20-70-460	Amended	20:7 VA.R. 660	1/14/04
8 VAC 20-70-470	Amended	20:7 VA.R. 660	1/14/04
8 VAC 20-70-510	Amended	20:7 VA.R. 660	1/14/04
8 VAC 20-70-520	Repealed	20:7 VA.R. 660	1/14/04
8 VAC 20-70-525	Added	20:7 VA.R. 660	1/14/04
8 VAC 20-70-530 through 8 VAC 20-70-1510	Repealed	20:7 VA.R. 660	1/14/04
8 VAC 20-680-10 emer	Added	20:7 VA.R. 675	11/7/03-11/6/04
Title 9. Environment			
9 VAC 5-10-20	Amended	20:6 VA.R. 590	1/1/04
9 VAC 5-20-21	Amended	20:12 VA.R. 1476	3/24/04
9 VAC 5-20-206 (G02)	Amended	20:12 VA.R. 1498	3/24/04
9 VAC 5-20-206 (C03)	Amended	20:12 VA.R. 1498	3/24/04
9 VAC 5-40	Erratum	19:25 VA.R. 3844	--
9 VAC 5-40-240	Amended	20:12 VA.R. 1499	3/24/04
9 VAC 5-40-310	Amended	20:12 VA.R. 1499	3/24/04
9 VAC 5-40-3260	Amended	20:12 VA.R. 1479	3/24/04
9 VAC 5-40-5200	Amended	20:12 VA.R. 1500	3/24/04
9 VAC 5-40-5220	Amended	20:12 VA.R. 1501	3/24/04
9 VAC 5-40-5700 through 9 VAC 5-40-5770	Added	20:12 VA.R. 1480	3/24/04
9 VAC 5-40-5800	Amended	20:8 VA.R. 808	1/29/04
9 VAC 5-40-5810	Amended	20:8 VA.R. 808	1/29/04
9 VAC 5-40-5820	Amended	20:8 VA.R. 810	1/29/04
9 VAC 5-40-5822	Amended	20:8 VA.R. 810	1/29/04

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 5-40-5824	Amended	20:8 VA.R. 811	1/29/04
9 VAC 5-40-5850	Amended	20:8 VA.R. 811	1/29/04
9 VAC 5-40-5855	Amended	20:8 VA.R. 811	1/29/04
9 VAC 5-40-5860	Amended	20:8 VA.R. 811	1/29/04
9 VAC 5-40-5870	Amended	20:8 VA.R. 811	1/29/04
9 VAC 5-40-5880	Amended	20:8 VA.R. 812	1/29/04
9 VAC 5-40-5890	Amended	20:8 VA.R. 812	1/29/04
9 VAC 5-40-5910	Amended	20:8 VA.R. 813	1/29/04
9 VAC 5-40-5920	Amended	20:8 VA.R. 813	1/29/04
9 VAC 5-40-6820 through 9 VAC 5-40-7230	Added	20:12 VA.R. 1480-1497	3/24/04
9 VAC 5-91-20 emer	Amended	20:12 VA.R. 1507	1/28/04-1/27/05
9 VAC 5-91-160 emer	Amended	20:12 VA.R. 1513	1/28/04-1/27/05
9 VAC 5-91-180 emer	Amended	20:12 VA.R. 1513	1/28/04-1/27/05
9 VAC 5-91-750 emer	Amended	20:12 VA.R. 1515	1/28/04-1/27/05
9 VAC 5-91-760 emer	Amended	20:12 VA.R. 1515	1/28/04-1/27/05
9 VAC 5-140-421 emer	Added	20:11 VA.R. 1222	1/12/04-1/11/05
9 VAC 5-140-550	Amended	20:12 VA.R. 1504	3/24/04
9 VAC 20-60-18	Amended	20:2 VA.R. 128	11/5/03
9 VAC 20-80	Erratum	19:26 VA.R. 3926	--
9 VAC 20-80-10	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-60	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-80	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-90	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-100	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-105	Added	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-110	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-113	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-115	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-120	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-140 through 9 VAC 20-80-190	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-205	Added	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-210	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-240 through 9 VAC 20-80-280	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-300	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-310	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-330	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-340	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-360	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-370	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-400	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-470	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-485	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-500 through 9 VAC 20-80-530	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-550	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-570	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-580	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-600	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-620	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-640	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-650	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-670	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-730	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-740	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-760 through 9 VAC 20-80-790	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80, Appendices 5.1 through 5.6, 7.1 through 7.4, 9.1	Repealed	19:25 VA.R. 3782	9/24/03
9 VAC 20-170-70	Added	20:3 VA.R. 242	11/19/03

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 20-170-195	Added	20:3 VA.R. 243	11/19/03
9 VAC 25-260	Erratum	19:26 VA.R. 3926	--
9 VAC 25-260	Erratum	20:11 VA.R. 1387	--
9 VAC 25-260-5 through 9 VAC 25-260-30	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-50	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-140	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-150	Repealed	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-155	Amended	20:9 VA.R. 890	2/12/04
9 VAC 25-260-170	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-190 through 9 VAC 25-260-240	Repealed	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-300	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-310	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-320	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-340	Repealed	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-380 through 9 VAC 25-260-450	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-415	Added	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-260-470 through 9 VAC 25-260-540	Amended	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-280-10 through 9 VAC 25-280-90	Added	19:25 VA.R. 3785	2/12/04 *
9 VAC 25-580-10	Amended	20:12 VA.R. 1505	3/24/04
9 VAC 25-580-50	Amended	20:12 VA.R. 1505	3/24/04
9 VAC 25-580-130	Amended	20:12 VA.R. 1505	3/24/04
9 VAC 25-580-270	Amended	20:12 VA.R. 1505	3/24/04
9 VAC 25-580-290	Repealed	20:12 VA.R. 1505	3/24/04
9 VAC 25-580-320	Amended	20:12 VA.R. 1505	3/24/04
9 VAC 25-790	Erratum	20:12 VA.R. 1526	--
9 VAC 25-790-10 through 9 VAC 25-790-1000	Added	20:9 VA.R. 891	2/12/04
Title 10. Finance and Financial Institutions			
10 VAC 5-40-40	Added	20:14 VA.R. 1713	3/1/04
10 VAC 5-200-90	Added	20:2 VA.R. 128	9/11/03
Title 11. Gaming			
11 VAC 10-20-410 through 11 VAC 10-20-417 emer	Added	19:26 VA.R. 3913-3919	8/13/03-8/12/04
11 VAC 10-130-77	Amended	20:4 VA.R. 350	10/14/03
11 VAC 10-150-130	Amended	20:4 VA.R. 351	11/17/03
Title 12. Health			
12 VAC 5-218-10 through 12 VAC 5-218-60	Added	19:26 VA.R. 3911	10/8/03
12 VAC 5-220-200	Amended	20:2 VA.R. 129	11/5/03
12 VAC 5-400-10 through 12 VAC 5-400-90	Repealed	20:6 VA.R. 597	12/31/03
12 VAC 5-407-10 through 12 VAC 5-407-120	Added	19:26 VA.R. 3911	10/8/03
12 VAC 5-550-5	Added	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-10	Repealed	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-30	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-40	Repealed	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-70	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-90 through 12 VAC 5-550-120	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-125	Added	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-130	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-140	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-150	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-190	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-200	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-210	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-230 through 12 VAC 5-550-260	Amended	19:26 VA.R. 3912	10/8/03

* Notice of effective date published in 20:9 VA.R. 890.

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 5-550-280 through 12 VAC 5-550-320	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-360 through 12 VAC 5-550-390	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-410	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-430 through 12 VAC 5-550-470	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-510	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-520	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-581	Repealed	20:9 VA.R. 891	2/12/04
12 VAC 30-10-650 emer	Amended	20:10 VA.R. 1049	1/4/04-1/3/05
12 VAC 30-40-100	Amended	20:4 VA.R. 351	12/3/03
12 VAC 30-40-140	Amended	20:4 VA.R. 351	12/3/03
12 VAC 30-40-240	Amended	20:4 VA.R. 351	12/3/03
12 VAC 30-40-280	Amended	20:4 VA.R. 351	12/3/03
12 VAC 30-40-290	Amended	20:4 VA.R. 351	12/3/03
12 VAC 30-50-10	Amended	20:1 VA.R. 25	10/22/03
12 VAC 30-50-20	Amended	20:1 VA.R. 26	10/22/03
12 VAC 30-50-50	Amended	20:1 VA.R. 26	10/22/03
12 VAC 30-50-60	Amended	20:1 VA.R. 27	10/22/03
12 VAC 30-50-120	Amended	20:1 VA.R. 27	10/22/03
12 VAC 30-50-130	Amended	20:7 VA.R. 661	2/1/04
12 VAC 30-50-140	Amended	20:1 VA.R. 27	10/22/03
12 VAC 30-50-140	Amended	20:1 VA.R. 29	10/22/03
12 VAC 30-50-150	Amended	20:1 VA.R. 30	10/22/03
12 VAC 30-50-210 emer	Amended	20:8 VA.R. 836	1/4/04-1/3/05
12 VAC 30-50-210 emer	Amended	20:10 VA.R. 1054	1/4/04-1/3/05
12 VAC 30-50-530	Amended	20:1 VA.R. 28	10/22/03
12 VAC 30-50-226	Amended	20:7 VA.R. 661	2/1/04
12 VAC 30-50-420	Amended	20:7 VA.R. 664	2/1/04
12 VAC 30-50-430	Amended	20:7 VA.R. 664	2/1/04
12 VAC 30-50-510	Amended	20:7 VA.R. 667	2/1/04
12 VAC 30-60-61	Amended	20:7 VA.R. 669	2/1/04
12 VAC 30-60-143	Amended	20:7 VA.R. 669	2/1/04
12 VAC 30-60-147	Amended	20:7 VA.R. 673	2/1/04
12 VAC 30-70-201	Amended	20:5 VA.R. 455	1/4/04
12 VAC 30-70-291 emer	Amended	19:26 VA.R. 3920	8/13/03-8/12/04
12 VAC 30-70-301 emer	Amended	19:26 VA.R. 3921	8/13/03-8/12/04
12 VAC 30-70-331 emer	Amended	19:26 VA.R. 3922	8/13/03-8/12/04
12 VAC 30-70-425	Added	20:8 VA.R. 814	1/28/04
12 VAC 30-70-426	Added	20:8 VA.R. 814	1/28/04
12 VAC 30-80-20	Amended	20:8 VA.R. 815	1/28/04
12 VAC 30-80-30	Amended	20:8 VA.R. 817	1/28/04
12 VAC 30-80-40	Amended	20:2 VA.R. 132	11/6/03
12 VAC 30-80-40 emer	Amended	20:8 VA.R. 839	1/4/04-1/3/05
12 VAC 30-120-140 through 12 VAC 30-120-190	Amended	20:11 VA.R. 1178	3/11/04
12 VAC 30-120-165	Added	20:11 VA.R. 1178	3/11/04
12 VAC 30-120-195	Added	20:11 VA.R. 1178	3/11/04
12 VAC 30-120-200	Repealed	20:11 VA.R. 1178	3/11/04
12 VAC 30-120-201	Added	20:11 VA.R. 1178	3/11/04
12 VAC 30-120-350 emer	Amended	20:8 VA.R. 843	12/4/03-12/3/04
12 VAC 30-120-370 emer	Amended	20:8 VA.R. 845	12/15/03-12/14/04
12 VAC 30-120-380 emer	Amended	20:8 VA.R. 847	12/15/03-12/14/04
12 VAC 30-120-420 emer	Amended	20:8 VA.R. 847	12/15/03-12/14/04
12 VAC 30-120-700	Amended	19:25 VA.R. 3786	10/1/03
12 VAC 30-120-710	Amended	19:25 VA.R. 3789	10/1/03
12 VAC 30-120-720	Amended	19:25 VA.R. 3789	10/1/03
12 VAC 30-130-290 through 12 VAC 30-130-340 emer	Amended	20:10 VA.R. 1050-1054	1/4/04-1/3/05
12 VAC 30-130-335 emer	Added	20:10 VA.R. 1053	1/4/04-1/3/05

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-130-400 emer	Amended	20:10 VA.R. 1054	1/4/04-1/3/05
12 VAC 30-130-550	Repealed	20:7 VA.R. 673	2/1/04
12 VAC 30-130-565	Amended	20:7 VA.R. 673	2/1/04
12 VAC 30-130-570	Repealed	20:7 VA.R. 673	2/1/04
12 VAC 30-130-1000 emer	Added	20:8 VA.R. 840	1/4/04-1/3/05
12 VAC 30-135-10 through 12 VAC 30-135-90	Added	19:25 VA.R. 3789-3791	10/1/03
12 VAC 35-105	Erratum	19:25 VA. R. 3844	--
12 VAC 35-180-10	Amended	20:9 VA.R. 892	2/11/04
12 VAC-35-180-20	Repealed	20:9 VA.R. 894	2/11/04
12 VAC 35-180-30 through 12 VAC 35-180-110	Amended	20:9 VA.R. 894-899	2/11/04
12 VAC 35-180-130 through 12 VAC 35-180-150	Amended	20:9 VA.R. 899	2/11/04
Title 13. Housing			
13 VAC 5-21-10	Amended	19:25 VA.R. 3791	10/1/03
13 VAC 5-21-20	Amended	19:25 VA.R. 3792	10/1/03
13 VAC 5-21-31	Amended	19:25 VA.R. 3792	10/1/03
13 VAC 5-21-41	Amended	19:25 VA.R. 3793	10/1/03
13 VAC 5-21-51	Amended	19:25 VA.R. 3795	10/1/03
13 VAC 5-21-61	Amended	19:25 VA.R. 3795	10/1/03
13 VAC 5-21-70	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-10	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-40	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-50	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-60	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-90	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-110	Amended	19:25 VA.R. 3797	10/1/03
13 VAC 5-31-180	Amended	19:25 VA.R. 3797	10/1/03
13 VAC 5-31-190	Added	19:25 VA.R. 3797	10/1/03
13 VAC 5-51	Erratum	20:1 VA.R 39	--
13 VAC 5-51-11	Amended	19:25 VA.R. 3798	10/1/03
13 VAC 5-51-21	Amended	19:25 VA.R. 3798	10/1/03
13 VAC 5-51-31	Amended	19:25 VA.R. 3799	10/1/03
13 VAC 5-51-41	Amended	19:25 VA.R. 3799	10/1/03
13 VAC 5-51-51	Amended	19:25 VA.R. 3800	10/1/03
13 VAC 5-51-61	Amended	19:25 VA.R. 3801	10/1/03
13 VAC 5-51-71	Repealed	19:25 VA.R. 3801	10/1/03
13 VAC 5-51-81	Amended	19:25 VA.R. 3802	10/1/03
13 VAC 5-51-85	Added	19:25 VA.R. 3810	10/1/03
13 VAC 5-51-91	Amended	19:25 VA.R. 3812	10/1/03
13 VAC 5-51-101	Amended	19:25 VA.R. 3813	10/1/03
13 VAC 5-51-111	Amended	19:25 VA.R. 3814	10/1/03
13 VAC 5-51-121	Amended	19:25 VA.R. 3814	10/1/03
13 VAC 5-51-129	Added	19:25 VA.R. 3815	10/1/03
13 VAC 5-51-130	Amended	19:25 VA.R. 3815	10/1/03
13 VAC 5-51-131	Amended	19:25 VA.R. 3815	10/1/03
13 VAC 5-51-132	Added	19:25 VA.R. 3816	10/1/03
13 VAC 5-51-133	Amended	19:25 VA.R. 3816	10/1/03
13 VAC 5-51-135	Amended	19:25 VA.R. 3816	10/1/03
13 VAC 5-51-136	Amended	19:25 VA.R. 3817	10/1/03
13 VAC 5-51-140	Amended	19:25 VA.R. 3817	10/1/03
13 VAC 5-51-150	Amended	19:25 VA.R. 3818	10/1/03
13 VAC 5-51-155	Added	19:25 VA.R. 3822	10/1/03
13 VAC 5-51-160	Repealed	19:25 VA.R. 3822	10/1/03
13 VAC 5-51-170	Repealed	19:25 VA.R. 3822	10/1/03
13 VAC 5-51-180	Repealed	19:25 VA.R. 3823	10/1/03
13 VAC 5-51-181	Repealed	19:25 VA.R. 3823	10/1/03
13 VAC 5-51-182	Repealed	19:25 VA.R. 3824	10/1/03

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
13 VAC 5-51-190	Repealed	19:25 VA.R. 3824	10/1/03
13 VAC 5-51-200	Repealed	19:25 VA.R. 3824	10/1/03
13 VAC 5-61-11 through 13 VAC 5-61-460	Repealed	19:25 VA.R. 3824	10/1/03
13 VAC 5-62	Erratum	20:2 VA.R. 140	--
13 VAC 5-62-10 through 13 VAC 5-62-480	Added	19:25 VA.R. 3824	10/1/03
13 VAC 5-62-260 L	Suspended	20:2 VA.R. 133	†
13 VAC 5-62-260 M	Suspended	20:2 VA.R. 133	†
13 VAC 5-62-260 N	Suspended	20:2 VA.R. 133	†
13 VAC 5-80-10	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-80-20	Repealed	19:25 VA.R. 3796	10/1/03
13 VAC 5-80-30	Repealed	19:25 VA.R. 3796	10/1/03
13 VAC 5-80-40 through 13 VAC 5-80-140	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-80-150	Repealed	19:25 VA.R. 3796	10/1/03
13 VAC 5-91-10	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-40	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-50	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-60	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-100	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-110	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-120	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-140	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-160	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-180	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-200	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-210	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-230	Repealed	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-245	Added	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-250	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-260	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-270	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 10-10-10	Amended	19:25 VA.R. 3826	8/1/03
13 VAC 10-10-20	Amended	19:25 VA.R. 3826	8/1/03
13 VAC 10-40-10	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-30 through 13 VAC 10-40-70	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-90	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-100	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-120	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-120	Amended	20:3 VA.R. 244	9/25/03
13 VAC 10-40-130	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-130	Amended	20:3 VA.R. 244	9/25/03
13 VAC 10-40-140	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-160	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-160	Amended	20:3 VA.R. 244	9/25/03
13 VAC 10-40-170	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-190 through 13 VAC 10-40-230	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-190	Amended	20:3 VA.R. 244	9/25/03
13 VAC 10-40-210	Amended	20:3 VA.R. 244	9/25/03
13 VAC 10-40-230	Amended	20:3 VA.R. 244	9/25/03
13 VAC 10-180-10	Amended	20:10 VA.R. 1021	1/12/04
13 VAC 10-180-50	Amended	20:10 VA.R. 1022	1/12/04
13 VAC 10-180-60	Amended	20:10 VA.R. 1023	1/12/04

1. Effective date suspended for further public comment.

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
Title 14. Insurance			
14 VAC 5-71 (Forms)	Added	20:11 VA.R. 1223	--
14 VAC 5-71-10	Amended	20:5 VA.R. 457	11/1/03
14 VAC 5-71-20	Amended	20:5 VA.R. 458	11/1/03
14 VAC 5-71-30	Repealed	20:5 VA.R. 459	11/1/03
14 VAC 5-71-31	Added	20:5 VA.R. 460	11/1/03
14 VAC 5-71-35	Added	20:5 VA.R. 463	11/1/03
14 VAC 5-71-40	Amended	20:5 VA.R. 464	11/1/03
14 VAC 5-71-60	Amended	20:5 VA.R. 464	11/1/03
14 VAC 5-71-70	Amended	20:5 VA.R. 465	11/1/03
14 VAC 5-71-80	Repealed	20:5 VA.R. 466	11/1/03
14 VAC 5-71-90	Amended	20:5 VA.R. 466	11/1/03
14 VAC 5-71-91	Added	20:5 VA.R. 467	11/1/03
14 VAC 5-71-92	Added	20:5 VA.R. 467	11/1/03
14 VAC 5-71-93	Added	20:5 VA.R. 467	11/1/03
14 VAC 5-310	Erratum	20:8 VA.R. 850	--
14 VAC 5-310-10	Amended	20:5 VA.R. 469	12/31/03
14 VAC 5-310-20	Amended	20:5 VA.R. 469	12/31/03
14 VAC 5-310-30	Amended	20:5 VA.R. 469	12/31/03
14 VAC 5-310-40	Amended	20:5 VA.R. 470	12/31/03
14 VAC 5-310-50	Amended	20:5 VA.R. 470	12/31/03
14 VAC 5-310-60	Repealed	20:5 VA.R. 472	12/31/03
14 VAC 5-310-70	Repealed	20:5 VA.R. 473	12/31/03
14 VAC 5-310-80	Amended	20:5 VA.R. 475	12/31/03
14 VAC 5-310-90	Amended	20:5 VA.R. 479	12/31/03
14 VAC 5-310-100	Amended	20:5 VA.R. 481	12/31/03
14 VAC 5-310-105	Added	20:5 VA.R. 482	12/31/03
14 VAC 5-310-110	Repealed	20:5 VA.R. 482	12/31/03
Title 16. Labor and Employment			
16 VAC 25-85-1904.12	Repealed	20:7 VA.R. 673	1/15/04
16 VAC 25-85-1904.29	Amended	20:7 VA.R. 673	1/15/04
16 VAC 25-145-10 through 16 VAC 25-145-50	Added	20:12 VA.R. 1505-1506	4/1/04
Title 18. Professional and Occupational Licensing			
18 VAC 5-21-10 through 18 VAC 5-21-40 emer	Amended	20:9 VA.R. 915-921	12/15/03-12/14/04
18 VAC 5-21-170 emer	Amended	20:9 VA.R. 921	12/15/03-12/14/04
18 VAC 10-10-10	Amended	20:11 VA.R. 1190	4/24/04
18 VAC 10-10-30	Amended	20:11 VA.R. 1190	4/24/04
18 VAC 10-10-40	Amended	20:11 VA.R. 1190	4/24/04
18 VAC 10-10-90	Amended	20:11 VA.R. 1190	4/24/04
18 VAC 15-10-10 through 18 VAC 15-10-90	Amended	20:11 VA.R. 1191-1192	4/24/04
18 VAC 15-30	Erratum	19:26 VA.R. 3926	--
18 VAC 25-10-10 through 18 VAC 25-10-90	Amended	20:11 VA.R. 1193-1195	4/24/04
18 VAC 30-20-10	Amended	20:8 VA.R. 821	1/28/04
18 VAC 30-20-150	Amended	20:8 VA.R. 821	1/28/04
18 VAC 30-20-170	Amended	20:8 VA.R. 821	1/28/04
18 VAC 30-20-240	Amended	20:8 VA.R. 821	1/28/04
18 VAC 30-20-280	Amended	20:8 VA.R. 821	1/28/04
18 VAC 41-10-10 through 18 VAC 41-10-60	Amended	20:11 VA.R. 1195-1196	4/24/04
18 VAC 41-10-80	Amended	20:11 VA.R. 1196	4/24/04
18 VAC 41-10-90	Amended	20:11 VA.R. 1196	4/24/04
18 VAC 47-10-10 through 18 VAC 47-10-90	Amended	20:11 VA.R. 1198	4/24/04
18 VAC 50-10-10 through 18 VAC 50-10-90	Amended	20:11 VA.R. 1200-1201	4/24/04
18 VAC 62-20-10 through 18 VAC 62-20-180	Added	20:12 VA.R. 1515-1518	2/2/04-2/1/05
18 VAC 65-20	Erratum	20:10 VA.R. 1060	--
18 VAC 65-20-10	Amended	20:8 VA.R. 822	1/28/04

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 65-20-50	Amended	20:8 VA.R. 822	1/28/04
18 VAC 65-20-70	Amended	20:8 VA.R. 822	1/28/04
18 VAC 65-20-170	Amended	20:8 VA.R. 823	1/28/04
18 VAC 65-20-350	Amended	20:8 VA.R. 823	1/28/04
18 VAC 65-20-400	Amended	20:8 VA.R. 823	1/28/04
18 VAC 65-20-440	Amended	20:8 VA.R. 824	1/28/04
18 VAC 65-20-570	Amended	20:8 VA.R. 824	1/28/04
18 VAC 65-20-580	Amended	20:8 VA.R. 824	1/28/04
18 VAC 65-20-590	Amended	20:8 VA.R. 824	1/28/04
18 VAC 65-20-700	Amended	20:8 VA.R. 824	1/28/04
18 VAC 70-10-10 through 18 VAC 70-10-90	Amended	20:11 VA.R. 1203-1204	4/24/04
18 VAC 76-40-10 emer	Added	19:25 VA.R. 3831	8/6/03-8/5/04
18 VAC 76-40-20 emer	Added	19:25 VA.R. 3831	8/6/03-8/5/04
18 VAC 76-40-30 emer	Added	19:25 VA.R. 3832	8/6/03-8/5/04
18 VAC 76-40-30 emer (Forms)	Added	19:25 VA.R. 3833	--
18 VAC 80-20-70	Amended	19:25 VA.R. 3827	10/1/03
18 VAC 85-20-10	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-22	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-30	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-120	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-121	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-131	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-140	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-150	Repealed	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-210	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-230	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-235	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-236	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-20-240	Amended	20:10 VA.R. 1042	2/25/04
18 VAC 85-110-50	Amended	20:10 VA.R. 1046	4/26/04
18 VAC 85-110-60	Amended	20:10 VA.R. 1047	4/26/04
18 VAC 100-10-10 through 18 VAC 100-10-90	Amended	20:11 VA.R. 1205-1206	4/24/04
18 VAC 120-10-100	Erratum	20:13 VA.R. 1644	--
18 VAC 120-10-100 through 18 VAC 120-10-180	Amended	20:11 VA.R. 1208-1209	4/24/04
18 VAC 130-10-10 through 18 VAC 130-10-90	Amended	20:11 VA.R. 1210-1211	4/24/04
18 VAC 135-10-10 through 18 VAC 135-10-90	Amended	20:11 VA.R. 1213-1214	4/24/04
18 VAC 140-20-105	Amended	20:8 VA.R. 825	1/28/04
18 VAC 140-20-150	Amended	20:8 VA.R. 826	1/28/04
18 VAC 145-10-10 through 18 VAC 145-10-90	Amended	20:11 VA.R. 1215-1217	4/24/04
18 VAC 155-10-5	Added	20:11 VA.R. 1217-1218	4/24/04
18 VAC 155-10-10 through 18 VAC 155-10-80	Amended	20:11 VA.R. 1218-1219	4/24/04
18 VAC 160-10-10 through 18 VAC 160-10-90	Amended	20:11 VA.R. 1220-1221	4/24/04
Title 19. Public Safety			
19 VAC 30-20-80	Amended	20:4 VA.R. 352	1/2/04
19 VAC 30-80-20	Amended	20:2 VA.R. 134	11/5/03
19 VAC 30-80-40	Added	20:2 VA.R. 134	11/5/03
Title 20. Public Utilities and Telecommunications			
20 VAC 5-10-20	Amended	20:10 VA.R. 1044	12/23/04
Title 21. Securities and Retail Franchising			
21 VAC 5-120-50	Amended	20:1 VA.R. 32	9/2/03
Title 22. Social Services			
22 VAC 30-20-90	Amended	20:7 VA.R. 674	1/15/04
22 VAC 30-30-10	Amended	20:9 VA.R. 899	2/11/04
22 VAC 30-30-20	Amended	20:9 VA.R. 899	2/11/04
22 VAC 30-30-30	Repealed	20:9 VA.R. 899	2/11/04
22 VAC 30-30-31	Added	20:9 VA.R. 899	2/11/04

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 30-30-40	Repealed	20:9 VA.R. 899	2/11/04
22 VAC 30-30-50 through 22 VAC 30-30-120	Amended	20:9 VA.R. 899	2/11/04
22 VAC 30-30-130	Repealed	20:9 VA.R. 899	2/11/04
22 VAC 30-30-131	Added	20:9 VA.R. 899	2/11/04
22 VAC 30-30-140	Repealed	20:9 VA.R. 899	2/11/04
22 VAC 30-30-141	Added	20:9 VA.R. 899	2/11/04
22 VAC 30-30-160	Amended	20:9 VA.R. 899	2/11/04
22 VAC 30-30-170 through 22 VAC 30-30-210	Repealed	20:9 VA.R. 899	2/11/04
22 VAC 30-30-171	Added	20:9 VA.R. 899	2/11/04
22 VAC 30-30-181	Added	20:9 VA.R. 899	2/11/04
22 VAC 30-30-191	Added	20:9 VA.R. 899	2/11/04
22 VAC 30-30-201	Added	20:9 VA.R. 899	2/11/04
22 VAC 30-30-211	Added	20:9 VA.R. 899	2/11/04
22 VAC 30-30-220	Amended	20:9 VA.R. 899	2/11/04
22 VAC 30-30-230	Repealed	20:9 VA.R. 901	2/11/04
22 VAC 30-30-240	Repealed	20:9 VA.R. 901	2/11/04
22 VAC 30-30-241	Added	20:9 VA.R. 901	2/11/04
22 VAC 30-30-250	Amended	20:9 VA.R. 901	2/11/04
22 VAC 30-30-260	Added	20:9 VA.R. 901	2/11/04
22 VAC 30-30-270	Added	20:9 VA.R. 901	2/11/04
22 VAC 30-30-280	Added	20:9 VA.R. 901	2/11/04
22 VAC 40-190	Erratum	20:12 VA.R. 1526	--
22 VAC 40-190-10 through 22 VAC 40-190-70	Repealed	20:11 VA.R. 1178	4/1/04 *
22 VAC 40-191	Erratum	20:12 VA.R. 1526	--
22 VAC 40-191-10 through 22 VAC 40-191-150	Added	20:11 VA.R. 1179-1188	4/1/04 *
22 VAC 40-250-10	Amended	20:8 VA.R. 827	2/1/04
22 VAC 40-250-20	Amended	20:8 VA.R. 827	2/1/04
22 VAC 40-260-10	Amended	20:8 VA.R. 827	2/1/04
22 VAC 40-260-20	Amended	20:8 VA.R. 828	2/1/04
22 VAC 40-270	Repealed	20:8 VA.R. 831	2/1/04
22 VAC 40-675-10 through 22 VAC 40-675-220	Added	20:8 VA.R. 832-835	2/1/04
22 VAC 40-705-60	Amended	20:5 VA.R. 483	1/1/04
22 VAC 40-705-130	Amended	20:5 VA.R. 483	1/1/04
22 VAC 40-730-115	Added	20:5 VA.R. 484	1/1/04
Title 24. Transportation and Motor Vehicles			
24 VAC 30-71	Erratum	20:7 VA.R. 678	--
24 VAC 30-71-10	Amended	20:4 VA.R. 353	12/3/03
24 VAC 30-71-20	Amended	20:4 VA.R. 353	12/3/03
24 VAC 30-71-30	Amended	20:4 VA.R. 354	12/3/03
24 VAC 30-71-50	Amended	20:4 VA.R. 354	12/3/03
24 VAC 30-71-70	Amended	20:4 VA.R. 354	12/3/03
24 VAC 30-71-80	Amended	20:4 VA.R. 354	12/3/03
24 VAC 30-71-90	Amended	20:4 VA.R. 355	12/3/03
24 VAC 30-71-100	Amended	20:4 VA.R. 355	12/3/03
24 VAC 30-71-110	Amended	20:4 VA.R. 355	12/3/03
24 VAC 30-71-120	Amended	20:4 VA.R. 355	12/3/03
24 VAC 30-71-130	Amended	20:4 VA.R. 355	12/3/03
24 VAC 30-71-150	Amended	20:4 VA.R. 357	12/3/03
24 VAC 30-71-160	Amended	20:4 VA.R. 357	12/3/03
24 VAC 30-71-170	Amended	20:4 VA.R. 362	12/3/03
24 VAC 30-380-10	Amended	20:13 VA.R. 1633	2/12/04
24 VAC 30-580-10 through 24 VAC 30-580-40	Amended	20:5 VA.R. 485-486	10/28/03

* Effective date corrected in 20:12

NOTICES OF INTENDED REGULATORY ACTION

Symbol Key

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

TITLE 1. ADMINISTRATION

COMMISSION ON LOCAL GOVERNMENT

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Commission on Local Government intends to consider amending regulations entitled **1 VAC 50-10, Public Participation Guidelines**. The purpose of the proposed action is to update the public participation guidelines of the Commission on Local Government. The commission's current guidelines were adopted in 1984 and have not been reviewed since that date.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 15.2-2903 of the Code of Virginia.

Public comments may be submitted until May 5, 2004.

Contact: Ted McCormack, Associate Director, Commission on Local Government, 501 N. 2nd St., Richmond, VA 23219-1321, telephone (804) 786-6508, FAX (804) 371-7090 or e-mail Ted.McCormack@dhcd.virginia.gov.

VA.R. Doc. No. R04-129; Filed March 12, 2004, 9:47 a.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Commission on Local Government intends to consider amending regulations entitled **1 VAC 50-20, Organization and Regulations of Procedure**. The purpose of the proposed action is to update the regulations of the commission that are used by that body in the review of boundary change and governmental transition issues and in the conduct of its meetings and oral presentations and public hearings. The commission's current regulations were adopted in 1984.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 15.2-2903 of the Code of Virginia.

Public comments may be submitted until May 5, 2004.

Contact: Ted McCormack, Associate Director, Commission on Local Government, 501 N. 2nd St., Richmond, VA 23219-1321, telephone (804) 786-6508, FAX (804) 371-7090 or e-mail Ted.McCormack@dhcd.virginia.gov.

VA.R. Doc. No. R04-130; Filed March 12, 2004, 9:46 a.m.

TITLE 4. CONSERVATION AND NATURAL RESOURCES

DEPARTMENT OF CONSERVATION AND RECREATION

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Conservation and Recreation intends to consider amending regulations entitled **4 VAC 5-15, Nutrient Management Training and Certification Regulations**. The purpose of the proposed action is to amend the Nutrient Management Training and Certification Regulations and their attendant forms including the criteria for nutrient management plan content and development procedures in order to bring the regulations and attendant documents into compliance as may be necessary with § 62.1-44.17:1.1 of the Code of Virginia and in the requirements set forth in 40 CFR Parts 9, 122, 123 and 412 as published in the Federal Register Volume 68, No. 29, dated February 12, 2003, or as may otherwise be necessary to protect water quality.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 10.1-104.2 of the Code of Virginia.

Public comments may be submitted until May 13, 2004.

Contact: Leon E. App, Chief Deputy Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 804-786-2123, FAX (804) 786-6141 or e-mail regcord@dcr.state.va.us.

VA.R. Doc. No. R04-128; Filed March 11, 2004, 1:05 p.m.

TITLE 9. ENVIRONMENT

STATE WATER CONTROL BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-110, Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons Per Day**. The purpose of the proposed action is to reissue the existing general permit that expires on August 1, 2006. The general permit will establish

Notices of Intended Regulatory Action

limitations and monitoring requirements for domestic sewage discharges of less than or equal to 1,000 gallons per day.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 62.1-44.15 of the Code of Virginia, § 402 of the federal Clean Water Act, and 40 CFR Parts 122, 123 and 124.

Public comments may be submitted until 5 p.m. on April 8, 2004.

Contact: Lily Choi, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4054, FAX (804) 698-4032 or e-mail ychoi@deq.state.va.us.

VA.R. Doc. No. R04-117; Filed February 18, 2004, 8:48 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-115, General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Seafood Processing Facilities**. The purpose of the proposed action is to reissue the existing general permit that expires on July 24, 2006. The goal of the regulatory action is to continue the existence of the general permit that establishes limitations and monitoring requirements for point source discharges from seafood processing facilities.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 62.1-44.15 of the Code of Virginia, § 402 of the federal Clean Water Act, and 40 CFR Parts 122, 123 and 124.

Public comments may be submitted until 5 p.m. on April 8, 2004.

Contact: Michael Gregory, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4065, FAX (804) 698-4032 or e-mail mbgregory@deq.state.va.us.

VA.R. Doc. No. R04-118; Filed February 18, 2004, 8:48 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-260, Water Quality Standards**. The purpose of the proposed action is to amend the state's Antidegradation Policy (9 VAC 25-260-30), part of the Water Quality Standards, by designating portions of the following 11 waters located on federal land within Shenandoah National Park: Big Run, Brokenback Run, Doyles River, East Branch Naked Creek, East Hawksbill Creek, Hughes River, Jeremys Run, North Fork Thornton River, Piney River, Rose River, and White Oak Canyon Run as Exceptional State Waters (9 VAC 25-260-30 A 3 c). The Exceptional State Waters category of the Antidegradation Policy allows the board to designate waters that display

exceptional environmental settings and either exceptional aquatic communities or exceptional recreational opportunities for added protection. Once designated, the Antidegradation Policy provides that no water quality degradation would be allowed in the Exceptional State Waters. The only exception would be temporary, limited impact activities. By ensuring that no water quality degradation is allowed to occur in waters with exceptional environmental settings and either exceptional recreational opportunities or exceptional aquatic communities, the board is protecting these special waters at their present quality for use and enjoyment by future generations of Virginians.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 62.1-44.15 of the Code of Virginia; Clean Water Act (33 USC § 1251 et seq.); 40 CFR Part 131.

Public comments may be submitted until 5 p.m. on April 9, 2004.

Contact: Jean W. Gregory, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4113 or e-mail jwgregory@deq.state.va.us.

VA.R. Doc. No. R04-110; Filed February 4, 2004, 10:57 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-720, Water Quality Management Planning Regulation**. The purpose of the proposed action is to amend the Potomac-Shenandoah Basin (9 VAC 25-720-50) to update the stream segment classifications, effluent limitations and waste load allocations that have changed to reflect new requirements or changing water quality conditions.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 62.1-44.15 of the Code of Virginia; 33 USC 1313(e) of the Clean Water Act.

Public comments may be submitted until 5 p.m. on May 14, 2004.

Contact: Bryant Thomas, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3843, FAX (703) 583-3841 or e-mail bhthomas@deq.state.va.us.

VA.R. Doc. No. R04-121; Filed March 3, 2004, 10:21 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-720, Water Quality Management Planning Regulation**. The purpose of the proposed action is to amend the Rappahannock River Basin (9 VAC 25-720-70) to update the stream segment classifications, effluent limitations and waste load allocations

Notices of Intended Regulatory Action

that have changed to reflect new requirements or changing water quality conditions.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 62.1-44.15 of the Code of Virginia; 33 USC 1313(e) of the Clean Water Act.

Public comments may be submitted until 5 p.m. on May 14, 2004.

Contact: Bryant Thomas, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3843, FAX (703) 583-3841 or e-mail bhthomas@deq.state.va.us.

VA.R. Doc. No. R04-122; Filed March 3, 2004, 10:22 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-720, Water Quality Management Planning Regulation**. The purpose of the proposed action is to amend the Roanoke River Basin (9 VAC 25-720-80) to update the stream segment classifications, effluent limitations and waste load allocations that have changed to reflect new requirements or changing water quality conditions.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 62.1-44.15 of the Code of Virginia; 33 USC 1313(e) of the Clean Water Act.

Public comments may be submitted until 5 p.m. on May 14, 2004.

Contact: Jason R. Hill, Department of Environmental Quality, 3019 Peters Creek Road, Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6729 or e-mail jrhill@deq.state.va.us.

VA.R. Doc. No. R04-123; Filed March 3, 2004, 10:22 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-720, Water Quality Management Planning Regulation**. The purpose of the proposed action is to amend the Tennessee-Big Sandy River Basin (9 VAC 25-720-90) to update the stream segment classifications, effluent limitations and waste load allocations that have changed to reflect new requirements or changing water quality conditions.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 62.1-44.15 of the Code of Virginia; 33 USC 1313(e) of the Clean Water Act.

Public comments may be submitted until 5 p.m. on May 14, 2004.

Contact: Nancy Norton, Department of Environmental Quality, 355 Deadmore St., Abingdon, VA 24212, telephone (276) 676-4807, FAX (276) 676-4899 or e-mail ntnorton@deq.state.va.us.

VA.R. Doc. No. R04-124; Filed March 3, 2004, 10:22 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-720, Water Quality Management Planning Regulation**. The purpose of the proposed action is to amend the New River Basin (9 VAC 25-720-130) to update the stream segment classifications, effluent limitations and waste load allocations that have changed to reflect new requirements or changing water quality conditions.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 62.1-44.15 of the Code of Virginia; 33 USC 1313(e) of the Clean Water Act.

Public comments may be submitted until 5 p.m. on May 14, 2004.

Contact: Jason R. Hill, Department of Environmental Quality, 3019 Peters Creek Road, Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6729 or e-mail jrhill@deq.state.va.us.

VA.R. Doc. No. R04-125; Filed March 3, 2004, 10:22 a.m.



TITLE 24. TRANSPORTATION AND MOTOR VEHICLES

COMMONWEALTH TRANSPORTATION BOARD

† Notice of Withdrawal

The Department of Transportation has **WITHDRAWN** the Notice of Intended Regulatory Action (NOIRA) for the repeal of **24 VAC 30-150, Land Use Permit Manual** and for the promulgation of **24 VAC 30-151, Land Use Permit Manual**, that was published in 17:20 VA.R. 2800 June 18, 2001. The NOIRA has become obsolete due to the revised scope of changes anticipated to the regulation. The Department of Transportation has submitted a new NOIRA for the repeal and promulgation of these regulations

Agency Contact: Lynn D. Wagner, State Permit Manager, Local Assistance Division, Department of Transportation, 1401 East Broad Street, Richmond, Virginia 23219, telephone (804) 371-2910, FAX (804) 786-2603, or e-mail Lynn.Wagner@VirginiaDOT.org.

VA.R. Doc. No. R01-212; Filed March 15, 2004, 8:15 a.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Commonwealth Transportation Board intends to consider repealing regulations entitled **14 VAC 30-150, Land Use Permit Manual**, and promulgating regulations entitled **24 VAC 30-151, Land Use Permit Manual**. The purpose of the proposed action is to repeal the current regulation and to promulgate a replacement regulation. At present, based on the results of its review, VDOT's Local Assistance Division anticipates the following items to be included in the replacement regulation:

1. Reformat the regulation to eliminate redundant or obsolete text, rewrite the retained text, update new division names and work titles associated with a 2002 reorganization of the agency, and rearrange sections to improve readability and comprehension; this step should reduce the size of the regulation significantly (in its current form it is over 250 pages in length);
2. Add a section to define words and terms used in the regulation;
3. Update technical documents incorporated by reference;
4. Update policies and procedures (e.g., Utility Accommodation Policy, calculation and payment of fees, etc.);
5. Revise the regulation as needed to address treatment of subjects in a consistent manner with other VDOT regulations; and
6. Provide additional information on topics not addressed in the current regulations (e.g. Hazardous Materials/Waste Issues, Website addresses for forms, contacts, etc.).

If other revisions are suggested by internal or external parties during the APA amendment process, VDOT will address them at the appropriate step in the process.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 33.1-12 of the Code of Virginia.

Public comments may be submitted until May 5, 2004.

Contact: Lynn D. Wagner, State Permit Manager, Local Assistance Division, Department of Transportation, 1401 East Broad Street, Richmond, Virginia 23219, telephone (804) 371-2910, FAX (804) 786-2603, or e-mail Lynn.Wagner@VirginiaDOT.org.

VA.R. Doc. No. R04-131; Filed March 12, 2004, 10:30 a.m.

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 12. HEALTH

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Title of Regulation: 12 VAC 30-70. **Methods and Standards for Establishing Payment Rates; Inpatient Hospital Care (amending 12 VAC 30-70-291, 12 VAC 30-70-301 and 12 VAC 30-70-331).**

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia.

Public Hearing Date: N/A -- Public comments may be submitted until June 4, 2004.

(See Calendar of Events section for additional information)

Agency Contact: Steven E. Ford, Manager, Division of Reimbursement, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 786-7355, FAX (804) 786-1680, or e-mail Steve.Ford@dmas.virginia.gov.

Basis: Section 32.1-325 of the Code of Virginia grants to the Board of Medical Assistance Services the authority to administer and amend the Plan for Medical Assistance. Section 32.1-324 of the Code of Virginia authorizes the Director of DMAS to administer and amend the Plan for Medical Assistance according to the board's requirements.

The Medicaid authority as established by § 1902 (a) of the Social Security Act (42 USC § 1396a) provides governing authority for payments for services.

Purpose: This regulatory action has the potential for a significant impact on the health, safety or welfare of Virginia citizens. The intent of this proposed regulation is to provide changes to the reimbursement methodologies for operating reimbursement, disproportionate share hospital (DSH) payments, and indirect medical education (IME) payments to Type One hospitals. In the absence of these changes, the reduction in reimbursement to Type One hospitals will create a significant disincentive for the Type One hospitals to continue participation in the Medallion II program. If the Type One hospitals choose not to participate in the Medicaid managed care program, the viability of the managed care program in the areas of the Commonwealth served by these hospitals will be threatened. As such, access to a proper level of care will be impeded, therefore threatening the public health.

Substance: Due to a change in federal regulations (42 CFR 438.6) regarding the actuarial soundness of capitation rates, DMAS is now prohibited from making supplemental payments to Type One hospitals for services these providers render in the DMAS managed care program (Medallion II). This prohibition, effective as of August 13, 2003, creates a

significant disincentive for the Type One hospitals to continue participation in the Medallion II program. If the Type One hospitals choose to not participate in the Medicaid managed care program, the viability of the managed care program in the areas of the Commonwealth served by these hospitals will be threatened. This has the potential to reduce access to medical services for the Medicaid population. This proposed regulation changes the reimbursement methodologies for operating reimbursement, disproportionate share hospital (DSH) payments, and indirect medical education (IME) payments to Type One hospitals. These suggested changes will not result in new revenues to the Type One hospitals but will maintain previous payment levels to Type One hospitals for the reasons set forth above. These methodology changes will permit the continuation of managed care payments commensurate with fee-for-service payments.

In 1991, DMAS determined it would be appropriate to place the state teaching hospitals in their own peer group (named Type One hospitals) for purposes of disproportionate share adjustment payments, known as DSH payments. DSH payments are made to those hospitals that render proportionately higher amounts of care to low-income patients relative to other hospitals. Over the years, Medicaid DSH payments to Type One hospitals have figured significantly in these hospitals' revenues. In addition, Type One hospitals' operating rates are subject to an adjustment factor of one, while Type Two hospitals adjustment factors have historically been less than one. This has contributed to higher payment rates for Type One hospitals relative to Type Two hospitals.

These higher rates are significant in the determination of the capitated rates DMAS pays to participating managed care organizations (MCOs) in the Medallion II program. In calculating capitation rates, DMAS considers all providers' rates. Because Type One hospitals are paid significantly higher rates (due to the adjustment factor), DMAS does not include the Type One hospital rates in the calculations of the Medallion II rates. Instead, Type One hospital fee-for-service data is assigned a "community rate" for capitation rate setting purposes, and this rate is less than those facilities' actual fee-for-service cost experience. To promote participation by the Type One hospitals in Medallion II, DMAS had made supplemental payments to the Type One hospitals based on the difference in payment under fee-for-service versus payment under Medallion II with the lower community rate. In light of the recently initiated federal managed care requirements, regarding the capitation rates' actuarial soundness, DMAS is no longer able to continue this approach. Thus the need arose to adjust payment to Type One hospitals through an alternative methodology in order to avoid the loss of these providers from the Medallion II program.

To address this situation, this proposed regulation sets forth two parallel actions: (i) to reduce FFS operating rates for Type One hospitals to a level commensurate with Type Two hospitals; and, (ii) to increase payments to the Type One

hospitals through other means to compensate them for revenue losses due to this operation rate reduction and the federal regulatory change.

Equalizing Type One and Type Two Operating Payments

The Medicaid program recognizes that Type One hospitals incur higher operating costs because of their disproportionately higher share of Medicaid patients. The recently reduced Type One hospital adjustment factor is not sufficient to address these additional costs. Therefore, DMAS is proposing a methodology change that will calculate an adjustment factor that causes the Type One hospital statewide operating rate per case to equal the statewide operating rate per case as calculated for the Type Two hospitals. This serves to bring fee-for-service reimbursement at Type One hospitals in line with reimbursement levels utilized in calculating the managed care capitation rates under Medallion II.

An undesirable consequence of the reduction in operating payments to Type One hospitals is also a reduction in DSH payments. DSH payments are directly related to the fee-for-service operating payments, so any reduction in operating payments will serve to reduce the DSH payments as well. Consequently, DMAS is proposing to incorporate a "DSH factor" into the calculation of Type One hospital DSH payments that will essentially equal those payments in relation to the effect of the reduction in operating payments. Essentially, the DSH factor will produce DSH payment amounts for Type One hospitals that are equivalent to current Type One DSH payment levels.

Increasing Type One Hospital Payments Through Other Means

In order to maintain total Medicaid payments to Type One hospitals at current levels, the reduction in operating payments on the fee-for-service side must be offset with additional payments elsewhere. DMAS is proposing to offset the operating payment reductions through enhancement of the indirect medical education (IME) payment levels for the Type One hospitals. The basic goal is to provide IME payments equaling payments calculated under the current IME methodology, plus an additional amount equaling the reduction on the fee-for-service operating side under the new adjustment factor. DMAS has determined that a multiplier applied to the current IME percentage is the most efficient way to accomplish this goal. Because IME is calculated for Medicaid managed care business as well, this multiplier will result in additional IME payment to cover what DMAS had previously paid Type One hospitals as supplemental payments described above.

The net effect of these three changes will be the maintenance of overall payment levels to Type One hospitals. Because this is simply a shifting of payments currently in the fee-for-service operating side and the Medallion II program to the IME program, with DSH payments held harmless, there is no additional financial impact on the Commonwealth nor is there added pressure to upper payment limits imposed on the program.

Issues: The net effect of these three changes will be the maintenance of payment levels that would be achieved had the current methodology, with the additional payments for Medallion II claims to Type One hospitals, continued unchanged. Because this is simply a shifting of payments currently in the fee-for-service operating side and the Medallion II program to the IME program, with DSH held harmless, there is no additional financial impact on the Commonwealth nor is there added pressure to upper payment limits imposed on the program.

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 § 2.2-4007 H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007 H 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 impacts.

Summary of the proposed regulation. The proposed changes will revise the Medicaid inpatient hospital reimbursement methodology to restore the payments that two teaching hospitals would have lost due to changes in federal regulations. The proposed changes have been already in effect under the emergency regulations.

Estimated economic impact. The purpose of the proposed reimbursement methodology changes is to maintain the current level of Medicaid reimbursement to teaching hospitals. A recent change in federal regulations, 42 CFR 438.6, prohibits the Department of Medical Assistance Services from making differential payments for services rendered by teaching hospitals in the managed care program (Medallion II). Since teaching hospital rates are higher than nonteaching hospital rates, the new federal rule would mean a loss of approximately \$16 million to \$20 million annually for the two teaching hospitals combined.¹

The proposed changes are designed to comply with the new federal rule while maintaining the current level of payments to teaching hospitals. This goal will be accomplished by 1) reducing the fee-for-service operating rates for teaching hospitals to a level commensurate with nonteaching hospitals, 2) enhancing the indirect medical education payments received by teaching hospitals to make up the exact amount of lost revenues for the teaching hospitals. Because disproportionate share (DSH) payments to teaching hospitals are calculated based on operating payments, a revision will also be made to DSH calculation methodology to undo the effect of changing fee-for-service operating rates.

¹Based on current data, the exact amounts of projected losses are \$16,327,873 in FY 2004, \$20,046,734 in FY 2005, and \$21,426,141 in FY 2006. These estimates are subject to change as new data becomes available.

Proposed Regulations

Although the proposed regulations contain somewhat complicated changes in reimbursement methodologies, they simply maintain the current level of Medicaid funding for teaching hospitals. Thus, the main benefit of the proposed changes is the avoided costs of reducing teaching hospital reimbursements by about \$16 million to \$20 million annually. Examples of these benefits may include continuing participation of teaching hospitals in the managed care program and continuing recipient access to Medicaid health care services in areas served by these hospitals. Businesses and entities affected. The proposed regulations will affect two teaching hospitals.

Localities particularly affected. The proposed regulations apply throughout the Commonwealth.

Projected impact on employment. The proposed regulations will maintain the current level of Medicaid payments to teaching hospitals. Since funding cuts would have probably reduced the amount of services provided by teaching hospitals, the effect on employment should be considered positive.

Effects on the use and value of private property. The proposed regulations primarily affect two teaching hospitals. Thus, no significant effect on private property is expected.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The agency concurs with the Economic Impact Analysis prepared by the Department of Planning and Budget regarding the regulations concerning Inpatient Operating, DSH, and IME Payments for Type One Hospitals.

Summary:

The proposed amendments (i) reduce fee-for-service operating rates for state teaching hospitals (referred to as "Type One hospitals") to a level commensurate with all other hospitals (referred to as "Type Two hospitals") and (ii) increase payments to Type One hospitals through other means (modifying Indirect Medical Education payments) to compensate for reductions in operating payments as well as revenue losses due to a federal regulatory change that now precludes previously used pass-through payments based on Medicaid managed care rates. These suggested changes will not result in new revenues to the Type One hospitals but will maintain the overall previous revenue levels. These methodology changes will permit the continuation of managed care payments commensurate with fee-for-service payments. The goal of these actions is to maintain reimbursements for Type One hospitals at their current levels and thus maintain Medicaid managed care clients' access to the medical services these hospitals provide.

12 VAC 30-70-291. Payment for indirect medical education costs.

A. Hospitals shall be eligible to receive payments for indirect medical education. These payments recognize the increased use of ancillary services associated with the educational process and the higher case-mix intensity of teaching hospitals. The payments for indirect medical education shall

be made in estimated quarterly lump sum amounts and settled at the hospital's fiscal year end.

B. Final payment for IME shall be determined as follows:

1. Type One hospitals shall receive an IME payment equal to the hospital's Medicaid operating reimbursement times an IME percentage determined as follows:

$$\text{IME Percentage for Type One Hospitals} = [1.89 \times ((1 + r)^{0.405} - 1)] \times (\text{IME Factor})$$

An IME factor shall be calculated for each Type One hospital and shall equal a factor that, when used in the calculation of the IME percentage, shall cause the resulting IME payments to equal what the IME payments would be with an IME factor of one, plus an amount equal to the difference between operating payments using the adjustment factor specified in subdivision B 1 of 12 VAC 30-70-331 and operating payments using an adjustment factor of one in place of the adjustment factor specified in subdivision B 1 of 12 VAC 30-70-331.

2. Type Two hospitals shall receive an IME payment equal to the hospital's Medicaid operating reimbursement times an IME percentage determined as follows:

$$\text{IME Percentage for Type Two Hospitals} = [1.89 \times ((1 + r)^{0.405} - 1)] \times 0.4043$$

In both equations, r is the ratio of full-time equivalent residents to staffed beds, excluding nursery beds. The IME payment shall be calculated each year using the most recent reliable data regarding the number of full-time equivalent residents and the number of staffed beds, excluding nursery beds.

C. An additional IME payment shall be made for inpatient hospital services provided to Medicaid patients but reimbursed by capitated managed care providers. This payment shall be equal to the hospital's hospital specific operating rate per case, as determined in 12 VAC 30-70-311, times the hospital's HMO paid discharges times the hospital's IME percentage, as determined in subsection B of this section.

12 VAC 30-70-301. Payment to disproportionate share hospitals.

A. Payments to disproportionate share hospitals (DSH) shall be prospectively determined in advance of the state fiscal year to which they apply. The payments shall be made on a quarterly basis, shall be final, and shall not be subject to settlement except when necessary due to the limit in subsection D of this section.

B. Hospitals qualifying under the 15% inpatient Medicaid utilization percentage shall receive a DSH payment based on the hospital's type and the hospital's Medicaid utilization percentage.

1. Type One hospitals shall receive a DSH payment equal to:

- a. The sum of (i) the hospital's Medicaid utilization percentage in excess of 10.5%, times 17, times the hospital's Medicaid operating reimbursement, times 1.4433 and (ii) the hospital's Medicaid utilization

percentage in excess of 21%, times 17, times the hospital's Medicaid operating reimbursement, times 1.4433-

b. Multiplied by the Type One hospital DSH Factor.

The Type One hospital DSH factor shall equal a percentage that when applied to the DSH payment calculation yields a DSH payment equal to the total calculated using the methodology outlined in subdivision 1 a of this subsection using an adjustment factor of one in the calculation of operating payments rather than the adjustment factor specified in subdivision B 1 of 12 VAC 30-70-331.

2. Type Two hospitals shall receive a DSH payment equal to the sum of (i) the hospital's Medicaid utilization percentage in excess of 10.5%, times the hospital's Medicaid operating reimbursement, times 1.2074 and (ii) the hospital's Medicaid utilization percentage in excess of 21%, times the hospital's Medicaid operating reimbursement, times 1.2074.

C. Hospitals qualifying under the 25% low-income patient utilization rate shall receive a DSH payment based on the hospital's type and the hospital's low-income utilization rate.

1. Type One hospitals shall receive a DSH payment equal to the product of the hospital's low-income utilization in excess of 25%, times 17, times the hospital's Medicaid operating reimbursement.

2. Type Two hospitals shall receive a DSH payment equal to the product of the hospital's low-income utilization in excess of 25%, times the hospital's Medicaid operating reimbursement.

3. Calculation of a hospital's low-income patient utilization percentage is defined in 42 USC § 1396r-4(b)(3).

D. No DSH payments shall exceed any applicable limitations upon such payments established by federal law or regulations and OBRA 1993 §13621. A DSH payment during a fiscal year shall not exceed the sum of:

1. Medicaid allowable costs incurred during the year less Medicaid payments, net of disproportionate share payment adjustments, for services provided during the year. Costs and payments for Medicaid recipients enrolled in capitated managed care programs shall be considered Medicaid costs and payments for the purposes of this section.

2. Costs incurred in serving persons who have no insurance less payments received from those patients or from a third party on behalf of those patients. Payments made by any unit of the Commonwealth or local government to a hospital for services provided to indigent patients shall not be considered to be a source of third party payment.

E. Each hospital's eligibility for DSH payment and the amount of the DSH payment shall be calculated at the time of each rebasing using the most recent reliable utilization data and projected operating reimbursement data available. The utilization data used to determine eligibility for DSH payment and the amount of the DSH payment shall include days for Medicaid recipients enrolled in capitated managed care

programs. In years when DSH payments are not rebased in the way described above, the previous year's amounts shall be adjusted for inflation.

1. Each hospital with a Medicaid-recognized Neonatal Intensive Care Unit (NICU), a unit having had a unique NICU operating cost limit under subdivision 6 of 12 VAC 30-70-50, shall have its DSH payment calculated separately for the NICU and for the remainder of the hospital as if the two were separate and distinct providers. This calculation shall follow the methodology provided in this section.

2. For freestanding psychiatric facilities licensed as hospitals, DSH payment shall be based on the most recently settled Medicare cost report available before the beginning of the state fiscal year for which a payment is being calculated.

12 VAC 30-70-331. Statewide operating rate per case.

A. The statewide operating rate per case shall be equal to the base year standardized operating costs per case, as determined in 12 VAC 30-70-361, times the inflation values specified in 12 VAC 30-70-351 times the adjustment factor specified in subsection B of this section.

B. The adjustment factor shall be determined separately for Type One and Type Two hospitals and:

1. For Type One hospitals the adjustment factor shall be a calculated percentage that causes the Type One hospital statewide operating rate per case to equal the Type Two hospital statewide operating rate per case;

2. For Type Two hospitals the adjustment factor shall be the ratio of the following two numbers:

~~4. a.~~ The numerator of the factor is the aggregate total Medicaid operating payments to affected hospitals in hospital fiscal years ending in the base year.

~~2. b.~~ The denominator of the factor is the aggregate total Medicaid allowable operating cost as determined from settled cost reports from the same hospitals in the same year.

VA.R. Doc. No. R03-321; Filed March 16, 2004, 4:31 p.m.



Proposed Regulations

TITLE 14. INSURANCE

STATE CORPORATION COMMISSION

REGISTRAR'S NOTICE: The State Corporation Commission is exempt from the Administrative Process Act in accordance with § 2.2-4002 A 2 of the Code of Virginia, which exempts courts, any agency of the Supreme Court, and any agency that by the Constitution is expressly granted any of the powers of a court of record.

Title of Regulation: 14 VAC 5-90. Rules Governing Advertisement of Accident and Sickness Insurance (amending 14 VAC 5-90-10 through 14 VAC 5-90-180).

Statutory Authority: §§ 12.1-13 and 38.2-223 of the Code of Virginia.

Public Hearing Date: Hearing will be scheduled if requested. Public comments may be submitted until May 1, 2004. (See Calendar of Events section for additional information)

Agency Contact: Jacqueline Cunningham, Assistant Deputy Commissioner, Life and Health Division, State Corporation Commission, P.O. Box 1157, Richmond, VA 23218, telephone (804) 371-9074, FAX (804) 371-9944, or e-mail jacunningham@scc.state.va.us.

Summary:

The proposal adds or modifies a number of terms in 14 VAC 5-90-30 to comply with the National Association of Insurance Commissioners' model regulation on this subject. All forms of electronic communication are added to the definition of "advertisement." New definitions for the terms "institutional advertisement," "invitation to contract," and "invitation to inquire" are added. 14 VAC 5-90-60 is rearranged for clarity and proper heading. 14 VAC 5-90-60, 14 VAC 5-90-70 and 14 VAC 5-90-130 clarify provisions as they apply to an "advertisement" or an "invitation to contract." 14 VAC 5-90-80 adds endorsements where appropriate to the testimonial forms of advertisements. 14 VAC 5-90-160 adds a requirement to include the name and description of the entity through which a commercial rating is obtained. Finally, stylistic changes are made throughout in accordance with the Virginia Registrar Form, Style and Procedure Manual, and a number of unnecessary forms are deleted.

AT RICHMOND, MARCH 16, 2004

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

Ex Parte: In the matter of CASE NO. INS-2004-00068
Adopting Revisions to the Rules
Governing Advertisement of
Accident and Sickness Insurance

ORDER TO TAKE NOTICE

Section 12.1-13 of the Code of Virginia provides that the Commission shall have the power to promulgate rules and regulations in the enforcement and administration of all laws within its jurisdiction, and § 38.2-223 of the Code of Virginia provides that the Commission may issue any rules and regulations necessary or appropriate for the administration and enforcement of Title 38.2 of the Code of Virginia.

The rules and regulations issued by the Commission pursuant to § 38.2-223 of the Code of Virginia are set forth in Title 14 of the Virginia Administrative Code.

The Bureau of Insurance has submitted to the Commission proposed revisions to Chapter 90 of Title 14 of the Virginia Administrative Code entitled "Rules Governing Advertisement of Accident and Sickness Insurance" which amend the rules at 14 VAC 5-90-10 through 14 VAC 5-90-180.

The proposed revisions add or modify definitions in accordance with the National Association of Insurance Commissioner's model regulation, clarify provisions relating to an "advertisement" and an "invitation to contract," recognize forms of electronic communication as advertisements, and make stylistic changes in accordance with the Virginia Registrar Form, Style and Procedure Manual.

THEREFORE, IT IS ORDERED THAT:

- (1) The proposed revisions to the "Rules Governing Advertisement of Accident and Sickness Insurance," which amend the rules at 14 VAC 5-90-10 through 14 VAC 5-90-180, be attached hereto and made a part hereof.
- (2) All interested persons who desire to comment in support of or in opposition to, or to request a hearing to oppose the adoption of, the proposed revisions shall file such comments or hearing request on or before May 1, 2004, in writing with the Clerk of the Commission, Document Control Center, P.O. Box 2118, Richmond, Virginia 23218 and shall refer to Case No. INS-2004-00068.
- (3) If no written request for a hearing on the proposed revisions is filed on or before May 1, 2004, the Commission, upon consideration of any comments submitted in support of or in opposition to the proposed revisions, may adopt the revisions proposed by the Bureau of Insurance.
- (4) AN ATTESTED COPY hereof, together with a copy of the proposed revisions, shall be sent by the Clerk of the Commission to the Bureau of Insurance in care of Deputy Commissioner Gerald A. Milsky, who forthwith shall give further notice of the proposed adoption of the revisions to the rules by mailing a copy of this Order, together with the proposed revisions, to all persons licensed by the Commission to transact the business of accident and sickness insurance.
- (5) The Commission's Division of Information Resources forthwith shall cause a copy of this Order, together with the proposed revisions, to be forwarded to the Virginia Registrar of Regulations for appropriate publication in the Virginia Register of Regulations.

(6) On or before March 24, 2004, the Commission's Division of Information Resources shall make available this Order and the attached proposed revisions on the Commission's website,
<http://www.state.va.us/scc/caseinfo.htm>.

(7) The Bureau of Insurance shall file with the Clerk of the Commission an affidavit of compliance with the notice requirements of paragraph (4) above.

14 VAC 5-90-10. Purpose.

The purpose of this chapter (~~14 VAC 5-90-10 et seq.~~) is to assure truthful and adequate disclosure of all material and relevant information in the advertising of accident and sickness insurance. ~~This purpose is intended to be accomplished by the establishment of, and adherence to, chapter establishes~~ certain minimum standards of conduct in the advertising of accident and sickness insurance in a manner which prevents unfair competition among insurers and is conducive to the accurate presentation and description ~~to the insurance buying public of a policy of such insurance offered through various advertising media.~~

14 VAC 5-90-20. Applicability.

A. This chapter (~~14 VAC 5-90-10 et seq.~~) shall apply to any accident and sickness insurance "advertisement," ~~as that term is hereinafter defined,~~ intended for presentation, distribution or dissemination in this Commonwealth when ~~such the~~ presentation, distribution or dissemination is made either directly or indirectly by or on behalf of an insurer, ~~or agent, broker or solicitor~~ as those terms are defined in the insurance code of this Commonwealth *Title 38.2 of the Code of Virginia* and this chapter.

B. Every insurer shall establish and at all times maintain a system of control over the content, form and method of dissemination of all advertisements of its policies. All ~~such~~ advertisements, regardless of by whom written, created, designed or presented, shall be the responsibility of the insurer whose policies are so advertised.

14 VAC 5-90-30. Definitions.

~~An "advertisement" for the purpose of this chapter (14 VAC 5-90-10 et seq.) shall include:~~

~~1. Printed~~

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

"Advertisement" means (i) printed and published material, audio visual material, and descriptive literature of an insurer used in direct mail, newspapers, magazines, radio scripts, ~~TV~~ television scripts, web sites and other Internet displays or communications, other forms of electronic communications, billboards, and similar displays; ~~and 2. (ii) descriptive literature and sales aids of all kinds issued by an insurer, agent or broker for presentation to members of the insurance buying public, including but not limited to circulars, leaflets, booklets, depictions, illustrations, and form letters; and 3. (iii) prepared sales talks, presentations and material for use by agents, brokers and solicitors. "Advertisement" shall not include:~~

1. Material used in-house by insurers:

2. Communications within an insurer's own organization not intended for dissemination to the public; however, to the extent any communications are in fact disseminated to the public or utilized in a sales presentation to a member of the public, the materials shall be considered to fall within the definition of "advertising";

3. Individual communications of a personal nature with current policyholders other than material urging the policyholder to increase, expand, terminate or purchase new coverages;

4. Correspondence between a prospective group or policyholder and an insurer in the course of negotiating a group contract other than material urging the policyholder to increase or expand coverages;

5. Court-approved material ordered by a court to be disseminated to policyholders;

6. A general announcement from a group policyholder to eligible individuals on an employment or membership list that a contract or program has been written or arranged, provided that the announcement clearly indicates that it is preliminary to the issuance of a booklet and that the announcement does not describe specific benefits under the contract or program nor describe advantages as to the purchase of the contract or program. This does not prohibit a general endorsement of the program by the sponsor;

7. Electronic communications devoted to electronic business transactions between existing members, providers, employers, and the insurer containing no materials relating to increasing, decreasing, terminating, or expanding coverages; or

8. Member newsletters or educational material sent to existing members, providers, or employers containing no materials relating to increasing, decreasing, terminating, or expanding coverages.

"Commission" means the Virginia State Corporation Commission.

"Exception" means any provision in a policy whereby coverage for a specified hazard is entirely eliminated; it is a statement of a risk not assumed under the policy.

"Institutional advertisement" means an advertisement having as its sole purpose the promotion of the reader's, viewer's, or listener's interest in the concept of accident and sickness insurance, or the promotion of the insurer as a seller of accident and sickness insurance.

"Insurer" means an individual, corporation, association, partnership, reciprocal exchange, inter-insurer, Lloyds, fraternal benefit society, health maintenance organization, and any other legal entity that is defined as an "insurer" in Title 38.2 of the Code of Virginia.

"Invitation to contract" means an advertisement that includes in any manner an application for insurance. It is not an invitation to inquire nor an institutional advertisement.

Proposed Regulations

"Invitation to inquire" means an advertisement having as its objective the creation of a desire to inquire further about accident and sickness insurance and that is limited to a brief description of the loss for which benefits are payable and does not contain an application for coverage, but may contain (i) the dollar amount of benefits payable, and (ii) the period of time during which benefits are payable. An invitation to inquire may not refer to cost, except as otherwise permitted by this section. An invitation to inquire shall contain a provision in the following or substantially similar form: "This policy has [exclusions] [limitations] [reduction of benefits] [terms under which the policy may be continued in force or discontinued]. For costs and complete details of the coverage, call [write] your insurance agent or the company [whichever is applicable]." An invitation to inquire concerning a health benefit plan may include rate information without including information about benefit exceptions and reductions and limitations so long as the advertisement includes prominent disclaimers clearly indicating that (a) the rates are illustrative only; (b) a person should not send money to the insurer of the health benefit plan in response to an advertisement; (c) a person cannot obtain coverage under the health benefit plan until the person completes an application for coverage; and (d) benefit exclusions and limitations may apply to the health benefit plan. Any rate information mentioned in any advertisement disseminated pursuant to this section shall indicate the age, gender, and geographic location on which that rate is based.

"Limitation" means any provision that restricts coverage under the policy other than an exception or a reduction.

"Policy" for the purpose of this chapter (14 VAC 5-90-10 et seq.) shall include any means a policy, plan, certificate, contract, agreement, statement of coverage, rider or endorsement which that provides accident or sickness benefits or medical, surgical or hospital expense benefits, whether on an indemnity, reimbursement, service or prepaid basis, except (i) such coverage provided when issued in connection with another kind of insurance other than life; and (ii) except disability, waiver of premium, and double indemnity benefits included in life insurance and annuity contracts.

"Insurer" for the purpose of this chapter (14 VAC 5-90-10 et seq.) shall include any individual, corporation, association, partnership, reciprocal exchange, inter-insurer, Lloyds, fraternal benefit society, health maintenance organization, and any other legal entity which is defined as an "insurer" in the insurance code of this Commonwealth.

"Exception" for the purpose of this chapter (14 VAC 5-90-10 et seq.) shall mean any provision in a policy whereby coverage for a specified hazard is entirely eliminated; it is a statement of a risk not assumed under the policy.

"Reduction" for the purpose of this chapter (14 VAC 5-90-10 et seq.) shall mean means any provision which that reduces the amount of the benefit; a risk of loss is assumed but payment upon the occurrence of such the loss is limited to some amount or period less than would be otherwise payable had such reduction not been used.

~~"Limitation" for the purpose of this chapter (14 VAC 5-90-10 et seq.) shall mean any provision which restricts coverage under the policy other than an exception or a reduction.~~

14 VAC 5-90-40. Method of disclosure of required information.

All information required to be disclosed by this chapter shall be set out conspicuously and in close conjunction with the statements to which such the information relates or under appropriate captions of such prominence that it shall not be minimized, rendered obscure or presented in an ambiguous fashion or intermingled with the context of the advertisement so as to be confusing or misleading.

14 VAC 5-90-50. Form and content of advertisements.

A. The format and content of an advertisement of an accident or sickness insurance policy shall be sufficiently complete and clear to avoid deception or the capacity or tendency to mislead or deceive. Whether an advertisement has a capacity or tendency to mislead or deceive shall be determined by the commission from the overall impression that the advertisement may be reasonably expected to create upon a person of average education or intelligence, within the segment of the public to which it is directed.

B. Advertisements shall be truthful and not misleading in fact or in implication. Words or phrases, the meaning of which is clear only by implication or by familiarity with insurance terminology, shall not be used.

14 VAC 5-90-60. Requirements applicable to advertisements of covered benefits payable, losses covered or premiums payable; deceptive words, phrases or illustrations prohibited; disclosures relating to exceptions, reductions, limitations; and pre-existing conditions.

~~A.1. No~~ A. Advertisements of covered benefits shall comply with the following standards.

1. An advertisement shall not omit information or use words, phrases, statements, references or illustrations if the omission of such the information or use of such the words, phrases, statements, references or illustrations has the capacity, tendency or effect of misleading or deceiving purchasers or prospective purchasers as to the nature or extent of any policy benefit payable, loss covered or premium payable. The fact that the policy offered is made available to a prospective insured for inspection prior to consummation of the sale or an offer is made to refund the premium if the purchaser is not satisfied, does not remedy misleading statements.

2. ~~No~~ An advertisement shall not contain or use words or phrases such as "all;," "full;," "complete;," "comprehensive;," "unlimited;," "up to;," "as high as;," "this policy will help fill some of the gaps that Medicare and your present insurance leave out;," "this policy will help to replace your income" (when used to express loss of time benefits); or similar words and phrases, in a manner which tends to exaggerate any benefits that exaggerates a benefit beyond the terms of the policy, but may be used only in such manner as to fairly describe the benefit.

~~3. An advertisement shall not contain descriptions of a policy limitation, exception, or reduction, worded in a positive manner to imply that it is a benefit, such as describing a waiting period as a "benefit builder" or stating "even preexisting conditions are covered after two years." Words and phrases used in advertisements to describe such policy limitations, exceptions and reductions shall fairly and accurately describe the negative features of such limitations, exceptions and reductions.~~

~~4. No 3. An advertisement of a benefit for which payment is conditional conditioned upon confinement in a hospital or similar facility shall not use words or phrases such as "tax free;," "extra cash;," "extra income;," "extra pay;," or substantially similar words or phrases because such these words and phrases have the capacity, tendency or effect of misleading the public into believing that the policy advertised will, in some way, enable them to make a profit from being hospitalized.~~

~~5. No 4. An advertisement of a hospital or other similar facility confinement benefit shall advertise that the amount of the benefit is payable on a monthly or weekly basis when in fact, the amount of the benefit payable is based upon a daily pro rata basis relating to the number of days of confinement. When the policy contains a limit on the number of days of coverage provided, such the limit must shall appear in the advertisement.~~

~~6. No 5. An advertisement of a policy covering only one disease or a list of specified diseases shall not imply coverage beyond the terms of the policy. Synonymous terms shall not be used to refer to any disease so as to imply broader coverage than is the fact.~~

~~7. An advertisement for a policy providing benefits for specified illnesses only, such as cancer, or for specified accidents only, such as automobile accidents, shall clearly and conspicuously in prominent type state the limited nature of the policy. The statement shall be worded in language identical to, or, substantially similar to the following:~~

~~"THIS IS A LIMITED POLICY;" "THIS IS A CANCER ONLY POLICY;" "THIS IS AN AUTOMOBILE ACCIDENT ONLY POLICY."~~

~~8. 6. An advertisement of a direct response insurance product shall not state or imply that because "no insurance agent will call and no commissions will be paid to agents" that it is "a low cost plan,"; or use other similar words or phrases because the cost of advertising and servicing such the policies is a substantial cost in the marketing of a by direct response insurance product.~~

B. Requirements relating to the disclosure of exceptions, reductions, and limitations are as follows.

1. An invitation to contract shall disclose those exceptions, reductions, and limitations affecting the basic provisions of the policy.

2. An advertisement shall not contain descriptions of a policy exception, reduction, or limitation worded in a positive manner to imply that it is a benefit, such as describing a waiting period as a "benefit builder" or stating "even pre-

existing conditions are covered after two years." Words and phrases used in advertisements to describe policy limitations, exceptions, and reductions shall fairly and accurately describe the negative features of the limitations, exceptions, and reductions.

3. When an advertisement refers to either a dollar amount, or a period of time for which any benefit is payable, or the cost of the policy, or a specific policy benefit, or the loss for which such a benefit is payable, it shall also disclose those exceptions, reductions, and limitations affecting the basic provisions of the policy without which the advertisement would have the capacity or tendency to mislead or deceive.

~~2- 4. When a policy contains a waiting, elimination, probationary or similar time period between the effective date of the policy and the effective date of coverage under the policy or at a time period between the date a loss occurs and the date benefits begin to accrue for such the loss, an advertisement which that is subject to the requirements of the preceding paragraph subdivision 3 of this subsection shall disclose the existence of such these periods.~~

~~3- 5. An advertisement shall not use the words "only;," "just;," "merely;," "minimum," "necessary," or similar words or phrases to describe the applicability of any exceptions and, reductions, limitations, or exclusions such as: "This policy is subject to the following minimum exceptions and reductions."~~

6. An advertisement for a policy providing benefits for specified illnesses only, such as cancer, or for specified accidents only, such as automobile accidents, shall clearly and conspicuously state in boldface type and all capital letters the limited nature of the policy. The statement shall be worded in language identical to, or substantially similar to, the following:

"THIS IS A LIMITED POLICY"; "THIS IS A CANCER ONLY POLICY"; "THIS IS AN AUTOMOBILE ACCIDENT ONLY POLICY."

C. Requirements relating to the disclosure of pre-existing conditions in advertisements are as follows.

1. An advertisement which is subject to the requirements of ~~subsection B above~~ shall, in negative terms, disclose the extent to which any loss is not covered if the cause of such the loss is traceable to a condition existing prior to the effective date of the policy. The use of the term "pre-existing condition," without an appropriate definition or description, shall not be used.

2. When a policy does not cover losses resulting from pre-existing conditions, ~~no~~ an advertisement of the policy shall not state or imply that the applicant's physical condition or medical history will not affect the issuance of the policy or payment of a claim ~~thereunder~~ under the policy. This section prohibits the use of the phrase "no medical examination required" and phrases of similar import, but does not prohibit explaining "automatic issue." If an insurer requires a medical examination for a specified policy, the advertisement shall disclose that a medical examination is required.

Proposed Regulations

3. When an ~~advertisement for a direct-response insurance product~~ *invitation to contract* contains an application form to be completed by the applicant and returned by mail, or when an applicant has requested and received an application form as the result of the advertisement of a direct-response insurance product, ~~such the~~ application form shall contain a question or statement in bold-face type, immediately preceding the signature for the application, ~~which question or statement that~~ clearly reflects the contents of all policy provisions regarding:

- a. The disallowance of claims based on preexisting conditions, ~~and~~;
- b. Any waiting period, elimination period, probation period, or similar lapse of time between the date of the policy and the effective date of coverage, ~~and~~;
- c. Any period of delay between the date a loss occurs and the date upon which benefits or compensation for such loss begin to accrue, ~~and~~;
- d. Reduction in benefits as the result of existence of other similar insurance providing coverage for the same loss.

14 VAC 5-90-70. Necessity for disclosing policy provisions relating to renewability, cancellability, and termination.

When an ~~advertisement~~ *invitation to contract* refers to ~~either~~ a dollar amount ~~or~~, a period of time for which any benefit is payable, ~~or~~ the cost of the policy, ~~or~~ a specific policy benefit, or the loss for which ~~such~~ a benefit is payable, it shall disclose the provisions relating to renewability, cancellability and termination and any modification of benefits, losses covered or premiums because of age or for other reasons, in a manner which shall not minimize or render obscure the qualifying conditions.

14 VAC 5-90-80. Testimonials or endorsements by third parties.

A. Testimonials *and endorsements* used in advertisements ~~must~~ *shall* be genuine, represent the current opinion of the author, be applicable to the policy advertised, and be accurately reproduced. The insurer, in using a testimonial *or endorsement*, makes as its own all of the statements contained ~~therein in it~~, and the advertisement, including ~~such~~ *the* statement, is subject to all the provisions of this chapter.

B. If the person making a testimonial, *or* an endorsement ~~or an appraisal~~ has a financial interest in the insurer or a related entity as a stockholder, director, officer, employee, or otherwise, ~~such this~~ fact shall be disclosed in the advertisement. If a person is compensated for making a testimonial, *or* endorsement ~~or appraisal~~, ~~such this~~ fact shall be disclosed in the advertisement by language substantially as follows: "Paid Endorsement." This section does not require disclosure of union "scale" wages required by union rules if the payment is actually for ~~such the~~ "scale" for ~~TV~~ *television* or radio performances. The payment of substantial amounts, directly or indirectly, for "travel and entertainment" for filming or recording of ~~TV~~ *television* or radio advertisements remove the filming or recording from the category of an unsolicited testimonial and require disclosure of ~~such the~~ compensation.

C. An advertisement shall not state or imply that an insurer or a policy has been approved or endorsed by any individual, group of individuals, society, association or other organizations, unless ~~such this~~ is the fact, and unless any proprietary relationship between an organization and the insurer is disclosed. If the entity making the endorsement or testimonial has been formed by the insurer or is owned or controlled by the insurer or the person or persons who own or control the insurer, ~~such this~~ fact shall be disclosed in the advertisement.

D. When a testimonial refers to benefits received under a policy, the specific claim data, including claim number, date of loss, and other pertinent information shall be retained by the insurer for inspection for a period of four years or until the filing of the next regular report on examination of the insurer, whichever is the longer period of time.

14 VAC 5-90-90. Use of statistics.

A. An advertisement relating to the dollar amounts of claims paid, the number of persons insured, or similar statistical information relating to any insurer or policy shall not use irrelevant facts, and shall not be used unless it accurately reflects all ~~of the current and~~ relevant facts. ~~Such an~~ *The* advertisement shall not imply that ~~such the~~ statistics are derived from the policy advertised unless ~~such that~~ is the fact, and when applicable to other policies or plans shall specifically so state.

B. An advertisement shall not represent or imply that claim settlements by the insurer are "liberal" or "generous," or use words of similar import, or that claim settlements are or will be beyond the actual terms of the contract. An unusual amount paid for a unique claim for the policy advertised is misleading and shall not be used.

C. The source of any statistics used in an advertisement shall be identified in ~~such the~~ advertisement.

14 VAC 5-90-100. Identification of plan or number of policies.

A. When a choice of the amount of benefits is referred to, an advertisement shall disclose that the amount of benefits provided depends upon the plan selected and that the premium will vary with the amount of the benefits selected.

B. When an advertisement refers to various benefits ~~which that~~ may be contained in two or more policies, other than group master policies, the advertisement shall disclose that such benefits are provided only through a combination of ~~such~~ policies.

14 VAC 5-90-110. Disparaging comparisons and statements.

An advertisement shall not directly or indirectly make unfair or incomplete comparisons of policies or benefits or comparisons of non-comparable policies of other insurers, ~~and shall not~~ disparage competitors, their policies, services or business methods, ~~and shall not disparage~~ or unfairly minimize competing methods of marketing insurance.

14 VAC 5-90-120. Jurisdictional licensing and status of insurer.

A. An advertisement ~~which that~~ is intended to be seen or heard beyond the limits of the jurisdiction in which the insurer is licensed shall not imply licensing beyond those limits.

B. An advertisement shall not create the impression directly or indirectly that the insurer, its financial condition or status, or the payment of its claims, or the merits, desirability, or advisability of its policy forms or kinds or plans of insurance are approved, endorsed, or accredited by any division or agency of this Commonwealth or the United States government.

14 VAC 5-90-130. Identity of insurer.

A. The name of the actual insurer ~~and the shall be stated on all invitations to contract. The form number or numbers of the policies advertised, and, if the application is contained in the advertisement, the form number of the any application therefor shall be shown and made clear in all of its advertisements stated.~~ An advertisement invitation to contract shall not use a trade name, any insurance group designation, name of the parent company of the insurer, name of a particular division of the insurer, service mark, slogan, symbol or other device which without disclosing the name of the actual insurer would have the capacity and tendency to mislead or deceive as to the true identity of the insurer.

B. ~~No~~ An advertisement shall *not* use any combination of words, symbols, or physical materials ~~which that~~ by their content, phraseology, shape, color or other characteristics are so similar to combination of words, symbols, or physical materials used by agencies of the federal government or of this Commonwealth, or otherwise appear to be of such a nature that it tends to confuse or mislead prospective insureds into believing that the solicitation is in some manner connected with an agency of the municipal, state, or federal government.

14 VAC 5-90-140. Group or quasi-group implications.

An advertisement of a particular policy shall not state or imply that prospective insureds become group or quasi-group members covered under a group policy and as such enjoy special rates or underwriting privileges, unless ~~such that~~ is the fact.

14 VAC 5-90-150. Introductory, initial or special offers.

A.1. An advertisement of an individual policy shall not directly or by implication represent that a contract or combination of contracts is an introductory, initial or special offer, or that applicants will receive substantial advantages not available at a later date, or that the offer is available only to a specified group of individuals, unless ~~such that~~ is the fact. An advertisement shall not contain phrases describing a "time-limited solicitation period" as "special," "limited," or similar words or phrases when the insurer uses ~~such the~~ "time-limited solicitation periods" as the usual method of ~~advertising~~ marketing accident and sickness insurance.

2. A "time-limited solicitation period" during which a particular insurance product may be purchased on an individual basis shall not be offered within this

Commonwealth unless there has been a lapse of not less than four months between the close of the immediately preceding "time-limited solicitation period" for the same product and the opening of the new ~~such solicitation~~ period; provided, ~~however,~~ a particular insurance product may not be offered on a "time-limited solicitation period" basis more than two times during any 12-month period. The advertisement shall indicate the date by which the applicant must mail the application, which shall ~~not be not~~ less than 10 days and not more than 40 days from the date that ~~such the~~ "time-limited solicitation period" is advertised for the first time. This section applies to all advertising media, i.e., mail, newspapers, ~~the Internet~~, radio, television, magazines and periodicals, by any one insurer. It is inapplicable to solicitations of employees or members of a particular group or association ~~which that~~ otherwise would be eligible under specific provisions of the ~~insurance code Title 38.2 of the Code of Virginia~~ for group, blanket or franchise insurance. The phrase "any one insurer" includes all of the affiliated companies of a group of insurance companies under common management or control.

3. Use of the words "enrollment" or "enrollment period" in connection with a "time-limited solicitation period" is prohibited unless the insurance product offered will be issued automatically as advertised upon receipt of the application and premium by the insurer or its agent.

4. This section prohibits any statement or implication to the effect that only a specific number of policies will be sold, or that a time is fixed for the discontinuance of the sale of the particular policy advertised because of special advantages available in the policy, unless ~~such that~~ is the fact.

5. The phrase "a particular insurance product" in subdivision A-2 of this ~~Section subsection~~ means an insurance policy ~~which that~~ provides substantially different benefits than those contained in any other policy. Different terms of renewability, an increase or decrease in the dollar amounts of benefits, or an increase or decrease in any elimination period or waiting period from those available during a "time-limited solicitation period" for another policy shall not be sufficient to constitute the product being offered as a different product eligible for concurrent or overlapping "time-limited solicitation periods."

B. An advertisement shall not offer a policy ~~which that~~ utilizes a reduced initial premium rate in a manner ~~which that~~ overemphasizes the availability and the amount of the initial reduced premium. When an insurer charges an initial premium that differs in amount from the amount of the renewal premium payable on the same mode, the ~~advertisement invitation to contract~~ shall not display the amount of the reduced initial premium either more frequently or more prominently than the renewal premium, and both the initial reduced premium and the renewal premium must be stated in juxtaposition in each portion of the advertisement where the initial reduced premium appears.

C. Special awards, such as a "safe ~~drivers' driver~~ award," shall not be used in connection with advertisements of ~~accident or~~ accident and sickness insurance.

Proposed Regulations

14 VAC 5-90-160. Statements about an insurer.

An advertisement shall not contain statements which are untrue in fact, or by implication misleading, with respect to the assets, corporate structure, financial standing, age or relative position of the insurer in the insurance business. An advertisement shall not contain a recommendation by any commercial rating system unless it clearly indicates the purpose of the recommendation and, the name and a description of the entity through which the rating is obtained, and the limitations of the scope and extent of the recommendation.

14 VAC 5-90-170. Enforcement procedures; advertising file; certificate of compliance; corrective advertising.

A. Each insurer shall maintain at its home or principal office a complete file containing every printed, published or prepared advertisement of its individual policies and typical printed, published or prepared advertisements of its blanket, franchise and group policies hereafter disseminated in this or any other state, whether or not licensed in such other another state, with a notation attached to each such advertisement which shall indicate that indicates the manner and extent of distribution and the form number of any policy advertised. Such The file shall be subject to regular and periodical inspection by the commission. All such the advertisements shall be maintained in said a file for a period of either the longer of four years or until the filing of the next regular report on examination of the insurer, whichever is the longer period of time.

B. Each insurer required to file an Annual Statement which is now or which hereafter becomes subject to the provisions of this chapter must with the commission shall file with the Commission with its Annual Statement, a Certificate of Advertising Compliance executed by an authorized officer of the insurer wherein it is stated stating that, to the best of his the officer's knowledge, information, and belief, the advertisements which that were disseminated by the insurer during the preceding statement year complied or were made to comply in all respects with the provisions of this chapter and the insurance laws of this Commonwealth Title 38.2 of the Code of Virginia as implemented and interpreted by this chapter.

C. If the commission finds, after notice and opportunity to be heard, as provided in § 38.2-219 of the Code of Virginia, as amended, that any advertisement is in violation of the provisions of this chapter and that the violation was such as to substantially deceive substantially or to mislead the public, the commission may, in addition to any other remedy or monetary penalty it may otherwise impose, order the insurer responsible for the dissemination of such advertisement to publish at the insurer's expense a corrective advertisement in a form to be approved by the commission. Should any If an insurer fail fails to publish a corrective advertisement as required by the commission, the commission may cause a corrective advertisement to be published such an advertisement, and the insurer shall, in addition to any other penalty which that may have been imposed, reimburse the commission for the expenses incurred in connection with the publication of such the advertisement.

14 VAC 5-90-180. Severability provision.

If any section or portion of a section provision of this chapter (~~14 VAC 5-90-10 et seq.~~) or the its applicability thereof to any person or circumstance is held invalid by a court, the remainder of the chapter, or the applicability of such the provision to other persons or circumstances, shall not be affected thereby.

<p>NOTICE: The forms used in administering 14 VAC 5-90, Rules Governing Advertisement of Accident and Sickness Insurance, are listed below. Any amended or added forms are reflected in the listing and are published following the listing.</p>

FORMS

~~Certificate of Advertising Compliance for Rules Governing Advertisements of Accident and Sickness Insurance Form R04 (eff. 11/03).~~

~~Gross Premiums Surplus Lines Policy Monthly Report, SLB-7a (eff. 12/87).~~

~~Notice to Insured, SLB-9 (eff. 5/87).~~

~~Quarterly Gross Premiums Tax Report Surplus Lines Broker, SLB-10 (eff. 5/88).~~

~~Quarterly Gross Premiums Tax Report Part 1, Additional Premiums Part 2, Return Premiums Part 3, Notarized Statements Part 4, SLB-11 (eff. 5/87).~~

~~Commercial Insured Waiver, SLB-12 (eff. 5/87).~~

STATE OF VIRGINIA
BUREAU OF INSURANCE

CERTIFICATE OF ADVERTISING COMPLIANCE

(Form to certify compliance governing advertising of accident and sickness insurance.)
14 VAC 5-90-170 B

Year of Filing: _____

I certify to the best of my knowledge, information and belief that the advertisements which were disseminated by the _____

(Name of Insurance Company)

during the preceding statement year complied or were made to comply in all respects with the provisions of the laws of the State of Virginia.

I further attest that I am an officer of said insurance company with authority to certify this form.

SIGNATURE

PRINT OR TYPE NAME and TITLE

DATE

INSURANCE COMPANY

NAIC #

GROUP CODE

If required by Statute, Administrative Code or Other:

1.) The Advertising File for said year as required by _____ is located at:

(Address where files are kept)

2.) The annexed Statement of Affairs of the aforementioned insurance company is an exact copy of the statement filed by said company in the office of the _____.

(Name of State Insurance Department)

3.) In witness whereof, I have subscribed my name and affixed my official seal this ____ day of _____, 200__.

Signature of Notary

(seal)

State of _____

County of _____

Form R04 (11/03)

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 regulation filed by the Marine Resources Commission is exempt from the Administrative Process Act in accordance with § 2.2-4006 A 12 of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: 4 VAC 20-920. Pertaining to Landing Licenses (amending 4 VAC 20-920-20 and 4 VAC 20-920-40).

Statutory Authority: §§ 28.2-201 and 28.2-228.1 of the Code of Virginia.

Effective Date: March 5, 2004.

Summary:

The amendments modify the requirements for the transfer of summer flounder endorsement licenses from one vessel to another by establishing a baseline of vessel length and gross tonnage for each vessel licensed for the flounder fishery. Any vessel receiving a summer flounder endorsement license by transfer must be within 10% of the length and gross tonnage of the baseline vessel that held the original license.

The amendment aligns the regulation more closely to the requirement of federal statutes governing the transfer of federal flounder permits.

Agency Contact: Deborah Cawthon, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002 or e-mail dcawthon@mrc.state.va.us.

4 VAC 20-920-20. Definitions.

"Land" or "landing" means to enter port with finfish, shellfish, crustaceans or other marine seafood on board any boat or vessel, to begin offloading finfish, shellfish, crustaceans or other marine seafood, or to offload finfish, shellfish, crustaceans, or other marine seafood.

~~"Substantially similar harvesting capacity" means the same gross registered tonnage and vessel registered length for commercial vessels.~~

4 VAC 20-920-40. Summer Flounder endorsement license and exemption.

A. It shall be unlawful for any boat or vessel to land Summer Flounder in Virginia for commercial purposes without first obtaining a Seafood Landing License as described in 4 VAC 20-920-30 and a Summer Flounder Endorsement License.

The Summer Flounder Endorsement License shall be required of each boat or vessel used to land Summer Flounder for commercial purposes. Possession of any quantity of Summer Flounder which exceeds the possession limit, described in 4 VAC 20-620-60, shall be presumed to be for commercial purposes. There shall be no fee for the license, and any boat or vessel so licensed shall display a Summer Flounder Endorsement License decal, provided by the Virginia Marine Resources Commission. The decals shall be displayed on both the port and starboard sides of the pilot house.

B. It shall be unlawful for any buyer of seafood to receive any Summer Flounder from any boat or vessel which is not licensed for the landing of Summer Flounder unless that boat or vessel is exempt from the requirement to obtain a Seafood Landing License and a Summer Flounder Endorsement License as described in 4 VAC 20-920-30 and this section.

C. Any boat or vessel ~~which~~ *that* is both owned and operated by a person who holds a valid Virginia Commercial Fisherman Registration License *and is used solely for fishing for summer flounder only in Virginia waters* shall be exempt from the requirement to obtain a Summer Flounder Endorsement License.

D. Any boat or vessel operated by a person harvesting and landing marine seafood from the Potomac River who holds a valid Potomac River Fisheries Commission commercial license shall be exempt from the requirement to obtain a Summer Flounder Endorsement License.

E. Any boat or vessel operated by a person harvesting and landing marine seafood from leased ground or reharvesting marine seafood as part of the relay process shall be exempt from the requirements to obtain a Summer Flounder Endorsement License.

F. To be eligible for a Summer Flounder Endorsement License the boat or vessel shall have landed and sold at least 500 pounds of Summer Flounder in Virginia in at least one year during the period of 1993 through 1995.

1. The owner shall complete an application for each boat or vessel by providing to the commission a notarized and signed statement of applicant's name, address, telephone number, boat or vessel name, and registration or documentation number and a copy of the vessel's federal Summer Flounder moratorium permit.

2. The owner shall complete a notarized authorization to allow the commission to obtain copies of landings data from the National Marine Fisheries Service.

G. *Effective February 24, 2004, any vessel eligible for a Summer Flounder Endorsement License shall be considered a baseline vessel, and that vessel's total length and gross tonnage shall be used to determine eligibility for all future transfers of that Summer Flounder Endorsement License. A Summer Flounder Endorsement License may be transferred*

from one vessel to another vessel that is entering the Summer Flounder fishery and replacing a vessel of substantially similar harvesting capacity which involuntarily left the Summer Flounder fishery provided that both the entering and replaced vessels are owned by the same person, provided the vessel receiving the Summer Flounder Endorsement License does not exceed, by more than 10%, the total length and gross tonnage of the baseline vessel that held that Summer Flounder Endorsement License on February 24, 2004.

VA.R. Doc. No. R04-127; Filed March 5, 2004, 9:59 a.m.

TITLE 20. PUBLIC UTILITIES AND TELECOMMUNICATIONS

STATE CORPORATION COMMISSION

REGISTRAR'S NOTICE: The State Corporation Commission is exempt from the Administrative Process Act in accordance with § 2.2-4002 A 2 of the Code of Virginia, which exempts courts, any agency of the Supreme Court, and any agency which by the Constitution is expressly granted any of the powers of a court of record.

Title of Regulation: 20 VAC 5-309. Rules for Enforcement of the Underground Utility Damage Prevention Act (amending 20 VAC 5-309-15, 20 VAC 5-309-20, 20 VAC 5-309-40, 20 VAC 5-309-70, 20 VAC 5-309-110 and 20 VAC 5-309-140).

Statutory Authority: §§ 12.1-13 and 56-265.30 of the Code of Virginia.

Effective Date: March 12, 2004.

Agency Contact: Massoud Tahamtani, Director, Division of Utility and Railroad Safety, State Corporation Commission, P.O. Box 1197, Richmond, VA 23218, telephone (804) 371-9264, FAX (804) 371-9734, toll free (800) 552-7945, or e-mail mtahamtani@scc.state.va.us.

Summary:

The revisions incorporate the effects, among other things, of certain amendments that the General Assembly has made to the Underground Utility Damage Prevention Act (Act), Chapter 10.3 (§ 56-265.14 et seq.) of Title 56 of the Code of Virginia. The amendments clarify the period during which an excavator's notification to the notification center would be valid; include a regulation that addresses how letter designations will be assigned to operators when marking underground utility lines; revise marking symbols for duct structures and conduit systems, which marking symbols shall be those set out in item 9 of the Virginia Underground Utility Best Practices as provided in the Virginia Underground Utility Marking Standards published by the Division of Utility and Railroad Safety; and revise the marking symbols to be used in areas where marks may be destroyed and offset marking is used, that is, the marking symbols as shown in item 15 of the Virginia Underground

Utility Best Practices as provided in the Virginia Underground Utility Marking Standards published by the Division of Utility and Railroad Safety. Additionally, the regulations address marking symbols for underground lines in conjunction with notices issued to licensed professionals, i.e., designers of industrial projects or commercial, governmental, or residential projects consisting of 25 or more units requiring approval of governmental or regulatory authorities. The regulations further substitute the Division of Utility and Railroad Safety for the Division of Energy Regulation as the commission division responsible for assisting the commission in enforcement of the Act and remove outdated references to the commission's Rules of Practice and Procedure.

Subdivision 2 of 20 VAC 5-309-140 has been further revised to clarify that the reasonable action under that rule applies to excavation within two feet of the marked location of the underground utility line. Subdivisions 2 and 3 of 20 VAC 5-309-140 serve to clarify the obligation of the excavator to protect the entire underground utility line by visually verifying the size and type of the underground utility line within an excavation area.

Finally, minor revisions have been made to subsections O, P, and R of 20 VAC 5-309-110 to reflect a March 2004 publication date rather than the February 2003 publication date for the Virginia Underground Utility Marking Standards, a document prepared by the division that has been incorporated by reference into the regulations. These technical revisions are necessary since certain of the regulations will be included in the updated version of the Virginia Underground Utility Marking Standards.

AT RICHMOND, MARCH 9, 2004

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUE-2003-00490

Ex Parte: In the matter of revisions to the Commission's Rules for the Enforcement of the Underground Utility Damage Prevention Act

ORDER ADOPTING RULES

This Order promulgates revised Rules for Enforcement of the Underground Utility Damage Prevention Act ("Rules") pursuant to the State Corporation Commission's ("Commission") authority under the Underground Utility Damage Prevention Act, Chapter 10.3 (§ 56-265.15 et seq.) of Title 56 of the Code of Virginia (the "Act"). On November 17, 2003, the Commission entered an Order Prescribing Notice and Inviting Comments and/or Requests for Hearing ("Order Prescribing Notice") regarding revisions to the Rules as proposed by the Commission's Division of Utility and Railroad Safety ("Division" or "Staff"). The Order Prescribing Notice, among other things, initiated this proceeding, attached the proposed revisions to the Rules, required public notice of the proposed revisions, provided interested persons an opportunity to file comments and/or requests for hearing, directed the Staff to file a report in this matter, and directed the Commission's Division of Information Resources to

Final Regulations

forward the Order Prescribing Notice to the Virginia Register of Regulations for publication.

The proposed Rules reflect technical revisions identified by the Staff and changes in the Act since the Commission adopted the Rules in Case No. PUE-1999-00786. For example, as discussed in the Order Prescribing Notice, subsequent amendments to the Act, among other things: (i) clarify the period during which an excavator's notification to the notification center would be valid; (ii) provide for the issuance of "designer" notices by the notification center at the request of designers, i.e., licensed professionals designing industrial projects or governmental, commercial, or residential projects consisting of twenty-five or more units; (iii) require operators to provide information on the operator's underground utility lines and to locate these lines if the designer requests a field locate; and (iv) authorize the Commission to adopt regulations governing (a) the letter designations for each operator to be used in conjunction with the marking of underground utility lines, and (b) symbols for marking of underground utility lines that are "in compliance with subsection B (sic) [2] of § 56-265.17:3" of the Act and in accordance with industry standards. See 2002 Va. Acts ch. 841.

The Order Prescribing Notice also explained that the Division established a committee of stakeholder representatives, developed proposals for the designation of letters for each operator to be used in conjunction with the marking of all underground utility lines, and developed a proposal regarding symbols for marking of underground lines in compliance with the requirements of § 56-265.17:3 of the Act, i.e., procedures for operators to mark their underground facilities in response to a designer notice. The consensus recommendations of this committee on marking best practices were incorporated in the proposed Rules.

On December 10, 2003, the Division of Information Resources filed with the Clerk of the Commission proof of the notice prescribed in Ordering Paragraph (6) of the Order Prescribing Notice. Ordering Paragraph (9) of the Order Prescribing Notice required the Division of Information Resources to file its proof of publication on or before January 30, 2004.

Verizon Virginia Inc. and Verizon South Inc. ("Verizon") filed a letter on December 16, 2003, in response to the Order Prescribing Notice. Verizon did not comment on the proposed revisions to the Rules but advised that it was interested in the subject matter and would like to be included on the service list and participate in any hearing convened on the rulemaking.

Virginia Electric and Power Company ("Dominion Virginia Power") also filed a letter on December 18, 2003, in response to the Order Prescribing Notice. Dominion Virginia Power did not have any comments on the proposed revisions but advised that it would like to be included on the service list and reserved the right to participate in any hearing convened in the rulemaking or to comment on any additional revisions to the proposed rules.

Appalachian Power Company d/b/a American Electric Power ("AEP") filed comments on December 30, 2003 ("AEP Comments"). AEP stated that it generally supported the revised Rules. While AEP did not request a hearing, it

requested permission to participate in any hearing conducted at the request of other participants. AEP also expressed concerns regarding subdivisions 2 and 3 of Rule 20 VAC 5-309-140, which were proposed as follows:

Any person excavating around underground utility lines shall take all reasonable steps to protect such utility lines. These steps shall include, but are not limited to, the following:

* * *

2. The excavator shall expose the underground utility line to its extremities by hand digging;
3. The excavator shall not utilize mechanized equipment within two feet of the extremities of all exposed utility lines;....

AEP asserted that "[i]t is possible to interpret [subdivision 2 of proposed Rule 20 VAC 5-309-140] to require an excavator to expose the entire length of the line, both horizontally and vertically, even if the line, or portions of the line, are not within the proposed excavation area."¹ AEP contended that subdivision 3 of proposed Rule 20 VAC 5-309-140 was also similarly imprecise.

Columbia Gas of Virginia, Inc. ("Columbia"), filed a letter on December 31, 2003. Columbia did not have any specific comments on the proposed revisions but reserved its right to participate in any hearing and to comment on any additional revisions to the rules.

The Staff filed its Report on February 6, 2004 ("Staff Report"). In response to AEP's concerns, the Staff recommended the following modification to subdivision 2 of proposed Rule 20 VAC 5-309-140:

2. The excavator shall expose the underground utility line to its extremities by hand digging *within the excavation area when excavation is expected to come within two feet of the marked location of the underground utility line*;

The Staff did not suggest any changes to subdivision 3 of proposed Rule 20 VAC 5-309-140, concluding that the rule is consistent with § 56-265.24 A of the Act. Finally, the Staff explained that "AEP has authorized the Staff to state that they concur with the Staff's analysis and the proposed Rules as discussed in [the Staff Report]."²

Staff counsel has advised that Verizon, Columbia, Dominion Virginia Power, and AEP do not desire to file further comments in response to the Staff Report.

NOW THE COMMISSION, having reviewed the record for this case and applicable law, is of the opinion and finds as follows. We adopt the proposed Rules as set forth in our Order Prescribing Notice, with one modification. Subdivision 2 of Rule 20 VAC 5-309-140 shall be modified as recommended in the Staff Report with AEP's concurrence.

¹ AEP Comments at 2.

² Staff Report at 7.

As revised, subdivision 2 of Rule 20 VAC 5-309-140 clarifies the reasonable actions that excavators must take when excavating within two feet of the marked location of an underground utility line. As § 56-265.24 A of the Act provides, whenever excavation is required within two feet of the marked location of a utility line, that utility line must be exposed to its extremities by hand digging. The Staff Report explains that "extremities" refers to the outermost portion of the outside shape of the underground utility line. According to the Staff Report, no mechanized equipment used for excavation should be operated within two feet of the extremities of an exposed underground utility line. Subdivisions 2 and 3 of Rule 20 VAC 5-309-140 adopted herein serve to clarify the obligation of the excavator to protect the entire utility line by visually verifying the size and type of the underground utility line within the excavation area. We agree with the Staff's analysis in this instance and, accordingly, adopt it.

Finally, references to the Virginia Underground Utility Marking Standards appearing in subsections O, P, and R of Rule 20 VAC 5-309-110 have been revised to reflect a March 2004 instead of February 2003 publication date for that document. Some of the Rules adopted herein will be reprinted in the Virginia Underground Utility Marking Standards. See, e.g., subsection Q of Rule 20 VAC 5-309-110. The Virginia Underground Utility Marking Standards will have to be revised to include this and other rules. We anticipate that this republication will occur in March 2004.

Accordingly, IT IS ORDERED THAT:

- (1) The Rules for Enforcement of the Underground Utility Damage Prevention Act, appended hereto as Attachment A, are hereby adopted, effective March 12, 2004.
- (2) A copy of this Order and the Rules adopted herein shall be forwarded to the Virginia Register of Regulations for publication.
- (3) There being nothing further to be done in this matter, this case shall be dismissed from the Commission's docket of active proceedings, and the papers filed herein shall be placed in the Commission's file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: David C. Keenan, Senior Attorney, NiSource Corporate Services Company, 200 Civic Center Drive, Columbus, Ohio 43215; James S. Copenhaver, Senior Attorney, NiSource Corporate Services Company, 1809 Coyote Drive, Chester, Virginia 23836; David W. Ogburn, Jr., Esquire, Verizon Virginia Inc. and Verizon South Inc., 600 East Main Street, Suite 1100, Richmond, Virginia 23219-2441; Cynthia Oakey, Esquire, Virginia Electric and Power Company, P.O. Box 26532, Richmond, Virginia 23261; Michael J. Quinan, Esquire, and Ashley C. Beuttel, Esquire, Woods Rogers P.L.C., 823 East Main Street, Suite 1200, Richmond, Virginia 23219; James R. Bacha, Esquire, American Electric Power Service Corporation, One Riverside Plaza, Columbus, Ohio 43215; and the Commission's Office of General Counsel and Division of Utility and Railroad Safety.

20 VAC 5-309-15. Definitions.

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

"Division" means the State Corporation Commission's Division of ~~Energy Regulation~~ *Utility and Railroad Safety*.

"Installation records of a utility line" means maps, drawings, diagram, sketches, or any other depictions or descriptions of an underground utility line that reflect the location at the time of installation in a reasonably accurate manner.

"Locate" or "marking" means an operator's or its contract locator's markings of an underground utility line.

"Serious impact on public health" means any condition involving a water or sewer utility line that creates, or may create, a danger to the health and well being of the public.

20 VAC 5-309-20. Report of probable violations.

Any person, as defined in § 56-265.15 of the Code of Virginia, may report probable violations of Chapter 10.3 of Title 56 to the State Corporation Commission, Division of ~~Energy Regulation~~ *Utility and Railroad Safety* (division). The reports of probable violations may be submitted to the division in writing, by phone, fax, e-mail, or in person. All written reports of probable violations shall include the information requested on SCC Form DPA-1, if available. All probable violations shall be reported to the division within 30 days of a person becoming aware of the circumstances constituting the probable violations.

20 VAC 5-309-40. Advisory Committee review of probable violations.

A. The Advisory Committee (committee), established by the commission, shall meet on a periodic basis to review probable violations of the Act and the staff's findings and recommendations relative to such violations. Upon determination of either the staff or the committee that a violation may have occurred, and that an enforcement action is required, the staff shall take one or more of the following actions:

1. Issue a warning letter to the person alleged to have committed the violation (respondent);
2. Issue an information letter to a county, city, or town alleged to have committed the violation;
3. Enter settlement negotiations with the respondent. Upon reaching agreement on settlement terms, the division shall present the proposed settlement to the commission for final acceptance or rejection; or
4. Request the issuance of a "Rule to Show Cause" order pursuant to ~~Rule 4-11~~ (5 VAC 5-20-90) of the commission's Rules of Practice and Procedure.

B. In the event that the staff but not the committee recommends enforcement action against a probable violator, not withstanding 20 VAC 5-309-40 A 3, the staff may not pursue a settlement with the probable violator absent the initiation of a rule to show cause. As part of its request for a rule to show cause, staff shall report to the commission the

Final Regulations

committee's recommendations and reason or reasons for the committee's recommendations.

C. As soon as practicable after its establishment, the committee shall develop and implement a set of bylaws. These bylaws shall delineate the committee's practice and procedures relative to performing the duties assigned by the commission, including the review of probable violations of the Act.

D. If deemed necessary, the committee shall establish one or more subcommittees of experts in the operations covered by the Act. These subcommittees shall assist the committee in performing its assigned duties.

20 VAC 5-309-70. Petition for reconsideration.

Any person subject to an order from the Virginia State Corporation Commission may petition the commission for reconsideration of its order under ~~Rule 8-9~~ (5 VAC 5-20-220) of the commission's Rules of Practice and Procedure.

20 VAC 5-309-110. General marking requirements.

A. All markings shall be suitable for their intended purpose for a period of 15 working days ~~from the time of notification~~ *beginning at 7 a.m. on the next working day following notice* by the excavator to the notification center.

B. Markings shall be made at sufficient intervals to clearly indicate the approximate horizontal location and direction of the underground utility line. However, the distance between any two marks indicating the same utility line shall not exceed 20 feet. Site conditions or directional changes of the underground utility line shall be considered to determine the need for shorter distance between marks.

C. Markings of underground utility lines shall be by means of stakes, paint, flags, or combination thereof. The terrain, site conditions, and the type and extent of the proposed excavation shall be considered to determine the most suitable means to mark underground utility lines.

D. Paint marks shall be approximately 8 to 10 inches in length and one to two inches in width except when "spot" marking is necessary.

E. A minimum of three separate marks shall be made for each underground utility line marking.

F. Valve box covers that are at grade and visible shall be marked with the appropriate color in accordance with the Act.

G. If in the process of marking an underground utility line, a customer-owned underground utility line of the same type is discovered, the operator or its contract locator shall make a reasonable effort to contact the excavator or the customer to advise of the presence of the line.

H. Where the proposed excavation crosses an underground utility line, markings shall be at intervals that clearly define the route of the underground line.

I. All markings shall extend if practical, a reasonable distance beyond the boundaries of the specific location of the proposed work as detailed on the ticket.

J. If the use of line marking is considered damaging to property (driveways, landscaping, historic locations to the extent boundaries are known), "spot" marking or other suitable marking methods shall be used.

K. Markings shall be valid for an excavation site for 15 *working days from the time of notification beginning at 7 a.m. on the next working day following notice to the notification center* by the excavator or until one of the following events occurs:

1. The markings become faded, illegible or destroyed; or
2. If the markings were placed in response to an emergency and the emergency condition has ceased to exist.

L. Where permitted by the operator's records, all utility lines of the same type in the same trench owned by the same operator shall be marked individually or by a single mark. If a single mark is used, the number of the utility lines shall be indicated at every other mark.

M. Operators or their contract locators shall use all information necessary to mark their facilities accurately.

N. Markings of an underground pipeline greater than 12 inches in nominal outside dimension shall include the size in inches at every other mark.

O. Duct structures and conduit systems shall be marked in accordance with the horizontal marking symbols for such structures and conduit systems ~~set out in the National Utility Locating Contractor's Association's ("NULCA's") standards as shown in item nine of the Virginia Underground Utility Marking Best Practices as provided in the Virginia Underground Utility Marking Standards ([February 2003 March 2004])~~ *published by the division* (http://www.state.va.us/scc/division/urs/mutility/va_uums.pdf).

P. In areas where marks would be destroyed, offset markings shall be made using horizontal marking symbols ~~by NULCA's marking standards as shown in item 15 of the Virginia Underground Utility Marking Best Practices as provided in the Virginia Underground Utility Marking Standards ([February 2003 March 2004])~~ *published by the division* (http://www.state.va.us/scc/division/urs/mutility/va_uums.pdf).

Q. *The assigned letter designations for each operator to be used in conjunction with markings of underground utility lines shall be the same as those assigned by the notification center certified for a geographic area, subject to the review of the same and approval of such designations in writing by the advisory committee. Such approved designations by the advisory committee shall be deemed final unless appealed to the commission within 30 days of the advisory committee's written evidence of approval. Operators wishing to appeal the letter designations assigned in accordance with this section may file an appropriate formal pleading with the commission seeking review of the assigned letter designation within 30 days of the issuance of the written approval of the advisory committee.*

R. *The symbols for marking of underground utility lines in compliance with § 56-265.19 F (ii) of the Act shall be the same as those shown in the Virginia Underground Utility Marking Standards ([February 2003 March 2004])* *published by the*

division

(http://www.state.va.us/scc/division/urs/mutility/va_uums.pdf).

20 VAC 5-309-140. Excavator's responsibilities to avoid damage, dislocating or disturbances of utility lines.

Any person excavating around underground utility lines shall take all reasonable steps to protect such utility lines. These steps shall include, but are not limited to, the following:

1. The excavator shall plan the excavation in such a manner to avoid damage to, and minimize interference with, underground utility lines in and near the construction area;
2. *The excavator shall expose the underground utility line to its extremities by hand digging [within the excavation area when excavation is expected to come within two feet of the marked location of the underground utility line];*
3. *The excavator shall not utilize mechanized equipment within two feet of the extremities of all exposed utility lines;*
2. 4. The excavator shall maintain a reasonable clearance, to include the width of the utility line, if known, plus 24 inches, between the marked or staked location of an underground utility line and the cutting edge or point of any mechanized equipment, considering the known limit of control of the cutting edge or point to avoid damage to the utility line; and
3. 5. The excavator shall provide proper support for underground utility lines during excavation activities. During backfill operations, the excavator shall use the same or similar backfill material that was originally around the utility line, ensure there is proper compaction around the utility line, protect all tracer wires, and protect or replace warning tapes.

DOCUMENT INCORPORATED BY REFERENCE

Virginia Underground Utility Marking Standards, [~~February 2003~~ March 2004], Virginia State Corporation Commission, Division of Utility and Railroad Safety.

VA.R. Doc. No. R04-48; Filed March 11, 2004, 12:09 p.m.



FORMS

TITLE 4. CONSERVATION AND NATURAL RESOURCES

DEPARTMENT OF MINES, MINERALS AND ENERGY

EDITOR'S NOTICE: The following forms have been filed by the Department of Mines, Minerals and Energy. The forms are available for public inspection at the Department of Mines, Minerals and Energy, 202 North Ninth Street, Richmond, Virginia 23219, at the department's Charlottesville office, 900 Natural Resources Drive, Charlottesville, Virginia 22903, or the Office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia 23219. Copies of the forms may be obtained from Stephen A. Walz, Department of Mines, Minerals and Energy, 202 North Ninth Street, Richmond, Virginia 23219, telephone (804) 692-3200.

Title of Regulation: 4 VAC 25-31. Reclamation Regulations for Mineral Mining.

FORMS

Permit/License Application, DMM-101 (rev. ~~9/03~~ 3/04).

Notice of Application to Mine, DMM-103 (rev. 9/03).

Statement Listing the Names and Addresses of Adjoining Property Owners, DMM-103a (rev. 9/99); included in DMM-103 Notice of Application to Mine.

Yearly Progress Report, DMM-105 (rev. 12/94).

Surety Bond, DMM-107 (rev. 10/03).

Revised Map Legend Form, DMM-109 (rev. 9/03).

Relinquishment of Mining Permit, DMM-112 (rev. 9/03).

Request for Amendment, DMM-113 (rev. 7/99).

Consolidated Biennial Report of Waivered Counties, Cities, and Towns, DMM-116 (rev. 12/99).

Biennial Waivered Counties, Cities, and Towns, Report of Individual Mining Companies, DMM-117 (rev. 12/99).

Consent for Right of Entry, DMM-120 (rev. 12/99).

License Renewal/*Transfer* Application, DMM-157 (rev. ~~9/99~~ 3/04).

Permit Transfer Acceptance, DMM-161 (rev. 9/03).

Certification of No Change, DMM-164 (rev. 9/03).

Surety Bond Rider, DMM-167 (eff. 10/03).

General Permit for Sand and Gravel Operations Less Than Ten Acres in Size, DMM-168 (eff. 9/03).

Certificate of Deposit, DMM-169 (eff. 10/03).



COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF MINES, MINERALS & ENERGY
 DIVISION OF MINERAL MINING
 P.O. BOX 3727
 CHARLOTTESVILLE, VIRGINIA 22903
 (434) 951-6310

04 MAR 17 04:58 PM '04
 REGISTRAR OF

PERMIT/LICENSE APPLICATION

APPLICATION TRACKING # _____

FOR OFFICE USE ONLY

PERMIT NO. _____

RECEIPT NO. _____

DATE ISSUED: _____

OWNERSHIP INFORMATION

1. Name of Applicant _____

2. Office Telephone Number _____

3. Mailing Address _____

Mine is located _____ of _____
 (miles) (direction) (town)

on Public Road No. _____ in _____ County/City

4. Type of Organization:

- Sole Proprietorship - Complete questions A,B,C,D,E,F,G,I
- Corporation - Complete questions A,B,C,D,E,F,G,J,K,L,M,N
- Partnership - Complete questions A,B,C,D,E,F,G,H,I
- Other - Complete questions A,B,C,D,E,F,G,H,J

Specify: _____

(A) Name, address and telephone number of the Mine _____

(B) MSHA ID number of the Mine (if applicable) _____

(C) Person with overall responsibility for operating decisions at the mine:

Name/Title _____
 Address _____
 Phone _____

(D) Person to be contacted in the event of an accident or emergency:
 Name _____ Address _____ Telephone _____

(E) Person with overall responsibility for health and safety at the mine:
 Name _____ Address _____ Telephone _____

(F) Person responsible for business operation of the mine:
 Name _____ Address _____ Telephone _____

(G) Federal Tax ID Number of Applicant _____

Forms

(H) List all individuals having any ownership interest in the organization.

Name/Title

Address

Telephone

(I) Trade name, address and telephone number for sole proprietors/partnerships:

(J) Principal organization officials, corporate officers, directors and members:

Name/Title

Address

Telephone

(K) Corporation name, address and telephone number if different than applicant:

(L) State of Incorporation _____

(M) Registered Agent:

Name

Address

Telephone

(N) If a subsidiary, provide:

Parent Organization Name: _____

Address _____

Telephone _____ State of Incorporation _____

5. Name, address and telephone number of person(s) authorized to sign permit/license documents:

Name

Address

Telephone

6. (A) Have any of the above listed (1) persons, or (2) companies owned, in whole or in part, by said persons, the applicant, members of the organization, or any person having 20% or greater ownership interest in the organization had a mining permit issued by Virginia or any other state revoked? Yes No

(b) If yes, give a brief statement of action.

7. Have any of the persons listed above been convicted of violating any of the following sections: 45.1-161.292:33, 45.1-161.177, 45.1-161.178, and 45.1-161.233 as related to smoking in underground coal mines or tampering with methane detection equipment in underground coal mines?
 Yes No
If yes, give name of person convicted _____

OPERATIONS INFORMATION

8. Latitude _____ Longitude _____
9. Mineral to be mined _____ Estimated annual production (in tons) _____
10. Type of Mine: Open Pit Quarry Underground Dredge
 Dragline Other (specify) _____

11. COMPLETE EITHER A OR B

(A). List all MSHA Federal Identification Numbers issued to the applicant, members of the organization, or any person having 20% or greater ownership interest in the organization.

Identification No.	Status
_____	_____
_____	_____
_____	_____

(B). List all names under which the applicant and either members of the applicant or any person having 20% or greater ownership interest in the applicant operates a mine which has been issued a MSHA Federal Identification Number.

12. List any mining permits of any type held by the applicant in Virginia and the applicable permit identification numbers.

Issuing Authority	Permit No./Identification No.
_____	_____
_____	_____
_____	_____

13. Will explosive storage and blasting be required? Yes No
14. Number of employees each shift 1 _____ 2 _____ 3 _____
15. Distance in feet to nearest inhabited building _____
16. Does the applicant have the personnel and facilities to provide safety training to its employees?
 Yes No

Forms

17. List any person with an ownership or leasehold interest in the surface land or minerals to be mined.

	NAME	ADDRESS
Surface	_____	_____
Surface	_____	_____
Mineral	_____	_____
Mineral	_____	_____

18. Specify source of applicant's legal right to enter and conduct mining operations on land covered by the permit:

_____ Provide deed book number, page number, parties to the deed or lease, date of execution or provide a copy of the deed or lease.

19. Please provide the following information for any contractors who will be working on the mine site (attach additional sheets as necessary).

Contractor's Trade Name _____ DMM # _____

Business Address _____

Business Telephone _____ MSHA ID # (if available) _____

Address of Record _____

Service to be Provided _____

Where at the Mine Will the Work be Provided _____

Persons with responsibility for operating decisions:

Name	Address
_____	_____
_____	_____

Persons with responsibility for the health and safety of employees:

Name	Address
_____	_____
_____	_____

20. List rivers, streams, tributaries or water impoundments on or adjacent to permitted property.

Name of waterway	pH adjacent to the mine	Tributary to
_____	_____	_____
_____	_____	_____

21. Specify how mine discharge and storm runoff water will be handled to minimize impact on any water courses. (Detail drainage plan attached). _____

22. Specify any chemicals or hazardous materials (including petroleum products) which will be used on the mine site and methods to be employed to prevent contamination of land and water resources on or adjoining permitted property.

OPERATION/RECLAMATION PLANS

23. Specify the materials which will be generated by mining operations and the plans for handling and disposal during operations and reclamation.

TYPE OF MATERIAL	DISPOSAL METHOD
Overburden	_____
Spoil/Waste Minerals	_____
Scrap Metal	_____
Scrap Tires	_____
Used Oil and Lubricants	_____
Trash and Debris	_____
Hazardous Material	_____
Buildings/Structures	_____

PLANS: OPERATION/RECLAMATION/DRAINAGE PLAN

24. Describe in detail the method of mining, procedures for handling drainage, regrading, and vegetation during active mining and upon completion (attach narrative).

CERTIFICATION/SIGNATURE

I, _____, state that all the presentations contained in the foregoing
 (Print Name)
 application are true to the best of my knowledge; and that I am (an executive officer), (a general partner), (the sole proprietor), (a legal representative), of the applicant, duly authorized to make this application on its behalf. On behalf of the applicant, I hereby authorize the Virginia Division of Mineral Mining to conduct such safety/reclamation inspections as it may deem necessary or as may be required by law on this mining operation.

 Signature Title

subscribed and sworn to, this _____ day of _____, _____
 (Month) (Year)



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS & ENERGY
DIVISION OF MINERAL MINING
P. O. Box 3727
Charlottesville, Virginia 22903
(434) 951-6310

LICENSE RENEWAL/TRANSFER APPLICATION

Application Tracking # _____

RENEWAL
TRANSFER

FOR OFFICE USE ONLY
PERMIT # _____
RECEIPT # _____
DATE ISSUED _____

Permit No. (Renewals only) _____

- Name of Applicant _____
- Mailing Address _____
- Office Telephone No. _____
- Attach to this License Renewal/Transfer Application the following information on any contractors who will be working on the mine site in the next 12 months: trade name, business address, business telephone number, MSHA identification number (if applicable), address of record (if different than business address), service to be provided, where at the mine the work will be provided, person(s) with responsibility for operating decisions (name and address) and person(s) with responsibility for health and safety of employees (name and address). During the year any contractors on the mine site but not on the list must be reported individually. Contractors not shown on the attached list will no longer be associated with the mine permit.

PLEASE COMPLETE ANY INFORMATION THAT HAS CHANGED SINCE YOUR ORIGINAL LICENSE APPLICATION OR SINCE YOUR LAST RENEWAL IF THE FORM IS BEING USED TO TRANSFER THE PERMIT, THEN ALL APPROPRIATE INFORMATION MUST BE PROVIDED.

(be sure to complete the certification statement on page 3, sign and date the form)

5. Type of Organization:

- () Sole Proprietorship - Complete questions A,B,C,D,E,F,G,I
- () Corporation - Complete questions A,B,C,D,E,F,G,J,K,L,M,N
- () Partnership - Complete questions A,B,C,D,E,F,G,H,I
- () Other - Complete questions A,B,C,D,E,F,G,H,J

Specify: _____

(A) Mine name, address and telephone number _____

(B) MSHA ID number of the mine (if applicable) _____

(C) Person with overall responsibility for operating decisions at the mine
Name/Title _____ Telephone # _____
Address _____

(D) Person to be contacted in the event of an accident or emergency
Name _____ Telephone # _____
Address _____

(E) Person with overall responsibility for health and safety at the mine
Name _____ Telephone # _____
Address _____

(F) Person responsible for business operation of the mine
Name _____ Telephone # _____
Address _____

(G) Applicant's Federal Tax ID Number _____

(H) List all individuals having any ownership interest in the organization

Name/Title _____ Telephone # _____
 Address _____

(I) Trade name, address and telephone number for sole proprietors/partnerships

(J) Principal organization officials, corporate officers, directors and members

Name/Title _____ Telephone # _____
 Address _____

(K) Corporation name, address and telephone number if different than applicant

(L) State of Incorporation _____

(M) Registered Agent _____ Telephone # _____
 Address _____

(N) If a subsidiary, provide:

Parent Organization Name _____
 Address _____
 Telephone No. _____ State of Incorporation _____

6. Name, address and telephone number of person(s) authorized to sign Permit/License Documents.

Name	Address	Telephone #
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. Have any of the above listed (1) persons, or (2) companies owned, in whole or in part, by said persons, the applicant, members of the organization, or any person having 20% or greater ownership interest had a mining permit issued by Virginia or any other state revoked?
 Yes No

If yes, give a brief statement of action. _____

8. Have any of the persons listed above been convicted of violating any of the following sections: 45.1-161.292:33, 45.1-161.177, 45.1-161.178, and 45.1-161.233 as related to smoking in underground coal mines or tampering with methane detection equipment in underground coal mines?
 Yes No

If yes, give a brief statement of action. _____

9. COMPLETE EITHER (A) OR (B)

(A) List all MSHA Federal Identification Numbers issued to the applicant, members of the organization, or any person having 20% or greater ownership interest in the organization.

Identification No.	Status
_____	_____
_____	_____
_____	_____

Forms

(B) List all names under which the applicant and either members of the applicant or any person having 20% or greater interest in the applicant operates a mine which has been issued a MSHA Federal Identification Number.

ONLY TRANSFER APPLICANTS NEED TO COMPLETE #10, #11 AND #12

10. List any mining permits of any type held by the applicant in Virginia and the applicable permit identification numbers.

Issuing Authority	Permit No./Identification No.
_____	_____
_____	_____
_____	_____

11. List any person with an ownership or leasehold interest in the surface land or minerals to be mined.

Name	Address
Surface _____	_____
Surface _____	_____
Mineral _____	_____
Mineral _____	_____

12. Specify source of applicant's legal right to enter and conduct mining operations on land covered by the permit: _____

Provide deed book number, page number, parties to the deed or lease, date of execution or provide copy of deed or lease.

I, _____ hereby certify that to the best of my knowledge, the
(Print Name)
information provided in this License Renewal/Transfer Application is accurate and complete.

Operating Official Signature Date

GUIDANCE DOCUMENTS

Sections 2.2-4008 and 2.2-4103 of the Code of Virginia require annual publication in the *Virginia Register* of guidance document lists from state agencies covered by the Administrative Process Act and the Virginia Register Act. A guidance document is defined as "...any document developed by a state agency or staff that provides information or guidance of general applicability to the staff or public to interpret or implement statutes or the agency's rules or regulations..." Agencies are required to maintain a complete, current list of all guidance documents and make the full text of such documents available to the public.

Generally, the format for the guidance document list is: document number (if any), title of document, date issued or last revised, and citation of Virginia Administrative Code regulatory authority or Code of Virginia statutory authority. Questions concerning documents or requests for copies of documents should be directed to the contact person listed by the agency.

DEPARTMENT OF TAXATION

Copies of the following documents may be obtained from TAX's Internet website <http://www.tax.state.va.us> or viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the Office of Customer Relations, Department of Taxation, 3600 West Broad Street, Richmond, VA 23230. These forms are used to implement the return filing requirements for the taxes administered by the Virginia Department of Taxation. Primarily, these return filing requirements are found in Title 58.1 of the Code of Virginia. The Department of Taxation is also required to collect certain agricultural commodity taxes found under Title 3.1 of the Code of Virginia. Copies may be obtained by contacting the Forms Request Unit at the Department of Taxation, P.O. Box 1317, Richmond, VA 23218-1317, telephone (804) 440-2541.

Questions regarding interpretation or implementation of these forms may be directed to Office of Customer Relations, Department of Taxation, P.O. Box 1115, Richmond, VA 23218-1115, telephone (804) 367-8031 or (804) 367-8037 or FAX (804) 786-2670.

Guidance Documents:

Form R-1, Combined Registration Application Form, revised March 2002

Form R-3, Registration Change Request, revised January 1999

Form R-1, Instructions for Completing Combined Registrations, revised May 2003

Form R-5, Nonresident Real Property Owner Registration, revised July 2000

Form R-5E, Nonresident Real Property Owner Exemption Certificate, revised July 2000

Form R-5P, Nonresident Real Property Owner Shareholder/Partner Schedule, revised April 1992

Form ST-9, Dealer's Retail Sales and Use Tax Return, revised January 2002

Form ST-9A, Dealer's Worksheet for Computing State and Local Retail Sales and Use Tax, revised December 2000

Form ST-9B, Schedule of Local Sales and Use Taxes, revised April 2001

Instructions for Form ST-9B, revised June 2000

Form ST-6, Direct Pay Permit Sales and Use Tax Return, revised January 2001

Form ST-6A, Direct Pay Permit Sales & Use Tax Return Worksheet, revised February 2001

Form ST-6B, Schedule of Local Taxes, revised April 2001

Form ST-7, Consumer's Use Tax Return, revised January 2000

Form ST-7A, Business Consumer's Use Tax Return Worksheet, revised January 2000

Form ST-8, Out-of-State Dealer's Use Tax Return, revised January 2002

Form ST-8A, Out-of-State Dealer's Work Sheet for Computing Use Tax, revised April 2000

Revised Virginia Sales Tax Table, revised January 1987

4% Virginia Sales Tax Table, January 2000

Form ST-10, Sales and Use Tax Certificate of Exemption - for use by VA dealer who purchases tangible property for Resale, revised October 1999

Form ST-10A, Printed Materials Exemption, June 1995

Form ST-11, Sales and Use Tax Certificate of Exemption - Manufacturing, revised June 1995

Form ST-11A, Sales and Use Tax Certificate of Exemption - Construction, Non-manufacturing, revised June 1999

Form ST-12, Sales and Use Tax Certificate of Exemption - for use by the Commonwealth of VA, November 1999

Form ST-13, Sales and Use Tax Certificate of Exemption - for use for medical-related products, revised August 2001

Form ST-13A, Sales and Use Tax Certificate of Exemption - for use by nonprofit Churches, revised June 1995

Form ST-14, Sales and Use Tax Certificate of Exemption - for use exclusively by out of state dealers who purchase tangible personal property in VA for immediate transport out of VA for resale outside of VA, revised March 1999

Form ST-14A, Sales and Use Tax Certificate of Exemption- for use exclusively by out of state dealers who purchase tangible personal property in VA for immediate transport out of VA for resale outside of VA, revised January 1999

Form ST-15, Sales and Use Tax Certificate of Exemption - Individuals purchasing heating oil, revised September 1981

Guidance Documents

Form ST-16, Sales and Use Tax Certificate of Exemption - for use by watermen, revised February 2000

Form ST17, Sales and Use Tax Certificate of Exemption - for use by harvesters of forest products, revised July 1999

Form ST-18, Sales and Use Tax Certificate of Exemption - for use by a farmer for purchase of tangible personal property for use in producing agricultural products for market, revised January 1999

Form ST-19, Sales and Use Tax Certificate of Exemption - for use by shipping lines engaged in interstate or foreign commerce, revised December 2000

Form ST-20, Sales and Use Tax Certificate of Exemption - for use by certain public service corporations, commercial radio and television companies, revised June 2003

Form ST-20A, Sales and Use Tax Certificate of Exemption - for use by production companies, revised July 1995

Form TT-12, Tobacco Stamps Credit, December 2000

Form TT-13, Monthly Report of Cigarette Sales, November 2001

Form TT-14, Monthly Report of NR Tobacco, November 2001

Form TT-18 & TT-18A, Monthly Report of Cigarette Manufacturer, created June 2002

Form TT-19, Annual Tobacco Manufacturer Certification, August 2003

Instructions for Preparing Schedule D of TT-13 and TT-14, July 2001

Form 200, Litter Tax Return, revised August 1998

Litter Tax Worksheet/Instructions, revised December 1998

Form 301, Enterprise Zone Credit - Individual, annually

Form 301, Enterprise Zone Credit - Corporation, annually

Form 301, Enterprise Zone Credit - State Bank Franchise Tax, annually

Form 304, Major Business Facility Job Tax Credit, annually

Form PAR 101, Power of Attorney and Release, revised April 2003

Form 305, Clean Fuel Vehicles Job Creation Tax Credit, annually

Form 306, Coalfield Employment Enhancement Tax Credit, annually

Form 500-NOLD, Corporation Application for Refund, annually

Form 500-V, Corporation Income Tax Payment Voucher, annually

Form 500 E, Corporation Income Tax Extension Payment Voucher and Tentative Tax Return, revised annually

Form 500-EC Modified Net Income Tax Return for Electric Cooperatives, annually

Form 500ES Forms and Instructions for Declaration of Estimated Income Tax, annually

Form 500-X, Amended Corporation Income Tax Return, annually

Form 500, Corporation Income Tax Return, annually

Form 500S, Small Business Corporation Return of Income, annually

Form 500/500S Instructions, annually

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Questions regarding interpretation or implementation of these documents may be directed to the Office of Policy and Administration, Policy Development, Department of Taxation, P.O. Box 1880, Richmond, VA 23218-1880, telephone (804) 367-2423 or FAX (804) 367-0045.

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Virginia Tax Bulletin No. 84 - 7, 1984 Legislative Changes Regarding Intangible Personal Property, June 11, 1984

Virginia Tax Bulletin No. 84 - 8, Property Taxation: 1984 Legislative Changes, June 1, 1984

Virginia Tax Bulletin No. 84 - 9, 1984 Legislative Changes Regarding Local Revenue Licenses, June 11, 1984

Virginia Tax Bulletin No. 84 - 10, Recordation Tax: 1984 Legislative Changes, June 28, 1984

Virginia Tax Bulletin No. 84 - 11, Egg Excise Tax, June 1, 1984

Virginia Tax Bulletin No. 84 - 12, 1984 Legislative Changes in Forest Products Tax, June 28, 1984

Virginia Tax Bulletin No. 84 - 13, Sales and Use Tax: 1984 Legislative Changes, June 25, 1984

Virginia Tax Bulletin No. 84 - 14, Income Tax: 1984 Legislative Changes, June 15, 1984

Virginia Tax Bulletin No. 84 - 15, Cigarette Tax Stamps: 25 Cigarette Packages, June 15, 1984

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Virginia Tax Bulletin No. 84 - 16, State Interest Rate, June 10, 1984

Virginia Tax Bulletin No. 84 - 17, Circuit Court Decision Relating to the Application of the Sales and Use Tax to the Mining Industry, July 6, 1984

Virginia Tax Bulletin No. 84 - 18, Cigarette Sales Below Wholesale Cost Act, July 6, 1984

Virginia Tax Bulletin No. 84 - 20, Proposed Advertising and Software Regulations Withdrawn, September 21, 1984

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Virginia Tax Bulletin No. 85 - 1, New Lien Procedures Under ' 58.1-1804, January 11, 1985

Virginia Tax Bulletin No. 85 - 2, Forberg and Fraher Occupy New Positions, January 11, 1985

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Virginia Tax Bulletin No. 85 - 4, Subtraction of Railroad Retirement Benefits From Virginia Taxable Income, February 19, 1985

Virginia Tax Bulletin No. 85 - 6, Application of the Sales Tax to Purchases by Foreign Diplomats, February 14, 1985

Virginia Tax Bulletin No. 85 - 7, Withholding of Virginia Income Tax From Military Retirement Pay, February 14, 1985

Virginia Tax Bulletin No. 85 - 8, Stamping 25 Cigarette Packages in Cartons of Eight, February 19, 1985

Virginia Tax Bulletin No. 85 - 9, Retail Sales and Use Tax Regulation VR 630-10-3 [now 23 VAC 10-210-40]: Advertising, April 26, 1985

Virginia Tax Bulletin No. 85 - 10, Schools and Parent Teacher Associations, August 6, 1985

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Virginia Tax Bulletin No. 85 - 17, Virginia Cattle Tax, June 24, 1985

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Virginia Tax Bulletin No. 85 - 19, Cigarette Tax: Discount On Stamps, September 13, 1985

Virginia Tax Bulletin No. 85 - 20, Stamping 25 Cigarette Packages in Cartons of Eight, September 16, 1985

Virginia Tax Bulletin No. 85 - 21, State Interest Rate, December 6, 1985

Virginia Tax Bulletin No. 86 - 1, Tax Regulation VR 630-2-311.1 [now 23 VAC 10-110-80]: Net Operating Losses, January 1, 1986

Virginia Tax Bulletin No. 86 - 2, not published

Virginia Tax Bulletin No. 86 - 3, Application of the Retail Sales and Use Tax to Off-Road Vehicles, March 20, 1986

Virginia Tax Bulletin No. 86 - 4, Application of the Sales and Use Tax to Veterinarians, February 28, 1986

Virginia Tax Bulletin No. 86 - 5, Adoption of Emergency Sales and Use Tax Regulation on Innovative High Technology Industries and Research, March 5, 1986

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Virginia Tax Bulletin No. 86 - 8, Sales and Use Tax: 1986 Legislative Changes, June 1, 1986

Virginia Tax Bulletin No. 86 - 9, Income Tax: 1986 Legislative Changes, June 1, 1986

Virginia Tax Bulletin No. 86 - 10, 1986 Legislative Changes Affecting Localities, June 1, 1986

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Virginia Tax Bulletin No. 86 - 12, Sales and Use Tax: Advertising, July 1, 1986

Virginia Tax Bulletin No. 86 - 13, Stamping 25 Cigarette Packages in Cartons of 10, August 18, 1986

Virginia Tax Bulletin No. 86 - 14, Withholding on Personal Use of Company Automobiles, September 15, 1986

Virginia Tax Bulletin No. 86 - 15, Increase in the Virginia Sales and Use Tax Rate Effective on January 1, 1987, October 30, 1986

Virginia Tax Bulletin No. 87 - 1, Virginia Egg Excise Tax, May 1, 1987

Virginia Tax Bulletin No. 87 - 2, Interest Rates, July 1, 1987

Virginia Tax Bulletin No. 87 - 3, Income Taxes - 1987 Legislative Changes, July 1, 1987

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Virginia Tax Bulletin No. 87 - 12, Processing of Nonresident Individual Income Tax Returns by Commissioners of the Revenue, July 6, 1987

Virginia Tax Bulletin No. 87 - 13, Virginia Income Tax: Interest on Ginnie Maes, September 1, 1987

Virginia Tax Bulletin No. 87 - 14, Imposition of the Motor Vehicle Fuel Sales Tax in the City of Manassas Park, July 15, 1987

Virginia Tax Bulletin No. 87 - 15, Interest Rates, October 1, 1987

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Virginia Tax Bulletin No. 88 - 9, Income Taxes - 1988 Legislative Changes, June 1, 1988

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Virginia Tax Bulletin No. 88 - 12, Individual and Withholding Taxation: Virginia State Lottery Winnings, September 26, 1988

Virginia Tax Bulletin No. 88 - 13, Interest Rates, September 15, 1988

Virginia Tax Bulletin No. 88 - 14, Virginia and West Virginia Enter Into Reciprocal Income Tax Agreement, December 15, 1988

Virginia Tax Bulletin No. 88 - 15, Motor Vehicle Fuel Sales Tax: Imposition in Loudoun County, November 28, 1988

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Virginia Tax Bulletin No. 89 - 2, Local License Tax and Merchants' Capital Tax: Lottery Sales Agents Selling Instant Lottery Tickets, January 9, 1989

Virginia Tax Bulletin No. 89 - 3, Telecommunication Companies

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Virginia Tax Bulletin No. 90 - 1, Withholding Virginia Income Tax from Wages Paid to Agricultural Workers, March 15, 1990

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Virginia Tax Bulletin No. 90 - 6, Impact of Recent Changes in Federal Withholding Requirements, October 1, 1990

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Virginia Tax Bulletin No. 92 - 3, Important Information for 1992 Estimated Tax Filers, April 15, 1992

Virginia Tax Bulletin No. 92 - 4, Interest Rates, June 15, 1992

Virginia Tax Bulletin No. 92 - 5, Virginia Sales and Use Tax: Nonprofit Organization Exemptions, September 15, 1992

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Virginia Tax Bulletin No. 93 - 1, Notice of Intended Regulatory Action, February 8, 1992

Virginia Tax Bulletin No. 93 - 2, Virginia Income Tax Changes for 1993 Filings, February 22, 1993

Virginia Tax Bulletin No. 93 - 3, Virginia Income Tax Withholding: Impact of Federal Changes for 1993, February 25, 1993

Virginia Tax Bulletin No. 93 - 4, Reporting Nonapportionable Investment Income on Virginia Corporate Income Tax Returns, April 6, 1993

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Virginia Tax Bulletin No. 94 - 5, Interest Rates, April 22, 1994

Virginia Tax Bulletin No. 94 - 6, Federal Retirees: No Need to Yet File Amended Tax Returns for 1985-1988, May 23, 1994

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Virginia Tax Bulletin No. 96 - 5, Employer Withholding by Electronic Fund Transfer (EFT), September 27, 1997

Virginia Tax Bulletin No. 96 - 6, Retail Sales and Use Tax: Film Purchased by Commercial Photographers, September 27, 1997

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Virginia Tax Bulletin No. 98 - 1, Major Business Facility Job Tax Credit, January 13, 1998

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Virginia Tax Bulletin No. 99 - 3, Interest Rates, Second Quarter, April 4, 1999

Virginia Tax Bulletin No. 99 - 4, Worker Retraining Tax Credit, April 5, 1999

Virginia Tax Bulletin No. 99 - 5, Operation Allied Force, May 1, 1999

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Virginia Tax Bulletin No. 99 - 9, Sales and Use Tax on Registration for Nonprofit Organizations, June 18, 1999

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Virginia Tax Bulletin No. 99 - 11, Retail Sales and Use Tax, Food Tax Reduction Program, October 1, 1999

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Virginia Tax Bulletin No. 00 - 2, Tobacco Settlement, June 16, 2000

Virginia Tax Bulletin No. 00 - 3, Modular Housing, June 20, 2000

Virginia Tax Bulletin No. 00 - 4, Interest Rates, Third Quarter, June 29, 2000

Virginia Tax Bulletin No. 00 - 5, Qualified Equity and Subordinated Debt Investment Tax Credit, July 31, 2000

Virginia Tax Bulletin No. 00 - 6, Interest Rates, Third Quarter, September 26, 2000

Virginia Tax Bulletin No. 00 - 7, Interest Rates, First Quarter, December 27, 2000

Virginia Tax Bulletin No. 01 - 1, Taxation of Electric Cooperatives, January 4, 2001

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Virginia Tax Bulletin No. 01 – 2, Interest Rates, Second Quarter, March 26, 2001

Virginia Tax Bulletin No. 01 – 3, Interest Rates, Third Quarter, June 29, 2001

Virginia Tax Bulletin No. 01 – 4, Interest Rates, Fourth Quarter, September 19, 2001

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Virginia Tax Bulletin No. 02 – 1, Interest Rates, Second Quarter, March 20, 2002

Virginia Tax Bulletin No. 02 – 2, Virginia Income Tax Fixed Date Conformity, March 20, 2002

Virginia Tax Bulletin No. 02 – 3, Additional Information on Fixed Date Conformity, April 8, 2002

Virginia Tax Bulletin No. 02 – 4, Interest Rates, Third Quarter, June 29, 2002

Virginia Tax Bulletin No. 02 – 5, Interest Rates, Fourth Quarter, September 26, 2002

Virginia Tax Bulletin No. 02 –6, Interest Rates, First Quarter, December 19, 2003

Virginia Tax Bulletin No. 03 –1, Fixed Date Conformity Advancement, February 18, 2003

Virginia Tax Bulletin No. 03 –2, Educator's Expenses, February 18, 2003

Virginia Tax Bulletin No. 03 –3, Avian Flu Indemnification Payments, February 18, 2003

Virginia Tax Bulletin No. 03 –4, Interest Rates, Second Quarter, March 20, 2003

Virginia Tax Bulletin No. 03 –5, Operation Iraqi Freedom and Operation Enduring Freedom, April 5, 2003

Virginia Tax Bulletin No. 03 –6, USDA Peanut Quota Buyout Subtraction, April 7, 2003

Virginia Tax Bulletin No. 03 –7, Interest Rates, Third Quarter, June 12, 2003

Virginia Tax Bulletin No. 03 –8, Appeals of State Tax Assessments, July 15, 2003

Virginia Tax Bulletin No. 03 –9, Interest Rates, Fourth Quarter, September 22, 2003

Virginia Tax Bulletin No. 03 –10, Real Estate Appeals to Local Boards of Equalization, November 18, 2003

Additionally, the Department of Taxation is required under § 58.1-204 of the Code of Virginia to publish (i) orders of the Tax Commissioner under §§ 58.1-1822 and 58.1-1824, (ii) final orders entered by a circuit court under § 58.1-1826 or § 58.1-1827, and any written opinion or memorandum of the court; and (iii) any written ruling or other interpretation of Virginia law which the Tax Commissioner believes may be of interest to taxpayers and practitioners. These Public Documents interpret both law (Title 58.1 of the Code of Virginia) and regulations (Title 23 of the Virginia Administrative Code) as they apply to taxpayers. Since 1984, the department

has published over 4,500 public documents and adds an additional 40 to 50 documents to this list each month.

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the Office of Customer Relations/Compliance/Audit, Department of Taxation, 3600 West Broad Street, Richmond, VA 23230. Copies may be obtained for a per page copy fee of \$0.10 per page by contacting Richard Dotson at the Office of Customer Relations/Compliance/Audit, Department of Taxation, P.O. Box 5771, Richmond, VA 23220-0771, telephone (804) 786-2081 or FAX (804) 786-2087.

Questions regarding interpretation or implementation of these documents may be directed to Richard Dotson, Office of Customer Relations/Compliance/Audit, Department of Taxation, P.O. Box 5771, Richmond, VA 23220-0771, telephone (804) 786-2081 or FAX (804) 786-2087.

Guidance Documents:

Office of Compliance, Sales and Use Tax Audit Procedures Manuals, revised June 2003, Vols. 1-4, 2,000 pages

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the Office of Customer Relations/ Compliance/Collections Support, Department of Taxation, 3600 West Broad Street, Richmond, VA 23230. Copies may be obtained for a per page copy fee of \$0.10 per page by contacting Mickey Toombs, Office of Customer Relations/Compliance/Collections Support, Department of Taxation, P.O. Box 5771, Richmond, VA 23220-0771, telephone (804) 786-2157 or FAX (804) 786-2087.

Questions regarding interpretation or implementation of these documents may be directed to Mickey Toombs, Office of Customer Relations/Compliance/Collections Support, Department of Taxation, P.O. Box 5771, Richmond, VA 23220-0771, telephone (804) 786-2157 or FAX (804) 786-2087.

Guidance Documents:

Office of Compliance, Field Representative Manual, 1978 (revised 1990), 1,500 pages

Office of Compliance, Padlocking Procedures Manual, April 1990 (revised 1993), 200 pages

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the Office of Customer Relations/Compliance/Collections, Department of Taxation, 3600 West Broad Street, Richmond, VA 23230. Copies may be obtained for a per page copy fee of \$0.10 per page by contacting David Jordan, Office of Customer Relations/Compliance/Collections, Department of Taxation, P.O. Box 5771, Richmond, VA 23220-0771, telephone (804) 786-2081 or FAX (804) 786-2087.

Questions regarding interpretation or implementation of these documents may be directed to David Jordan, Office of

Customer Relations/Compliance/Collections, Department of Taxation, P.O. Box 5771, Richmond, VA 23220-0771, telephone (804) 786-2081 or FAX (804) 786-2087.

Guidance Documents:

Collections Manual, Virginia Department of Taxation, August 1996 (Rev 96.1), 55 pages

Commonwealth of Virginia, Department of Taxation, Office of Compliance, Procedures for Safeguarding Federal Tax Information, July 1981, revised September 2000, 16 pages

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Copies of the following documents may be viewed during regular workdays from 8:30 a.m. until 4:30 p.m. in the office of the Virginia Department of Taxation, 3600 West Broad Street, Richmond, VA 23230. Copies may be obtained free of charge by contacting Kerry Williams, Office of Customer Relations, Channel Support/Electronic Filing Unit, Virginia Department of Taxation, P.O. Box 27423, Richmond, VA 23261-7423, telephone (804) 367-0240, FAX (804) 367-0224, or e-mail ELFCoordinator@tax.state.va.us. Internet addresses for accessing the documents are found below.

Questions regarding interpretation or implementation of these documents may be directed to Kerry Williams, Office of Customer Relations, Channel Support/Electronic Filing Unit, Virginia Department of Taxation, P.O. Box 27423, Richmond, VA 23261-7423, telephone (804) 367-0240, FAX (804) 367-0224, or e-mail ELFCoordinator@tax.state.va.us.

Guidance Documents:

Handbook for Electronic Filers of Individual Income Tax Returns, Publication VA-1345 (http://www.tax.state.va.us/Web_PDFs/VA1345.pdf) revised annually

Electronic Filing of Individual Income Tax Returns Information for Software Developers, Publication VA-1346 (<http://www.tax.state.va.us/site.cfm?alias=SoftwareDevelopers>) revised annually

Electronic Filing Software Vendor Test Package, Publication VA-1436 (<http://www.tax.state.va.us/site.cfm?alias=SoftwareDevelopers>) revised annually

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Copies of the following document may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the Office of Customer Relations, Registration Unit, Department of Taxation, 3600 Centre, 3610 West Broad Street, Richmond, VA 23230. Copies may be obtained free of charge by contacting the Office of Customer Relations, Registration Unit, Department of Taxation, P.O. Box 1114, Richmond, VA 23218-1114, telephone (804) 786-3195 or FAX (804) 786-2642. The Internet address for accessing the document is found below.

Questions regarding interpretation or implementation of this document may be directed to Elizabeth Hanvey, Office of Customer Relations, Customer Service, Department of Taxation, P.O. Box 1115, Richmond, VA 23218-1115,

telephone (804) 786-3130 or 786-3132, FAX (804) 367-2603 or e-mail ehanvey@tax.state.va.us.

Guidance Documents:

Electronic Funds Transfer Program Implementation Guide, (http://www.tax.state.va.us/Web_PDFs/taxforms/1999/99EFTguide.pdf) revised June 2002, § 58.1-9

GENERAL NOTICES/ERRATA

DEPARTMENT OF HEALTH

ORDER

Report Concerning EPA's Response to the National Research Council's Report on "Biosolids Applied to Land: Advancing Standards and Practices"

In accordance with § 32.1-164.7(2) of the Code of Virginia, the Virginia Department of Health (VDH) announces that it is preparing a report to the State Board of Health and the Virginia General Assembly concerning the response of the United States Environmental Protection Agency (EPA) to the National Research Council's July 2002 Report entitled "Biosolids Applied to Land: Advancing Standards and Practices" as described in this notice. In developing its findings and recommendations, VDH is requesting comments from other state agencies, local governments, and organizations and persons having an interest in the land application of sewage sludge. The VDH report is to include any recommendations for revisions to current state laws and regulations governing the land application of sewage sludge as biosolids that VDH deems necessary to ensure protection of public health and safety, the environment and natural resources, agricultural land and state waters.

EPA announced in the 12-31-03 Federal Register (FR) its final action plan to address the recommendations made in the National Research Council's report on the land application of biosolids. Included in the plan are 14 specific projects to enhance its ongoing research and outreach activities. EPA also presented the results of its review of existing biosolids regulations to identify additional pollutants for potential future regulations. Based on a screening assessment of chemical pollutants for which EPA had adequate data the agency has identified 15 pollutants for possible regulation. The final action plan is described in detail in Section VII of the FR notice.

To view the December 31, 2003, FR notice, visit:

<http://www.epa.gov/fedrgstr/EPA-WATER/2003/December/Day-31/w32217.htm>

Comments may be forwarded to: VDH Report, Office of Environmental Health Services, 109 Governor Street, Fifth Floor, Richmond, Virginia 23219, or faxed to the same address at (804) 864-7475. The open comment period announced herewith will commence upon publication of this notice and continue for 30 days from that date.

STATE CORPORATION COMMISSION

AT RICHMOND, MARCH 5, 2004

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

CASE NO. PUC-2003-00118

Ex Parte: In the matter of establishing rules necessary to implement Article 5.1 of Chapter 15 of Title 56 of the Code of Virginia

Article 5.1 of Chapter 15 of Title 56 of the Code of Virginia ("Code"), entitled "Provision of Certain Communications Services," § 56-484.7:1 et seq., addresses conditions under which certain counties, cities, towns, electric commissions or boards, industrial development authorities, or economic development authorities may offer "qualifying communications services." Section 56-484.7:1 A of the Code defines "qualifying communications service" as "a communications service, which shall include but is not limited to, high-speed data service and Internet access service, of general application" Section 56-484.7:1 E of the Code states that the State Corporation Commission ("Commission") "may promulgate rules necessary to implement this section." On August 1, 2003, the Commission issued an Order Establishing Proceeding and Inviting Comments, docketing this matter and allowing interested persons: (1) to comment on whether rules are necessary to implement § 56-484.7:1 of the Code; and (2) to propose any such rules.

Comments were received from: the Alliance for Rural Broadband Infrastructure ("ARBI"); Charter Communications, Inc. ("Charter"); Central Telephone Company of Virginia, United Telephone-Southeast, Inc., and Sprint Communications Company of Virginia (collectively, "Sprint"); the Virginia Cable Telecommunications Association ("VCTA"); and the Virginia Telecommunications Industry Association ("VTIA").

ARBI states that it is unnecessary for the Commission to promulgate rules in this matter because the Code is sufficiently clear. ARBI suggests that if the Commission does indeed promulgate rules, such rules should be minimal.

Charter supports rules that would require a petitioning governmental entity to affirmatively demonstrate that it meets the statutory requirements set forth governing the provision of qualifying communications services.

Sprint supports promulgation of rules and asks the Commission to clarify that "qualifying communications services" do not necessarily include the provision of local exchange telecommunications services. Sprint also asks the Commission to consider a service "readily available" if three companies in a given area have tariffs for a qualifying communications service, or if the service is in fact offered without tariff. Additionally, Sprint states its support for proposed rules filed by the VTIA in its comments.

The VCTA states its belief that rules are necessary to implement § 56-484.7:1 et seq., and cites the need for clear guidelines that would assist the parties involved in a petition to provide qualifying communications services. The VCTA proposes language that would require petitioners to make specific showings regarding the availability of qualifying communications services in a particular area, the benefit to consumers of the petitioner's offering of qualifying communications services, and the pricing of such services.

The VTIA submitted proposed regulations with its comments, suggesting, in part, that: petitioners be required to demonstrate financial, managerial, and technical expertise sufficient to offer qualifying communications services;

petitioners provide evidence that functionally equivalent qualifying communications services are not being provided by three nonaffiliated entities; the phrase "readily and generally . . . available" found in § 56-484.7:2 of the Code be interpreted to include tariffed and non-tariffed offerings that are *capable* of being provisioned by three nonaffiliated entities, even if those entities do not *actually* provision those services; the phrase "functionally equivalent" found in § 56-484.7:2 of the Code be interpreted from the viewpoint of potential customers; and petitioners, whose petitions are approved, provide to the Commission status reports regarding the factors set forth in § 56-484.7:2 of the Code to assist the Commission in any potential revocation of approval pursuant to § 56-484.7:4.

NOW UPON CONSIDERATION of the comments filed herein, we are of the opinion and find that the Commission's Staff ("Staff") shall prepare a report on the comments filed in this matter. In addition to the Staff's recommendations, the report may include rules proposed by the Staff, if any, pursuant to the provisions of § 56-484.7:1 E of the Code. Staff also may consult with those that have filed comments in this case.

Accordingly, IT IS ORDERED THAT:

- (1) On or before May 3, 2004, the Staff shall file a report as discussed in this Order.
- (2) On or before June 3, 2004, interested persons may file comments on the Staff's report.
- (3) This matter is continued for further orders of the Commission.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: all Local Exchange Carriers in Virginia, as shown on Appendix A attached hereto; all Interexchange Companies in Virginia, as shown on Appendix B attached hereto; Robert G. Scott, Esquire, Cole Raywid & Braverman, LLP, 1919 Pennsylvania Avenue, N.W., Suite 200, Washington, D.C. 20006; James B. Wright, Senior Attorney, Sprint Mid-Atlantic Telecom, 14111 Capital Boulevard, Wake Forest, North Carolina 27587-5900; Eric M. Page, Esquire, LeClair Ryan, P.C., 4201 Dominion Boulevard, Suite 200, Glen Allen, Virginia 23060; Cliona M. Robb, Esquire, Christian & Barton, L.L.P., 1200 Building, Suite 1200, 909 East Main Street, Richmond, Virginia 23219-3095; Richard D. Gary, Esquire, Hunton & Williams LLP, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074; C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of Attorney General, 900 East Main Street, 2nd Floor, Richmond, Virginia 23219; and the Commission's Office of General Counsel and Divisions of Communications, Public Utility Accounting, and Economics and Finance.

STATE LOTTERY DEPARTMENT

Director's Orders

The following Director's Orders of the State Lottery Department were filed with the Virginia Registrar of Regulations on March 11, 2004. The orders may be viewed at the State Lottery Department, 900 E. Main Street, Richmond,

Virginia, or at the office of the Registrar of Regulations, 910 Capitol Street, 2nd Floor, Richmond, Virginia.

Director's Order Number Eight (04)

Virginia's Lottery Retailer Incentive Program; "Confirm To Earn," (effective 3/16/04-5/10/04)

Director's Order Number Thirteen (04)

Virginia's Instant Game Lottery 589; "Crown Jewels," (effective 2/27/04)

Director's Order Number Fourteen (04)

Virginia's Instant Game Lottery 596; "Wild Cash," (effective 3/05/04)

VIRGINIA CODE COMMISSION

Notice to State Agencies

Mailing Address: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, FAX (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://register.state.va.us>.

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
RESPONSE TO PETITION FOR RULEMAKING-RR13
FAST-TRACK RULEMAKING ACTION-RR14

ERRATA

STATE AIR POLLUTION CONTROL BOARD

Titles of Regulations: **9 VAC 5-40. Existing Stationary Sources.**

Publication: 20:12 VA.R. 1498-1504 February 23, 2004.

Correction to Final Regulation:

Page 1500, in 9 VAC 5-40-310 E 3, line 3, change "25 tons" to "100 tons"

CALENDAR OF EVENTS

Symbol Key

- † Indicates entries since last publication of the *Virginia Register*
♿ Location accessible to persons with disabilities
☎ 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. If you are unable to find a meeting notice for an organization in which you are interested, please check the Commonwealth Calendar at www.vipnet.org or contact the organization directly.

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 OF ACCOUNTANCY

May 6, 2004 - 10 a.m. -- Open Meeting
Holiday Inn-Richmond, 6531 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to discuss general business matters including complaint cases. A public comment period will be held at the beginning of the meeting. All meetings are subject to cancellation. The time of the meeting is subject to change. Any person desiring to attend the meeting and requiring special accommodations or interpreter services should contact the board at (804) 367-8505 or TDD (804) 367-9753 at least 10 days prior to the meeting so suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

Contact: Nancy Taylor Feldman, Executive Director, Board of Accountancy, 3600 W. Broad St., Suite 696, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2174, (804) 367-9753/TTY ☎, e-mail boa@boa.state.va.us.

† **May 20, 2004 - 7 p.m.** -- Open Meeting
† **May 21, 2004 - 8:30 a.m.** -- Open Meeting
Brandermill Inn, 13550 Harbour Pointe Parkway, Board Room, Midlothian, Virginia. ♿ (Interpreter for the deaf provided upon request)

A working session for board members and staff to discuss strategic planning. No routine board business will be discussed. No public comment will be taken.

Contact: Nancy Taylor Feldman, Executive Director, Board of Accountancy, 3600 W. Broad St., Suite 696, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2174, (804) 367-9753/TTY ☎, e-mail boa@boa.state.va.us.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Virginia State Apple Board

† **April 14, 2004 - 9:30 a.m.** -- Open Meeting
Rowe's Restaurant, 74 Rowe Road (Intersection of I-81 and Route 250), Staunton, Virginia. ♿

A meeting to approve the minutes of the last meeting held on January 22, 2004. In addition, the board will review its financial statement. The board is expected to discuss old business arising from the last meeting and any new business to 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 accommodation in order to participate at the meeting should contact Dave Robishaw at least five days before the meeting date so that suitable arrangements can be made.

Contact: Dave Robishaw, Secretary, Virginia State Apple Board, 900 Natural Resources Dr., Suite 300, Charlottesville, VA 22903, telephone (434) 984-0573, FAX (434) 984-4156.

Virginia Cattle Industry Board

† **April 15, 2004 - 10:30 a.m.** -- Open Meeting
Pano's Restaurant, 3190 South Main Street, Harrisonburg, Virginia. ♿

During the regular business meeting, the board will approve minutes from the February 2004 meeting in addition to reviewing the financial statements for the period October 1 through April 1. Staff will provide program updates for the state and national level programming. 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 Reginald B. Reynolds at least five days before the meeting date so that suitable arrangements can be made.

Contact: Reginald B. Reynolds, Executive Director, Virginia Cattle Industry Board, P.O. Box 9, Daleville, VA 24083, telephone (540) 992-1992, FAX (540) 992-4632.

Pesticide Control Board

† **April 15, 2004 - 9 a.m.** -- Open Meeting
Washington Building, 1100 Bank Street, 2nd Floor Board, Room Richmond, Virginia. 

A meeting to discuss general business matters requiring board action. However, portions of the meeting may be held in closed session pursuant to § 2.2-3711 of the Code of Virginia. The board will take action to adopt the final version of the amendments to 2 VAC 20-30, Regulations Governing the Pesticide Control Act. The board will entertain public comment at the beginning of the meeting on the other business for a period not to exceed 30 minutes. Any person desiring to attend the meeting and requiring special accommodations in order to participate in the meeting should contact Marvin A. Lawson at least five days before the meeting date so that suitable arrangements can be.

Contact: Dr. Marvin A. Lawson, Director, Division of Consumer Protection, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., 11th Floor, Richmond, VA 23219, telephone (804) 786-3534, FAX (804) 786-5112, toll-free (800) 552-9963, e-mail mlawson@vdacs.state.va.us.

Virginia Winegrowers Advisory Board

† **April 20, 2004 - 10 a.m.** -- Open Meeting
Washington Building, 1100 Bank Street, 2nd Floor, Board Room, Richmond, Virginia. 

The advisory board agenda items will include committee reports and a report from a representative of the Alcoholic Beverage Control Board, hearing and approval of minutes of the last board meeting, and presentation of the board's financial statement. The board will hear grant proposals for fiscal year 2005. 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 Mary Davis-Barton at least five days before the meeting date so that suitable arrangements can be made.

Contact: Mary Davis-Barton, Board Secretary, Department of Agriculture and Consumer Services, 1100 Bank St., 9th Floor, Richmond, VA 23219, telephone (804) 371-7685, FAX (804) 786-3122, e-mail mdavis-barton@vdacs.state.va.us.

STATE AIR POLLUTION CONTROL BOARD

April 5, 2004 - 11 a.m. -- Public Hearing
Department of Environmental Quality Northern Regional Office, 13901 Crown Court, Woodbridge, Virginia. 

A public hearing to receive comments on a proposed revision to the State Implementation Plan (SIP) consisting of legislation (SB 454 or similar legislation) that would enable the Commonwealth to meet its obligation under § 185 of the Clean Air Act. The legislation would authorize the

department to collect federal penalty fees from stationary sources of air emissions if severe nonattainment areas in which these facilities are located do not attain air quality standards by deadlines established by the Clean Air Act. Comment is being sought on the issue of whether the legislation should be submitted as a SIP revision and not the content of the legislation.

Contact: Robert A. Mann, Department of Environmental Quality, P.O. Box 10009 Richmond, VA 23240, telephone (804) 698-4419, FAX (804) 698-4510, e-mail ramann@deq.state.va.us.

ALCOHOLIC BEVERAGE CONTROL BOARD

April 5, 2004 - 9 a.m. -- Open Meeting
April 19, 2004 - 9 a.m. -- Open Meeting
May 3, 2004 - 9 a.m. -- Open Meeting
May 17, 2004 - 9 a.m. -- Open Meeting
June 7, 2004 - 9 a.m. -- Open Meeting
June 21, 2004 - 9 a.m. -- Open Meeting
Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia. 

A meeting of the executive staff to receive and discuss reports and activities from staff members. Other matters are not yet determined.

Contact: W. Curtis Coleburn, III, Secretary to the Board, Department of Alcoholic Beverage Control, 2901 Hermitage Rd., Richmond, VA 23220, telephone (804) 213-4409, FAX (804) 213-4411, (804) 213-4687/TTY , e-mail wccolen@abc.state.va.us.

ALZHEIMER'S DISEASE AND RELATED DISORDERS COMMISSION

April 26, 2004 - 10 a.m. -- Open Meeting
Department for the Aging, 1600 Forest Avenue, Suite 102, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

June 8, 2004 - 10 a.m. -- Open Meeting
Ratcliffe Building, 1602 Rolling Hills Drive, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A business meeting.

Contact: Janet L. Honeycutt, Director of Grant Operations, Department for the Aging, 1600 Forest Ave., Suite 102, Richmond, VA 23229, telephone (804) 662-9333, FAX (804) 662-9354, toll-free (800) 554-3402, (804) 662-9333/TTY , e-mail jlhoneycutt@vdh.state.va.us.

Calendar of Events

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designs and Landscape Architects intends to amend regulations entitled **18 VAC 10-20, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designs and Landscape Architects Rules and Regulations**. The purpose of the proposed action is to adjust fees as necessary in accordance with § 54.1-113 of the Code of Virginia (Callahan Act). Any other changes that may be necessary may also be considered.

Statutory Authority: §§ 54.1-113, 54.1-201, 54.1-404 and 54.1-411 C of the Code of Virginia.

Contact: Mark N. Courtney, Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designs and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475 or e-mail APELSCIDLA@dpor.virginia.gov.

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designs and Landscape Architects intends to amend regulations entitled **18 VAC 10-10, Public Participation Guidelines**. The purpose of the proposed action is to clarify existing public participation guidelines.

Statutory Authority: §§ 2.2-4007 and 54.1-201 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

† **April 15, 2004 - 9 a.m.** -- Open Meeting

† **June 9, 2004 - 2 p.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. 

An informal fact-finding conference.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail APELSCIDLA@dpor.state.va.us.

† **April 29, 2004 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting of the Architects Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at 804-367-8514 at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail APELSCIDLA@dpor.state.va.us.

† **May 4, 2004 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting of the Professional Engineers Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at 804-367-8514 at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail APELSCIDLA@dpor.state.va.us.

† **May 6, 2004 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting of the Landscape Architects Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at 804-367-8514 at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail APELSCIDLA@dpor.state.va.us.

† May 11, 2004 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. 

A meeting of the Land Surveyors Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at 804-367-8514 at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail APELSCIDLA@dpor.state.va.us.

† May 13, 2004 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. 

A meeting of the Certified Interior Designers Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at 804-367-8514 at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail APELSCIDLA@dpor.state.va.us.

† June 10, 2004 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. 

A meeting of the full board to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at 804-367-8514 at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail APELSCIDLA@dpor.state.va.us.

ART AND ARCHITECTURAL REVIEW BOARD**May 7, 2004 - 10 a.m.** -- Open Meeting**June 4, 2004 - 10 a.m.** -- Open Meeting

Science Museum of Virginia, 2500 West Broad Street,
Richmond, Virginia. 

A monthly meeting to review projects submitted by state agencies. AARB submittal forms and submittal instructions can be downloaded by visiting the DGS forms at www.dgs.state.va.us. Request Submittal Form #DGS-30-905 or DGS Submittal Instructions Form #DGS-30-906.

Contact: Richard L. Ford, AIA Chairman, 101 Shockoe Slip, 3rd Floor, Richmond, VA 23219, telephone (804) 648-5040, FAX (804) 225-0329, toll free (804) 786-6152, or e-mail rford@comarchs.com.

VIRGINIA COMMISSION FOR THE ARTS**April 13, 2004 - 10 a.m.** -- Open Meeting

Chamber of Commerce Building, Galax, Virginia. 

April 14, 2004 - 10 a.m. -- Open Meeting

Washington and Lee University, Lexington, Virginia. 

April 20, 2004 - 10 a.m. -- Open Meeting

Ferrum College, Franklin Hall, Ferrum, Virginia. 

April 22, 2004 - 10 a.m. -- Open Meeting

Wayside Theater, Middletown, Virginia. 

April 27, 2004 - 10 a.m. -- Open Meeting

Northern Virginia Community College, Alexandria, Virginia.

May 4, 2004 - 10 a.m. -- Open Meeting

Chrysler Museum of Art, Norfolk, Virginia.

May 6, 2004 - 10 a.m. -- Open Meeting**May 11, 2004 - 10 a.m.** -- Open Meeting**May 12, 2004 - 10 a.m.** -- Open Meeting

Cultural Arts Center at Glen Allen, Glen Allen, Virginia. 

A meeting to review grant applications and recommend funding to arts organizations for the 2004-2005 fiscal year.

Contact: Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY , e-mail peggy.baggett@arts.virginia.gov.

May 13, 2004 - 10 a.m. -- Open Meeting

The Marquee, 3015 Cutshaw Avenue, Richmond, Virginia. 

A meeting to review grant applications from Virginia elementary and secondary schools in the categories of Arts Curriculum Development Grants and Artist Residency Grants.

Contact: Sharon Wilson, Grants Officer, Arts Education, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY , e-mail sharon.wilson@arts.virginia.gov.

Calendar of Events

May 18, 2004 - 10 a.m. -- Open Meeting
The Marquee, 3015 Cutshaw Avenue, Richmond, Virginia. 

* * * * *

A meeting to review applications from Virginia performing artists for inclusion in the 2005-2006 Tour Directory.

Contact: Sharon Wilson, Grants Officer, Virginia Commission for the Arts, 223 Governor St., Richmond, VA 23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY , e-mail sharon.wilson@arts.virginia.gov.

VIRGINIA BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Virginia Board for Asbestos, Lead, and Home Inspectors intends to amend regulations entitled **18 VAC 15-10, Public Participation Guidelines**. The purpose of the proposed action is to clarify existing public participation guidelines.

Statutory Authority: §§ 2.2-4007 and 54.1-201 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

May 19, 2004 - 9 a.m. -- Open Meeting
Department of Professional and Occupation Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting to conduct board business.

Contact: David Dick, Executive Director, Virginia Board for Asbestos, Lead, and Home Inspectors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY , e-mail asbestos@dpor.virginia.gov.

AUCTIONEERS BOARD

† **April 8, 2004 - 10 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Marian H. Brooks, Regulatory Board Administrator, Auctioneers Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail Auctioneers@dpor.state.va.us.

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Auctioneers Board intends to amend regulations entitled **18 VAC 25-10, Public Participation Guidelines**. The purpose of the proposed action is to clarify the existing regulation by specifying that the term "agency" refers to the board; clarifying that, in addition to a person, an organization may file a petition for rulemaking; and excepting fast-track rulemaking from the applicability of certain provisions of the public participation guidelines.

Statutory Authority: §§ 2.2-4007 and 54.1-602 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

BOARD FOR BARBERS AND COSMETOLOGY

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Barbers and Cosmetology intends to amend regulations entitled **18 VAC 41-10, Public Participation Guidelines**. The purpose of the proposed action is to clarify the existing regulation by specifying that the term "agency" refers to the board; clarifying that, in addition to a person, an organization may file a petition for rulemaking; and excepting fast-track rulemaking from the applicability of certain provisions of the public participation guidelines.

Statutory Authority: §§ 2.2-4007 and 54.1-201 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

NOTE: CHANGE IN MEETING DATE

† **April 26, 2004 - 9 a.m.** -- Open Meeting

June 14, 2004 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A general business meeting including consideration of regulatory issues as may be presented on the agenda. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The

department fully complies with the Americans with Disabilities Act.

Contact: William H. Ferguson, II, Executive Director, Board for Barbers and Cosmetology, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY ☎, e-mail barberscosmo@dpor.virginia.gov.

BOARD FOR THE BLIND AND VISION IMPAIRED

April 13, 2004 - 1 p.m. -- Open Meeting
Department for the Blind and Vision Impaired, Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. ♿
(Interpreter for the deaf provided upon request)

A meeting to review information regarding Department for the Blind and Vision Impaired activities and operations, review expenditures from the board endowment fund, and discuss other issues raised for the board members.

Contact: Kathy C. Proffitt, Administrative Assistant, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3145, FAX (804) 371-3157, toll-free (800) 622-2155, (804) 371-3140/TTY ☎, e-mail proffikc@dbvi.state.va.us.

BOARD FOR BRANCH PILOTS

† May 3, 2004 - 8:30 a.m. -- Open Meeting
Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia. ♿

A meeting of the examination administrators to conduct business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at 804-367-8514 at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Branch Pilots, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail branchpilots@dpor.state.va.us.

† May 3, 2004 - 10 a.m. -- Open Meeting
Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia.

A meeting to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Branch Pilots, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail branchpilots@dpor.state.va.us.

DEPARTMENT OF BUSINESS ASSISTANCE

Small Business Advisory Board

† April 5, 2004 - 10 a.m. -- Open Meeting
Department of Business Assistance, 707 East Main Street, 3rd Floor Boardroom, Richmond, Virginia. ♿

A meeting to conduct general business.

Contact: Barbara E. Anderson, Assistant to the Director, EBS, Department of Business Assistance, 707 E. Main St., Suite 300, Richmond, VA 23219, telephone (804) 371-8230, FAX (804) 371-2142, toll-free (866) 248-8814, e-mail barbara.anderson@dba.virginia.gov.

CEMETERY BOARD

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Cemetery Board intends to amend regulations entitled **18 VAC 47-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007 54.1-201 and 54.1-2313 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

April 21, 2004 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A meeting to conduct board business.

Contact: Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail Karen.O'Neal@dpor.virginia.gov.

CHARITABLE GAMING BOARD

June 8, 2004 - 10 a.m. -- Open Meeting
NOTE: CHANGE IN MEETING LOCATION
Science Museum of Virginia, 2500 West Broad Street, RF&P Forum Room, Richmond, Virginia. ♿

A general meeting. An agenda will be posted on the agency website.

Calendar of Events

Contact: Frances C. Jones, Office Manager, Charitable Gaming Board, 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 786-3014, FAX (804) 786-1079, e-mail Frances.Jones@dcg.virginia.gov.

CHILD DAY-CARE COUNCIL

† **April 8, 2004 - 10 a.m.** -- Open Meeting
Department of Social Services, 7 North 8th Street, 6th Floor, Conference Room, Richmond, Virginia. ☎

A business meeting to discuss 22 VAC 15-30, Standards for Licensed Child Day Centers.

Contact: L. Richard Martin, Jr., Policy and Planning Manager, Department of Social Services, Office of Legislative and Regulatory Affairs, 7 N. 8th St., Room 5214, Richmond, VA 23219, telephone (804) 726-7902, FAX (804) 726-7906, (800) 828-1120/TTY ☎, e-mail richard.martin@dss.virginia.gov.

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Child Day-Care Council intends to repeal regulations entitled **22 VAC 15-20, General Procedures and Information for Licensure**. The purpose of the proposed action is to repeal the existing regulation that was jointly promulgated with the State Board of Social Services.

Statutory Authority: §§ 63.2-1734 and 63.2-1735 of the Code of Virginia.

Contact: Kathryn Thomas, Program Development Consultant, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7158, FAX (804) 726-7132 or e-mail kathryn.thomas@dss.virginia.gov.

STATE CHILD FATALITY REVIEW TEAM

May 14, 2004 - 10 a.m. -- Open Meeting
Office of the Chief Medical Examiner, 400 East Jackson Street, Richmond, Virginia. ☎

The business portion of the State Child Fatality Review Team meeting, from 10 a.m. to 10:30 a.m., is open to the public. At the conclusion of the open meeting, the team will go into closed session for confidential case review.

Contact: Virginia Powell, Manager, Fatality Review and Surveillance Programs, Department of Health, 400 East Jackson St., Richmond, VA 23219, telephone (804) 786-6047, FAX (804) 371-8595, toll-free (800) 447-1708, e-mail Virginia.Powell@vdh.virginia.gov.

STATE BOARD FOR COMMUNITY COLLEGES

May 19, 2004 - 1:30 p.m. -- Open Meeting
Location to be announced.

Committees will meet as follows: Academic and Student Affairs, Audit, and Budget and Finance will meet at 1:30 p.m.; Facilities and Personnel Committees will meet at 3 p.m.

Contact: D. Susan Hayden, Director of Public Affairs, State Board for Community Colleges, 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 819-4961, FAX (804) 819-4768, (804) 371-8504/TTY ☎

May 20, 2004 - 8:30 a.m. -- Open Meeting
Location to be announced.

A regular meeting. Public comment may be received at the beginning of the meeting upon notification at least five working days prior to the meeting.

Contact: D. Susan Hayden, Director of Public Affairs, State Board for Community Colleges, 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 819-4961, FAX (804) 819-4768, (804) 371-8504/TTY ☎

COMPENSATION BOARD

April 15, 2004 - 10 a.m. -- Open Meeting
Hanover County Complex, 7497 County Complex Road, Board of Supervisors Meeting Room, Hanover, Virginia. ☎

April 16, 2004 - 11 a.m. -- Open Meeting
Augusta County Government Center, Dick Huff Lane (off Lee Highway/US Route 11), Augusta County Board of Supervisor's Meeting Room, Verona, Virginia.

A FY05 budget hearing.

Contact: Cindy P. Waddell, Administrative Staff Assistant, Compensation Board, P.O. Box 710, Richmond, VA 23218, telephone (804) 786-0786, FAX (804) 371-0235, e-mail cindy.waddell@scb.virginia.gov.

April 23, 2004 - 11 a.m. -- Open Meeting
Compensation Board, 202 North 9th Street, 10th Floor, Richmond, Virginia. ☎

A monthly board meeting to determine salaries and expenses of constitutional officers per § 15.2-1636.8 of the Code of Virginia.

Contact: Cindy P. Waddell, Administrative Staff Assistant, Compensation Board, P.O. Box 710, Richmond, VA 23218, telephone (804) 786-0786, FAX (804) 371-0235, e-mail cindy.waddell@scb.virginia.gov.

BOARD OF CONSERVATION AND RECREATION

April 29, 2004 - 10 a.m. -- Open Meeting
Lake Anna State Park, Visitor's Center, 6800 Lawyers Road, Spotsylvania, Virginia.

A regular business meeting.

Contact: Leon E. App, Chief Deputy Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-6124, FAX (804) 786-6141, e-mail leonapp@dcr.state.va.us.

DEPARTMENT OF CONSERVATION AND RECREATION

† **April 6, 2004 - 2 p.m.** -- Open Meeting
The Library of Virginia, 800 Broad Street, Richmond, Virginia. 

† **April 12, 2004 - 9 a.m.** -- Open Meeting
Central Rappahannock Regional Library, Caroline Street, Main Conference Room, Fredericksburg, Virginia. 

† **April 13, 2004 - 1 p.m.** -- Open Meeting
Department of Forestry Central Office, Fontaine Office Park, 900 Natural Resources Drive, Training Room, Charlottesville, Virginia. 

† **April 14, 2004 - 9:30 a.m.** -- Open Meeting
Aylett Fire Department, Route 360, Aylett, Virginia. 

† **April 15, 2004 - 10 a.m.** -- Open Meeting
Lord Fairfax Community College, Warrenton Campus, The Barn, Warrenton, Virginia. 

† **April 16, 2004 - 2 p.m.** -- Open Meeting
Eastern Shore Community College, Auditorium, Melfa, Virginia. 

† **April 19, 2004 - 2 p.m.** -- Open Meeting
James City County Government Complex, 101 Mount Bay Road, Building C, Board Room, James City County, Virginia. 

Virginia's natural resource agencies are in the process of working with local stakeholders to develop Chesapeake Bay nutrient and sediment reduction tributary strategies for each of Virginia's five major Chesapeake Bay basins. Draft strategies will be available for a 30-day public comment period beginning April 1. Copies of the draft strategies and information on submitting comments can be found at www.naturalresources.virginia.gov beginning in April. A series of public meetings will be held in the basins.

Contact: Leon E. App, Chief Deputy Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-6124, FAX (804) 786-6141, e-mail leonapp@dcr.state.va.us.

April 20, 2004 - 10 a.m. -- Open Meeting
Cedar Crest Conference Center, Twin Lakes State Park, 788 Twin Lakes Road, Green Bay, Virginia. 

A meeting of the Twin Lakes State Park Master Plan Advisory Committee to review public input and finalize goals, objectives and the park purpose statement, as well as review recommendations for future developments for the master plan.

Contact: Anne L. Reeder, Park Manager, 788 Twin Lakes Rd., Green Bay, VA 23942, telephone (434) 392-3435, FAX (434) 392-9406, e-mail alreeder@dcr.state.va.us.

† **May 6, 2004 - 7 p.m.** -- Open Meeting
Henrico County Government Complex, Human Services Building, 8600 Dixon Powers Drive, 2nd Floor Board Room, Richmond, Virginia. 

A public meeting to receive comments on the Department of Conservation and Recreation's notice of intent to amend the department's nutrient management training and certification regulations. The public comment period closes at 5 p.m. on May 13, 2004.

Contact: Leon E. App, Chief Deputy Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-6124, FAX (804) 786-6141, e-mail regcord@dcr.state.va.us.

† **May 12, 2004 - 1 p.m.** -- Open Meeting
Parks and Recreation Offices, 215 Depot Court, Mickie Gordon Room, Leesburg, Virginia. 

A regular meeting of the Goose Creek Scenic River Advisory Committee.

Contact: Leon E. App, Chief Deputy Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-6124, FAX (804) 786-6141, e-mail leonapp@dcr.state.va.us.

May 18, 2004 - 10 a.m. -- Open Meeting
Cedar Crest Conference Center, Twin Lakes State Park, 788 Twin Lakes Road, Green Bay, Virginia. 

A meeting of the Twin Lakes State Park Master Plan Advisory Committee to finalize its work on park goals and objectives and purpose statement as well as potential future park development.

Contact: Anne L. Reeder, Park Manager, 788 Twin Lakes Rd., Green Bay, VA 23942, telephone (434) 392-3435, FAX (434) 392-9406, e-mail alreeder@dcr.state.va.us.

June 22, 2004 - 7 p.m. -- Open Meeting
Cedar Crest Conference Center, Twin Lakes State Park, 788 Twin Lakes Road, Green Bay, Virginia. 

A meeting to review and adopt recommended draft planning concepts, which include plan components and future developments.

Contact: Anne L. Reeder, Park Manager, 788 Twin Lakes Road, Green Bay, VA 23942, telephone (434) 392-3435, FAX (434) 392-9406, e-mail alreeder@dcr.state.va.us.

Virginia Scenic River Board

April 22, 2004 - 11 a.m. -- Open Meeting
Virginia State University, Jones Dining Hall, Hayden Street, Petersburg, Virginia. 

A regular business meeting.

Contact: Leon E. App, Chief Deputy Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-6124, FAX (804) 786-6141, e-mail leonapp@dcr.state.va.us.

Calendar of Events

Virginia Soil and Water Conservation Board

April 13, 2004 - 7 p.m. -- Public Hearing
Roanoke City Council Chamber, Noel C. Taylor Municipal Building, 215 Church Avenue, SW, Roanoke, Virginia.

April 14, 2004 - 7 p.m. -- Public Hearing
Rocky Mount Municipal Building, Council Chambers, 345 Donald Avenue, Rocky Mount, Virginia. 

The public is invited to comment on the request of the City of Roanoke to join the existing organization of the Blue Ridge Soil and Water Conservation District (BRSWCD). On January 23, 2004, the Virginia Soil and Water Conservation Board (board) approved a petition from Roanoke City suggesting the need for realigning the existing Blue Ridge Soil and Water Conservation District and including the City of Roanoke. State law empowers the board to review and decide about the formation of districts and resolve changes with district boundaries. The BRSWCD is a political subdivision of the Commonwealth and is currently comprised of Henry, Franklin and Roanoke counties. Virginia's 47 soil and water conservation districts promote natural resource conservation and stewardship and work directly with landowners, property managers and other citizens. Among the reasons presented by Roanoke City for joining the BRSWCD are the ability to participate in the rapidly expanding area of available conservation programs, which require the expertise and assistance of conservation districts, primarily from a water quality standpoint; the ability to utilize and work with the BRSWCD in educational programs designed to increase the awareness and understanding of area youth in environmental issues; and a need for local elected representation knowledgeable in conservation issues to serve the City of Roanoke. Verbal and written comments provided to the board will be considered as the board makes its decision. The board reserves the right to limit the comment time period for each speaker to a reasonable time period. The board will accept written comments received by close of business May 1, 2004, from all interested parties. Forward comments to VSWCB Chair, 203 Governor Street, Suite 206; Richmond, VA 23219.

Contact: Leon E. App, Chief Deputy Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-6124, FAX (804) 786-6141, e-mail leonapp@dcr.state.va.us.

BOARD FOR CONTRACTORS

April 6, 2004 - 9 a.m. -- Open Meeting
April 20, 2004 - 9 a.m. -- Open Meeting
April 22, 2004 - 9 a.m. -- Open Meeting
April 27, 2004 - 9 a.m. -- Open Meeting
April 28, 2004 - 9 a.m. -- Open Meeting
May 5, 2004 - 1:30 p.m. -- Open Meeting
May 11, 2004 - 9 a.m. -- Open Meeting
† May 13, 2004 - 9 a.m. -- Open Meeting

† May 18, 2004 - 9 a.m. -- Open Meeting
† June 1, 2004 - 9 a.m. -- Open Meeting
† June 8, 2004 - 9 a.m. -- Open Meeting
† June 15, 2004 - 9 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)

Informal fact-finding conferences. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at (804) 367-0946 at least 10 days prior to the meeting so that suitable arrangements can be made for appropriate accommodations. The department fully complies with the Americans with Disabilities Act.

Contact: Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail contractors@dpor.virginia.gov.

* * * * *

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Board for Contractors intends to amend regulations entitled **18 VAC 50-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007 and 54.1-1102 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

April 13, 2004 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting to conduct board business.

Contact: Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail contractors@dpor.state.va.us.

May 5, 2004 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting of the Tradesman and Education Committee to conduct committee business. The department fully complies with the Americans with Disabilities Act.

Contact: Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY ☎, e-mail contractors@dpor.virginia.gov.

May 25, 2004 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A regular scheduled meeting to address policy and procedural issues, review and render decisions on applications for contractors' licenses, and review and render case decisions on matured complaints against licensees.

The meeting is open to the public; however, a portion of the board's business may be conducted in closed session. The department fully complies with the Americans with Disabilities Act.

Contact: Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY ☎, e-mail contractors@dpor.state.va.us.

BOARD OF CORRECTIONAL EDUCATION

April 23, 2004 - 10 a.m. -- Open Meeting

James Monroe Building, 101 North 14th Street, 7th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to discuss general business.

Contact: Patty Ennis, Board Clerk, Department of Correctional Education, 101 N. 14th Street, 7th Floor, Richmond, VA 23219, telephone (804) 225-3314, FAX (804) 786-7642, (804) 371-8647/TTY ☎, e-mail paennis@dce.state.va.us.

BOARD OF COUNSELING

† **April 9, 2004 - 9 a.m.** -- Open Meeting

Department of Health Professions, Alcoa Building, 6603 West Broad Street, 5th Floor, Room 4, Richmond, Virginia. ♿

A meeting of the Regulatory Standards Subcommittee looking at possible changes to the standards and practices section of regulation.

Contact: Benjamin Foster, Deputy Executive Director, Board of Counseling, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9575, FAX (804) 662-7250, (804) 662-7197/TTY ☎, e-mail benjamin.foster@dhp.state.va.us.

CRIMINAL JUSTICES SERVICES BOARD

May 13, 2004 - 9 a.m. -- Public Hearing

General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.

April 23, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Criminal Justice Services Board intends to adopt regulations entitled **6 VAC 20-210, Regulations for the Implementation of the Law Permitting DNA Analysis Upon Arrest for All Violent Felonies and Certain Burglaries**. The purpose of the proposed action is to comply with §§ 19.2-310.2:1 and 19.2-310.3:1 of the Code of Virginia, effective January 1, 2003, permitting DNA analysis upon arrest for all violent felonies and certain burglaries.

Statutory Authority: §§ 19.2-310.2:1 and 19.2-310.3:1 of the Code of Virginia.

Contact: Katya Newton, Counsel for Division of Forensic Science, Department of Criminal Justice Services, 700 N. 5th St., Richmond, VA 23219, telephone (804) 786-6848, FAX (804) 786-6857 or e-mail knewton@dfs.state.va.us.

May 13, 2004 - 11 a.m. -- Open Meeting

June 10, 2004 - 11 a.m. -- Open Meeting

General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.

A general business meeting.

Contact: Judith Kirkendall, Regulatory Coordinator, Department of Criminal Justice Services, 8th Street Office Bldg., 805 E. Broad St., 10th Floor, Richmond, VA 23219, telephone (804) 786-8003, FAX (804) 786-0410, e-mail jkirkendall@dcjs.state.va.us.

BOARD OF DENTISTRY

April 8, 2004 - 1 p.m. -- Open Meeting

Department of Health Professions, 6603 West Broad Street, Board Room 1, Richmond, Virginia. ♿

A meeting of the Regulatory/Legislative Committee to discuss proposed regulations for dentists and dental hygienists and legislation affecting the practice of dentistry.

Contact: Sandra Reen, Executive Director, Board of Dentistry, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9906, FAX (804) 662-7246, (804) 662-7197/TTY ☎, e-mail Sandra.reen@dhp.state.va.us.

April 9, 2004 - 9 a.m. -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 1, Richmond, Virginia. ♿

A meeting to discuss board business. There will be a public comment period at the start of the meeting.

Contact: Sandra Reen, Executive Director, Board of Dentistry, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9906, FAX (804) 662-7246, (804) 662-7197/TTY ☎, e-mail Sandra.reen@dhp.state.va.us.

Calendar of Events

DESIGN-BUILD/CONSTRUCTION MANAGEMENT REVIEW BOARD

April 15, 2004 - 11 a.m. -- Open Meeting

May 20, 2004 - 11 a.m. -- Open Meeting

June 17, 2004 - 11 a.m. -- Open Meeting

Department of General Services, Eighth Street Office Building, 3rd Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A monthly meeting to review requests submitted by localities to use design-build or construction management type contracts. Contact the Division of Engineering and Building to confirm the meeting.

Contact: Rhonda M. Bishton, Administrative Assistant, Department of General Services, 805 E. Broad Street, Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934, (804) 786-6152/, or e-mail rbishton@dgs.state.va.us.

BOARD OF EDUCATION

April 28, 2004 - 9 a.m. -- Open Meeting

April 29, 2004 - 9 a.m. -- Open Meeting

May 26, 2004 - 9 a.m. -- Open Meeting

† June 23, 2004 - 9 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 business meeting of the board. The public is urged to confirm arrangements prior to each meeting by viewing the Department of Education's public meeting calendar at <http://www.pen.k12.va.us/VDOE/meetings.html>. This site will contain the latest information on the meeting arrangements and will note any last-minute changes in time or location. Persons who wish to speak or who require the services of an interpreter for the deaf should contact the agency at least 72 hours in advance. Public comment will be received.

Contact: Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department of Education, P.O. Box 2120, James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail mroberts@mail.vak12ed.edu.

DEPARTMENT OF EDUCATION

Advisory Board on Teacher Education and Licensure

April 19, 2004 - 9 a.m. -- Open Meeting

Sheraton Richmond West, 6624 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. The public is urged to confirm arrangements prior to each meeting by viewing the Department of Education's public meeting calendar at <http://www.pen.k12.va.us/VDOE/meetings.html>. This site

will contain the latest information on the meeting arrangements and will note any last minute changes in time or location. Persons requesting the services of an interpreter for the deaf are asked to do so at least 72 hours in advance so that the appropriate arrangements may be made.

Contact: Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department of Education, P.O. Box 2120, 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail mroberts@mail.vak12ed.edu.

LOCAL EMERGENCY PLANNING COMMITTEE - ROANOKE VALLEY

April 28, 2004 - 9 a.m. -- Open Meeting

American Red Cross, 352 Church Avenue, SW, Roanoke, Virginia. 

A quarterly meeting to provide information on training and development.

Contact: Jeb Wallace, ITT Industries Night Vision, 7635 Plantation Road, Roanoke, VA 24019, telephone (540) 362-7371, FAX (540) 362-5408.

DEPARTMENT OF EMPLOYMENT DISPUTE RESOLUTION

NOTE: CHANGE IN MEETING DATE

April 29, 2004 - 10 a.m. -- Open Meeting

Washington Building, 1100 Bank Street, Room 204, Richmond, Virginia.

A quarterly meeting of the Virginia Administrative Dispute Resolution Act Council.

Contact: Claudia Farr, Director, Department of Employment Dispute Resolution, 830 E. Main St., Suite 400, Richmond, VA 23219, telephone (804) 786-7994, e-mail vadra@edr.virginia.gov.

DEPARTMENT OF ENVIRONMENTAL QUALITY

† April 16, 2004 - 10 a.m. -- Open Meeting

Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

The department has formed an Mercury Advisory Committee in response to recent discoveries of elevated levels of mercury in some species of fish in the Blackwater River, the Dragon Run Swamp, and the Great Dismal Swamp Canal. This resulted in the Virginia Department of Health issuing fishing advisories for these water bodies. The DEQ Mercury Advisory Committee will help DEQ determine how to address waters where mercury contamination is found.

Contact: Alex Barron, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4119, FAX (804) 698-4116, e-mail ambarron@deq.state.va.us.

† **April 21, 2004 - 7 p.m.** -- Public Hearing
Northampton Branch Library, 936 Big Bethel Road, Hampton,
Virginia. 

A public hearing on the draft solid waste permit amendment for the Bethel Sanitary Landfill to create module XI and revise modules I and X, as well as the facility's groundwater monitoring plan. The public comment period closes on May 6, 2004.

Contact: Rachel Borum, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (757) 518-2145, e-mail rcborum@deq.state.va.us.

VIRGINIA FIRE SERVICES BOARD

May 12, 2004 - 10:30 a.m. -- Open Meeting
State Forestry Building, Fontaine Business Park,
Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Code Change and Development subcommittee.

Contact: Jennifer Cole, VFSB Clerk, Virginia Fire Services Board, 101 N. 14th St., 18th Floor, Richmond, VA 23219, telephone (804) 371-0220, FAX (804) 371-0219, e-mail jcole@vdfp.state.va.us.

DEPARTMENT OF GENERAL SERVICES

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of General Services' Division of Consolidated Laboratory Services intends to adopt regulations entitled **1 VAC 30-45, Certification for Noncommercial Environmental Laboratories**, and **1 VAC 30-46, Certification for Commercial Environmental Laboratories**. The purpose of the proposed action is to establish a program to certify environmental laboratories that submit data to the Department of Environmental Quality under Virginia's air, waste and water laws and regulations. Section 2.2-1105 of the Code of Virginia requires the Division of Consolidated Laboratory Services to establish and carry out the program to ensure that environmental laboratories provide accurate and consistent tests, analyses, measurements and monitoring.

Statutory Authority: § 2.2-1105 of the Code of Virginia.

Contact: Nancy S. Saylor, Consultant to the Division of Consolidated Laboratory Services, 600 N. 5th St., Richmond, VA 23219, telephone (804) 231-7980, FAX (804) 231-7980 or e-mail nssaylor@erols.com.

BOARD FOR GEOLOGY

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Board for Geology intends to amend regulations entitled

18 VAC 70-10, Public Participation Guidelines. The purpose of the proposed action is to (i) allow that requests placed on the board's public participation notification list be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007 and 54.1-1402 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

April 20, 2004 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. 

A meeting to conduct board business.

Contact: David E. Dick, Executive Director, Board for Geology, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY , e-mail david.dick@dpor.virginia.gov.

STATE BOARD OF HEALTH

April 26, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to repeal regulations entitled **12 VAC 5-210, Charges and Payment Requirements by Income Levels**, and amend regulations entitled **12 VAC 5-200, Regulations Governing Eligibility Standards and Charges for Health Care Services to Individuals**. The purpose of the proposed action is to review the system of eligibility and charges for medical services provided by local health departments.

Statutory Authority: §§ 32.1-11 and 32.1-12 of the Code of Virginia.

Contact: James Burns, M.D., Deputy Commissioner for Public Health, Department of Health, 107 Governor St., 13th Floor, Richmond, VA 23219, telephone (804) 864-7001, FAX (804) 864-7022 or e-mail jim.burns@vdh.virginia.gov.

April 29, 2004 - 9 a.m. -- Open Meeting
Richmond area.

A quarterly meeting of the board to discuss state health issues.

Contact: Margot Fritts, Office of Health Policy and Planning, Department of Health, 109 Governors St., 10th Floor, Richmond, VA 23219, telephone (804) 864-7428, FAX (804) 864-7440, e-mail margot.fritts@vdh.virginia.gov.

Calendar of Events

May 11, 2004 - 7 p.m. -- Public Hearing
Eastern Shore of Virginia Chamber of Commerce and Tourism Commission, 19056 Industrial Parkway, Melfa, Virginia.

May 18, 2004 - 7 p.m. -- Public Hearing
Mecklenburg County Courthouse, 393 Washington Street, Boydton, Virginia.

May 19, 2004 - 7 p.m. -- Public Hearing
Winchester Medical Center, 1840 Amherst Street, Meeting Room 3, Winchester, Virginia.

May 21, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to repeal regulations entitled **12 VAC 5-500, Rules and Regulations Governing the Construction and Maintenance of Migrant Labor Camps**, and adopt regulations entitled **12 VAC 5-501, Rules and Regulations Governing the Construction and Maintenance of Migrant Labor Camps**. The purpose of the proposed action is to repeal the existing regulations governing migrant labor camps (12 VAC 5-500) and promulgate new regulations (12 VAC 5-501).

Statutory Authority: § 32.1-211 of the Code of Virginia.

Contact: Gary L. Hagy, Director, Division of Food and Environmental Services, Department of Health, 109 Governor St., 5th Floor, Richmond, VA 23219, telephone (804) 864-7455, FAX (804) 864-7475 or e-mail gary.hagy@vdh.virginia.org.

DEPARTMENT OF HEALTH

May 14, 2004 - 10:30 a.m. -- Open Meeting
Children's Hospital, 2924 Brook Road, Auditorium, Richmond, Virginia. 

A quarterly meeting of the Advisory Committee for the Virginia Early Hearing Detection and Intervention Program, formerly known as the Virginia Newborn Hearing Screening Program.

Contact: Pat T. Dewey, Program Manager, Department of Health, 109 Governor St., 8th Floor, Richmond, VA 23219, telephone (804) 864-7713, FAX (804) 864-7721, e-mail pat.dewey@vdh.virginia.gov.

State Emergency Medical Services Advisory Board

May 14, 2004 - 1 p.m. -- Open Meeting
The Place at Innsbrook, 4036-C Cox Road, Glen Allen, Virginia. 

A quarterly meeting.

Contact: Gary R. Brown, Director, Department of Health, 109 Governor St., Suite UB-55, Richmond, VA 23219, telephone (804) 864-7600, FAX (804) 864-7580, toll-free (800) 523-6019, e-mail gary.brown@vdh.virginia.gov.

BOARD OF HEALTH PROFESSIONS

† April 15, 2004 - 10:30 a.m. -- Open Meeting
Department of Health Professions, Alcoa Building, 6603 West Broad Street, 5th Floor, Room 1, Richmond, Virginia. 

The Enforcement Committee will receive updates on the Sanction Reference Study, agency disciplinary performance and priority system review. Public comment will be received at the beginning of the meeting.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Health Professions, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-7691, FAX (804) 662-9504, (804) 662-7197/TTY , e-mail elizabeth.carter@dhp.virginia.gov

† April 15, 2004 - 1 p.m. -- Open Meeting
Department of Health Professions, Alcoa Building, 6603 West Broad Street, 5th Fl, Room 1, Richmond, Virginia. 

The board will receive an update on the VIP-Net Hospital Alert System, review the 2004 proposed health-related legislation, and receive an update on regulatory proposals. The board will also receive committee reports and workplans and discuss any other general board matters as needed. Public comment will be received at the beginning of the meeting.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Health Professions, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-7691, FAX (804) 662-7098, (804) 662-7197/TTY , e-mail elizabeth.carter@dhp.virginia.gov.

DEPARTMENT OF HEALTH PROFESSIONS

April 16, 2004 - 9 a.m. -- Open Meeting

June 11, 2004 - 9 a.m. -- Open Meeting

Department of Health Professions, Alcoa Building, 6603 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. 

A meeting of the Intervention Program Committee for the Health Practitioners' Intervention Program (HPIP).

Contact: Donna P. Whitney, Intervention Program Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9424, FAX (804) 662-7358, e-mail donna.whitney@dhp.state.va.us.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

State Building Code Technical Review Board

April 16, 2004 - 10 a.m. -- Open Meeting

Department of Housing and Community Development, 501 North 2nd Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The Review Board hears appeals under the department's building and fire regulations and considers interpretations

and the formulation of recommendations for future changes to the codes.

Contact: Vernon W. Hodge, Secretary, Department of Housing and Community Development, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7150.

VIRGINIA INFORMATION TECHNOLOGIES AGENCY

E-911 Wireless Board

† **May 12, 2004 - 10 a.m.** -- Open Meeting
110 South 7th Street, 3rd Floor Conference Room, Richmond, Virginia. 

A regular meeting.

Contact: Steve Marzolf, Public Safety Communications Coordinator, Virginia Information Technologies Agency, 110 S. 7th St., Richmond, VA, telephone (804) 371-0015, FAX (804) 786-4177, e-mail steve.marzolf@vita.virginia.gov.

Information Technology Investment Board

April 7, 2004 - 1 p.m. -- Open Meeting
VITA Operations Center, Richmond Plaza Building, 110 South 7th Street, 4th Floor Auditorium, Richmond, Virginia. 

A regular board meeting.

Contact: Roslyn J. Witherspoon, ITIB Executive Director, 202 N. 9th St., Richmond, VA 23219, telephone (804) 786-9579, FAX (804) 786-9584, e-mail roslyn.witherspoon@governor.virginia.gov.

JAMESTOWN-YORKTOWN FOUNDATION

May 5, 2004 - Noon -- Open Meeting
Richmond, Virginia area; specific location to be announced. 
(Interpreter for the deaf provided upon request)

A regular meeting of the Jamestown 2007 Steering Committee.

Contact: Stacy Ruckman, Administrative Office Manager, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4253, FAX (757) 253-5299, (757) 253-5110/TTY , e-mail sruckman@jyf.state.va.us.

May 13, 2004 - 10 a.m. -- Open Meeting

May 14, 2004 - 8 a.m. -- Open Meeting
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia.  (Interpreter for the deaf provided upon request)

A semiannual meeting of the Board of Trustees and its committees. Specific schedule not yet confirmed. An opportunity for public comment will be provided on the May 14 business session agenda.

Contact: Laura W. Bailey, Executive Assistant to the Boards, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4840, FAX

(757) 253-5299, toll-free (888) 593-4682, (757) 253-7236/TTY , e-mail lwbailey@jyf.state.va.us.

June 2, 2004 - 2 p.m. -- Open Meeting
Richmond, Virginia area; specific location to be announced. 
(Interpreter for the deaf provided upon request)

A regular meeting of the Executive Committee of the Jamestown 2007 Steering Committee.

Contact: Stacy Ruckman, Administrative Office Manager, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4253, FAX (757) 253-5299, (757) 253-5110/TTY , e-mail sruckman@jyf.state.va.us.

DEPARTMENT OF LABOR AND INDUSTRY

Virginia Migrant and Seasonal Farmworkers Board

April 7, 2004 - 10 a.m. -- Open Meeting
State Capitol, House Room 1, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

A quarterly meeting.

Contact: Betty B. Jenkins, Board Administrator, Department of Labor and Industry, 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2391, FAX (804) 371-6524, (804) 786-2376/TTY , e-mail bbj@doli.state.va.us.

Safety and Health Codes Board

April 21, 2004 - 10 a.m. -- Public Hearing
State Corporation Commission, Tyler Building, 1300 East Main Street, Courtroom A, Richmond, Virginia.

April 23, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Labor and Industry intends to repeal regulations entitled **16 VAC 25-175-1926.950 (c) (1), Clearances**, and adopt regulations entitled **16 VAC 25-155, Virginia Construction Industry General Requirements for Clearances, Construction of Electric Transmission and Distribution Lines and Equipment**. The purpose of the proposed action is to provide construction electrical transmission workers with safety protection identical to general industry electrical transmission workers.

Statutory Authority: § 40.1-22 (5) of the Code of Virginia.

Contact: Regina P. Cobb, Agency Management Analyst Senior, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-0610, FAX (804) 786-8418 or e-mail rlc@doli.state.va.us.

April 21, 2004 - 10 a.m. -- Open Meeting
State Corporation Commission, Tyler Building, 1300 East Main Street, Second Floor, Courtroom A, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting to immediately follow public hearing.

Calendar of Events

Contact: Regina P. Cobb, Agency Management Analyst Senior, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-0610, FAX (804) 786-8418, (804) 786-2376/TTY ☎, e-mail rlc@doli.state.va.us.

THE LIBRARY BOARD

June 14, 2004 - 10:30 a.m. -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. ♿

A meeting to discuss matters pertaining to the Library of Virginia and The Library Board. Committees of the Board will meet as follows:

8:15-9:15 a.m. - Public Library Development Committee, Publications and Educational Services Committee, Records Management Committee

9:30-10:30 a.m. - Archival and Information Services Committee, Collection Management Services Committee, Legislative and Finance Committee

10:30 a.m. - Library board meeting

Contact: Jean H. Taylor, Executive Secretary Senior, The Library of Virginia, 800 E. Broad St., Richmond, Virginia 23219-8000, telephone (804) 692-3535, FAX (804) 692-3594, (804) 692-3976/TTY ☎, e-mail jtaylor@lva.lib.va.us.

MARINE RESOURCES COMMISSION

April 27, 2004 - 9:30 a.m. -- Open Meeting

May 25, 2004 - 9:30 a.m. -- Open Meeting

June 22, 2004 - 9:30 a.m. -- Open Meeting

Marine Resources Commission, 2600 Washington Avenue, 4th Floor, Newport News, Virginia. ♿ (Interpreter for the deaf provided upon request)

A monthly commission meeting.

Contact: Jane McCroskey, Commission Secretary, Marine Resources Commission, 2600 Washington Ave., 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-8101, toll-free (800) 541-4646, (757) 247-2292/TTY ☎, e-mail jmccroskey@mrc.state.va.us.

BOARD OF MEDICAL ASSISTANCE SERVICES

April 13, 2004 - 10 a.m. -- Open Meeting

Department of Medical Assistance Services, 600 East Broad Street, 13th Floor Conference Room, Richmond, Virginia. ♿

A routine quarterly meeting required by the BMAS bylaws.

Contact: Nancy Malczewski, Board Liaison, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8096, FAX (804) 371-4981, (800) 343-0634/TTY ☎, e-mail nancy.malczewski@dmas.virginia.gov.

† **June 4, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled **12 VAC 30-70, Methods and Standards for Establishing Payment Rates; Inpatient Hospital Care**. The purpose of the proposed action is to change the reimbursement methodology for Type One hospitals to conform to changes created by revisions to 42 CFR 438.6

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia.

Public comments may be submitted until June 4, 2004, to Steven E. Ford, Manager, Division of Reimbursement, Department of Medical Assistance Services, 600 East Broad Street, Richmond, VA 23219, e-mail Steve.Ford@dmas.virginia.gov.

Contact: Brian M. McCormick, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8856, (804) 786-1680 or e-mail Brian.McCormick@dmas.virginia.gov.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

April 21, 2004 - 1 p.m. -- Open Meeting

Department of Medical Assistance Services, 600 East Broad Street, 13th Floor Board Room, Richmond, Virginia. ♿

A meeting of the Pharmacy and Therapeutics Committee.

Contact: Adrienne T. Fegans, Program Operations Administrator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-4112, FAX (804) 371-4981, (800) 343-0634/TTY ☎, e-mail adrienne.fegans@dmas.virginia.gov.

May 11, 2004 - 1 p.m. -- Open Meeting

Department of Medical Assistance Services, 600 East Broad Street, 13th Floor, Board Room, Richmond, Virginia. ♿

A meeting of the Pharmacy Liaison Committee to discuss current DMAS pharmacy issues and programs.

Contact: Javier Menendez, RPh, Pharmacy Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-2196, (800) 343-0634/TTY ☎, e-mail jmenendez@dmas.state.va.us.

† **May 19, 2004 - 1 p.m.** -- Open Meeting

Department of Medical Assistance Services, 600 East Broad Street, 13th Floor Board Room, Richmond, Virginia. ♿

A meeting of the Medicaid Transportation Advisory Committee to discuss issues and concerns about Medicaid transportation with the committee and the community.

Contact: Donna Garrett, Administrative Assistant, Department of Medical Assistance Services, 600 E. Broad St.,

Suite 1300, Richmond, VA 23219, telephone (804) 786-0194, FAX (804) 786-5799, (800) 343-0634/TTY ☎, e-mail donna.garrett@dmas.virginia.gov.

Drug Utilization Review Board

May 6, 2004 - 2 p.m. -- Open Meeting
Department of Medical Assistance Services 600 E. Broad Street, 13th Floor Board Room Richmond, Virginia. ☎

A regular meeting.

Contact: Javier Menendez, Pharmacy Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300 Richmond, VA 23219, telephone (804) 786-2196, (800) 343-0634/TTY ☎, e-mail jmenende@dmas.state.va.us.

BOARD OF MEDICINE

April 6, 2004 - 9 a.m. -- Open Meeting
Clarion Hotel, 3315 Ordway Drive, Roanoke, Virginia.

April 14, 2004 - 9 a.m. -- Open Meeting
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia.

May 14, 2004 - 1 p.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, Richmond, Virginia.

An informal conference committee 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. Public comment will not be received.

Contact: Peggy Sadler or Renee Dixon, Staff, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail Peggy.Sadler@dhp.state.va.us.

April 10, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to amend regulations entitled **18 VAC 85-120, Regulations Governing the Certification of Athletic Trainers**. The purpose of the proposed action is to allow the board to provide a limited provisional certification to those licensed or certified in another jurisdiction pending completion of an application.

Statutory Authority: §§ 54.1-2400 and 54.1-2957.4 of the Code of Virginia.

Public comments may be submitted until April 10, 2004, to William L. Harp, M.D., Executive Director, Board of Medicine, 6603 West Broad Street, Richmond, VA 23230.

Contact: Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Profession, 6603 W. Broad St., Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.state.va.us.

April 22, 2004 - 8 a.m. -- Open Meeting
† June 24, 2004 - 8 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

A meeting to consider regulatory and disciplinary matters as may be presented on the agenda. Public comment on agenda items will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

April 22, 2004 - 1 p.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 3, Richmond, Virginia.

The Credentials Committee will meet to consider applicants for licensure matters of the board. Public comment will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

May 27, 2004 - 8:30 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

The Legislative Committee will consider regulatory matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

Advisory Board on Acupuncture

May 18, 2004 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of acupuncture. Public comment will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

Calendar of Events

Advisory Board on Athletic Training

May 20, 2004 - 1 p.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 1, Richmond, Virginia.

A meeting to consider issues related to the regulation of athletic training. Public comment will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

Advisory Board on Occupational Therapy

May 19, 2004 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of occupational therapy. Public comment will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

Advisory Board on Physician Assistants

May 20, 2004 - 1 p.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 1, Richmond, Virginia.

A meeting to consider issues related to the regulation of physician assistants. Public comment will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

Advisory Board on Radiologic Technology

May 18, 2004 - 1 p.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of radiologic technology. Public comment will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

Advisory Board on Respiratory Care

May 19, 2004 - 1 p.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of respiratory care. Public comment will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

† April 14, 2004 - 11:30 a.m. -- Open Meeting
Virginia Housing Development Authority ♿ (Interpreter for the deaf provided upon request)

A meeting of the Olmstead Community Integration Oversight Advisory Committee.

Contact: Viktoria Glenn, Administrative Assistant, Olmstead Initiative, Department of Mental Health, Mental Retardation and Substance Abuse Services, 8004 Franklin Farms Dr., P.O. Box K300, Richmond, VA 23228, telephone (804) 662-7069, FAX (804) 662-7662, e-mail glennvh@drs.state.va.us.

STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

April 22, 2004 - 10 a.m. -- Open Meeting
Holiday Inn Central, 3207 North Boulevard, Richmond
Virginia ♿

A regular meeting. There will be a public comment period.

Contact: Marlene A. Butler, State Board Secretary, Department of Mental Health, Mental Retardation and Substance Abuse Services, Jefferson Bldg., 1220 Bank St., 13th Floor, Richmond, VA 23219, telephone (804) 786-7945, FAX (804) 371-2308, e-mail mbutler@dmhmrsas.state.va.us.

VIRGINIA COMMISSION ON MILITARY BASES

April 16, 2004 - 11 a.m. -- Open Meeting
Virginia's Center for Innovative Technology, 2214 Rock Hill
Road, Briefing Room, Herndon, Virginia ♿

A quarterly meeting.

Contact: Cynthia H. Arrington, Communications, Virginia Commission on Military Bases, P.O. Box 798, Richmond, VA 23218, telephone (804) 225-3743, FAX (804) 786-1121, e-mail carrington@yesvirginia.org.

DEPARTMENT OF MINES, MINERALS AND ENERGY

Coal Mine Safety Board

† **April 14, 2004 - 9 a.m.** -- Open Meeting
Buchanan-Smith Building, US Route 23 South, Big Stone Gap, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to elect a new chairman and to conduct new member orientation. Special accommodations should be requested at least seven days prior to the date of the meeting by contacting the department.

Contact: Frank A. Linkous, Mine Chief, Department of Mines, Minerals and Energy, P.O. Drawer 900, US Route 23 South, Big Stone Gap, VA 24219, telephone (276) 523-8224, (800) 828-1120/TTY , e-mail frank.linkous@dmme.virginia.gov.

DEPARTMENT OF MOTOR VEHICLES

Medical Advisory Board

April 14, 2004 - 8 a.m. -- Open Meeting
June 11, 2004 - 8 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A general business meeting.

Contact: Jacquelin Branche, R. N., Division Manager, Department of Motor Vehicles, P.O. Box 27412, Richmond VA 23269-0001, telephone (804) 497-7188, FAX (804) 367-1604, toll-free (800) 435-5137, (800) 272-9268/TTY , e-mail dmvj3b@dmv.state.va.us.

VIRGINIA MUSEUM OF FINE ARTS

April 6, 2004 - 8 a.m. -- Open Meeting
May 4, 2004 - 8 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, MDR Payne Room, Richmond, Virginia. 

A meeting for staff to update the Executive Committee. Public comment will not be received.

Contact: Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.

April 20, 2004 - 9 a.m. -- Open Meeting
Lewis Ginter Botanical Garden, Robins Room, 1800 Lakeside Avenue, Richmond, Virginia. 

A meeting for trustees and staff to discuss governance issues. Public comment will not be received.

Contact: Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.

June 17, 2004 - Noon -- Open Meeting
Virginia Museum of Fine Arts, 200 North Boulevard, Auditorium, Richmond, Virginia. 

A meeting for staff to update the Executive/Finance Committee. Public comment will not be received.

Contact: Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220-4007, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.

BOARD OF NURSING

April 8, 2004 - 9 a.m. -- Open Meeting
April 13, 2004 - 9 a.m. -- Open Meeting
April 19, 2004 - 9 a.m. -- Open Meeting
April 20, 2004 - 9 a.m. -- Open Meeting
April 29, 2004 - 9 a.m. -- Open Meeting
June 3, 2004 - 9 a.m. -- Open Meeting
June 7, 2004 - 9 a.m. -- Open Meeting
June 8, 2004 - 9 a.m. -- Open Meeting
June 9, 2004 - 9 a.m. -- Open Meeting
June 10, 2004 - 9 a.m. -- Open Meeting
June 15, 2004 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. 

June 16, 2004 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 

A Special Conference Committee comprised of two or three members of the Virginia Board of Nursing will conduct informal conferences with licensees and/or certificate holders. Public comment will not be received.

Contact: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY , e-mail nursebd@dhp.state.va.us.

May 17, 2004 - 9 a.m. -- Open Meeting
May 19, 2004 - 9 a.m. -- Open Meeting
May 20, 2004 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. 

A panel of the board will conduct formal hearings with licensees or certificate holders. Public comment will not be received.

Contact: Jay P. Douglas, M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY , e-mail nursebd@dhp.state.va.us.

May 18, 2004 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia. 

Calendar of Events

A general business meeting including committee reports, consideration of regulatory action, and disciplinary case decisions as presented on the agenda. Public comment will be received at 11 a.m.

Contact: Jay P. Douglas, R.N., Executive Director, Board of Nursing, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail jay.douglas@dhp.state.va.us.

JOINT BOARDS OF NURSING AND MEDICINE

April 21, 2004 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A meeting of the Joint Boards of Nursing and Medicine.

Contact: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 W. Broad Street, 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, e-mail nursebd@dhp.state.va.us.

BOARD OF NURSING HOME ADMINISTRATORS

† **April 14, 2004 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Room 1, Richmond, Virginia. ♿

A meeting to discuss regular board business.

Contact: Sandra Reen, Executive Director, Board of Nursing Home Administrators, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-7457, FAX (804) 662-7246, (804) 662-7197/TTY ☎, e-mail sandra_reen@dhp.state.va.us.

April 14, 2004 - 11 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A Special Conference Committee will meet to hold informal conferences. There will not be a public comment period.

Contact: Cheri Emma-Leigh, Operations Manager, Board of Nursing Home Administrators, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-7457, FAX (804) 662-7246, (804) 662-7197/TTY ☎, e-mail Cheri.Emma-Leigh@dhp.state.va.us.

OLD DOMINION UNIVERSITY

April 8, 2004 - 1 p.m. -- Open Meeting
Webb University Center, Old Dominion University, Norfolk, Virginia. ♿

A quarterly meeting of the governing board of the institution to discuss business of the board and the institution as determined by the Rector and the President.

Contact: Donna Meeks, Executive Secretary to the Board of Visitors, Old Dominion University, 204 Koch Hall, Norfolk, VA

23529, telephone (757) 683-3072, FAX (757) 683-5679, e-mail dmeeks@odu.edu.

BOARD FOR OPTICIANS

April 9, 2004 - 9:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A general business meeting to consider regulatory and other issues as may be presented on the agenda. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to this meeting so that suitable arrangements can be made for an appropriate accommodation. The department fully complies with the Americans with Disabilities Act.

Contact: William H. Ferguson, II, Executive Director, Board for Opticians, 3600 West Broad Street, Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY ☎, e-mail opticians@dpor.virginia.gov.

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Board for Opticians intends to amend regulations entitled **18 VAC 100-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007 and 54.1-201 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

BOARD OF PHARMACY

† **April 13, 2004 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ♿

A panel of the board will discuss disciplinary matters. No public comment will be received.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6603 W. Broad St., 5th Floor, Richmond,

Virginia 23230, telephone (804) 662-9911, FAX (804) 662-9313.

NOTE: CHANGE IN MEETING TIME

April 13, 2004 - 10 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 2, Richmond, Virginia. 

A meeting to consider such regulatory and disciplinary matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

Contact: Elizabeth Scott Russell, RPh, Executive Director, Board of Pharmacy, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9911, FAX (804) 662-9313, (804) 662-7197/TTY , e-mail scottl.russell@dhp.state.va.us.

† **April 20, 2004 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Conference Room 4, Richmond, Virginia. 

† **April 22, 2004 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Conference Room 1, Richmond, Virginia. 

A Special Conference Committee will meet to discuss disciplinary matters. Public comment will not be received.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9911, FAX (804) 662-9313.

BOARD OF PHYSICAL THERAPY

April 10, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Physical Therapy intends to amend regulations entitled **18 VAC 112-20, Regulations Governing the Practice of Physical Therapy**. The purpose of the proposed action is to clarify and update educational, examination and practice requirements. Substantive changes include the elimination of the prohibition on licensure after six failed attempts to pass the national examination; inclusion of a requirement for additional clinical training or course work to sit for the examination after three failures; and acceptance of documentation of active practice for seven years with an unrestricted license if the examination taken for initial licensure is not identical to the examination required in Virginia. A copy of the proposed regulation may be found under Laws and Regulations Governing Physical Therapy at [http://dhp.state.va.us/Physical Therapy/default.htm](http://dhp.state.va.us/Physical%20Therapy/default.htm).

Statutory Authority: § 54.1-2400 and Chapter 34.1 (§ 54.1-3473 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until April 10, 2004, to Elizabeth Young, Executive Director, Board of Physical Therapy, 6603 West Broad Street, Richmond, VA 23230.

Contact: Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Profession, 6603 W. Broad St.,

Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.state.va.us.

POLYGRAPH EXAMINERS ADVISORY BOARD

June 3, 2004 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. 

A regular meeting. The board fully complies with the Americans with Disabilities Act.

Contact: Eric Olson, Executive Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail olson@dpor.state.va.us.

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

June 7, 2004 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, 5th Floor Conference Room 5W,
Richmond, Virginia. 

A quarterly meeting.

Contact: Judy Spiller, Executive Secretary, Board for Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8519, FAX (804) 367-9537, (804) 367-9753/TTY , e-mail judy.spiller@dpor.virginia.gov.

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Department of Professional and Occupational Regulation intends to amend regulations entitled **18 VAC 120-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007, 54.1-201, 54.1-831 and 54.1-1802 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

Calendar of Events

BOARD OF PSYCHOLOGY

† **April 27, 2004 - 9:30 a.m.** -- Open Meeting
Department of Health Professions, 6603 W. Broad Street, 5th Floor, Richmond, Virginia 

A formal hearing pursuant to § 2.2-4020 of the Code of Virginia. The board will meet in open and closed session.

Contact: Evelyn B. Brown, Executive Director, Board of Psychology, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9913, FAX (804) 662-7250, (804) 662-7197/TTY , e-mail coun@dhp.state.va.us.

NOTE: CHANGE IN MEETING TIME

April 27, 2004 - 10:30 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

A business meeting to include reports from standing committees and any other disciplinary or regulatory matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

Contact: Evelyn B. Brown, Executive Director, Board of Psychology, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9913, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail evelyn.brown@dhp.state.va.us.

VIRGINIA PUBLIC GUARDIAN AND CONSERVATOR ADVISORY BOARD

May 20, 2004 - 10 a.m. -- Open Meeting
1610 Forest Avenue, Suite 100, Richmond, Virginia. 

A quarterly meeting.

Contact: Terry Raney, Guardianship Coordinator, Department for the Aging, 1610 Forest Ave., Suite 100, Richmond, VA 23229, telephone (804) 662-7049, FAX (804) 662-9354, toll-free (800) 552-3402, (804) 662-9333/TTY , e-mail traney@vda.virginia.gov.

REAL ESTATE APPRAISER BOARD

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Real Estate Appraiser Board intends to amend regulations entitled **18 VAC 130-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007 and 54.1-2013 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

REAL ESTATE BOARD

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Real Estate Board intends to amend regulations entitled **18 VAC 135-20, Virginia Real Estate Board Licensing Regulations**. The purpose of the proposed action is to increase fees.

Statutory Authority: §§ 2.2-4007, 54.1-113 and 54.1-2105 of the Code of Virginia.

Contact: Christine Martine, Executive Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946 or e-mail reboard@dpor.virginia.gov.

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Real Estate Board intends to amend regulations entitled **18 VAC 135-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007 and 54.1-2105 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

† **April 15, 2004 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. 

A meeting to conduct an informal fact-finding conference.

Contact: Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY , or e-mail Karen.O'Neal@dpor.virginia.gov.

DEPARTMENT OF REHABILITATIVE SERVICES

Commonwealth Neurotrauma Initiative Advisory Board

June 16, 2004 - 9:30 a.m. -- Open Meeting
Virginia Department for the Deaf and Hard of Hearing, 1602 Rolling Hills Drive, 2nd Floor Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting.

Contact: Kristie Chamberlain, CNI Program Specialist, Department of Rehabilitative Services, 8004 Franklin Farms Dr., Box K300, Richmond, VA 23288-0300, telephone (804) 662-7154, FAX (804) 662-7154, toll-free (800) 552-5019, (804) 464-9950/TTY , e-mail chambekl@drs.state.va.us.

VIRGINIA RESOURCES AUTHORITY

April 13, 2004 - 9 a.m. -- Open Meeting
Virginia Resources Authority, Eighth and Main Building, 707 East Main Street, 2nd Floor, Richmond, Virginia. 

A regular meeting of the Board of Directors to (i) review and, if appropriate, approve the minutes from the most recent monthly meeting; (ii) review the authority's operations for the prior month; (iii) review applications for loans submitted to the authority for approval; (iv) consider loan commitments for approval and ratification under its various programs; (v) approve the issuance of any bonds; (vi) review the results of any bond sales; and (vii) consider such other matters and take such other actions as it may deem appropriate. Various committees of the Board of Directors may also meet immediately before or after the regular meeting and consider matters within their purview. The planned agenda of the meeting and any committee meetings will be available at the offices of the authority one week prior to the date of the meeting. Any person who needs any accommodation in order to participate in the meeting should contact the authority at least 10 days before the meeting so that suitable arrangements can be made.

Contact: Bonnie R. C. McRae, Executive Assistant, Virginia Resources Authority, 707 E. Main St., Richmond, VA 23219, telephone (804) 644-3100, FAX (804) 644-3109, e-mail bmcrac@vra.state.va.us.

SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD

April 7, 2004 - 10 a.m. -- Open Meeting
† May 19, 2004 - 10 a.m. -- Open Meeting
Henrico County Health Department, 8600 Dixon Powers Drive, Human Services Board Room, Richmond, Virginia.

A meeting to hear appeals of the health department denials of septic tank permits.

Contact: Susan C. Sherertz, Secretary to the Board, Department of Health, 109 Governor St., 5th Floor, Richmond, VA 23219, telephone (804) 864-7464, FAX (804) 864-7476, e-mail susan.sherertz@vdh.virginia.gov.

VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

† April 21, 2004 - 12 p.m. -- Open Meeting
Department of Business Assistance, 707 East Main Street, 3rd Floor, Richmond, Virginia. 

A meeting to review applications for loans submitted to the authority for approval and general business of the board. Meeting time is subject to change depending upon the board's agenda.

Contact: Scott E. Parsons, Executive Director, Virginia Small Business Financing Authority, P.O. Box 446, Richmond, VA 23218-0446, telephone (804) 371-8256, FAX (804) 225-3384, toll-free (866) 248-8814, e-mail scott.parsons@dba.virginia.gov.

STATE BOARD OF SOCIAL SERVICES

April 14, 2004 - 9 a.m. -- Open Meeting
April 15, 2004 - 9 a.m. -- Open Meeting
Sudley North Government Center, 7987 Ashton Avenue, Manassas, Virginia.

A business meeting. Public comment will be received beginning at 1:30 p.m.

Contact: Pat Rengnerth, State Board Liaison, Department of Social Services, Office of Legislative and Regulatory Affairs, 7 N. 8th St., Room 5214, Richmond, VA 23219, telephone (804) 726-7905, FAX (804) 726-7906, (800) 828-1120/TTY , e-mail patricia.rengnerth@dss.virginia.gov.

May 21, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to amend regulations entitled **22 VAC 40-745, Assessment in Adult Care Residences**. The purpose of the proposed action is to establish general standards for the assessment of applicants to and residents of assisted living facilities. It should be noted that adult care residences are now called assisted living facilities. Through the assessment process, public funds can be more appropriately utilized by ensuring that individuals receive the level of care and services they need.

Statutory Authority: §§ 63.2-217 and 63.2-1732 of the Code of Virginia

Contact: Marjorie Marker, Family Services Specialist, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7536, FAX (804) 726-7894, or e-mail marjorie.marker@dss.virginia.gov.

BOARD OF SOCIAL WORK

† April 6, 2004 - 10 a.m. -- Open Meeting
Department of Health Professions, Alcoa Building, 6603 West Broad Street, 5th Floor, Room 3, Richmond, Virginia. 

Calendar of Events

A meeting to review current residency requirements for post degree/prelicensure supervision.

Contact: Benjamin Foster, Deputy Executive Director, Board of Social Work, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9914, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail benjamin.foster@dhp.state.va.us.

† **April 30, 2004 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, Fifth Floor, Room 2, Richmond, Virginia 23230 ♿

A formal conference to hear possible violations of the laws and regulations governing the practice of social work.

Contact: Evelyn B. Brown, Executive Director, Board of Social Work, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9914, FAX (804) 662-7250, (804) 662-7197/TTY ☎, e-mail evelyn.brown@dhp.virginia.gov.

BOARD FOR PROFESSIONAL SOIL SCIENTISTS AND WETLAND PROFESSIONALS

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Board for Professional Soil Scientists intends to amend regulations entitled **18 VAC 145-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007 and 54.1-201 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

April 14, 2004 - 10 a.m. -- Public Hearing
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

April 23, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Professional Soil Scientists and Wetland Professionals intends to amend regulations entitled **18 VAC 145-20, Board for Professional Soil Scientists Regulations**. The purpose of the proposed action is to adjust fees as necessary in

accordance with § 54.1-113 of the Code of Virginia (Callahan Act).

Statutory Authority: §§ 54.1-113 and 54.1-201 of the Code of Virginia.

Contact: Mark N. Courtney, Executive Director, Board for Professional Soil Scientists, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail soilscientist@dpor.virginia.gov.

† **April 14, 2004 - 10 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A meeting to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to this meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Professional Soil Scientists and Wetland Professionals, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail soilscientist@dpor.state.va.us.

VIRGINIA TOBACCO SETTLEMENT FOUNDATION

April 20, 2004 - 3 p.m. -- Open Meeting
Sully Governmental Center, 4900 Stonecroft Boulevard, Chantilly, Virginia.

A meeting of the North Regional Advisory Board to review proposals.

Contact: Lisa Brown, Grants Program Administrator, Virginia Tobacco Settlement Foundation, 620 Herndon Parkway, Suite 200, Herndon, VA 20170, telephone (703) 481-9823, FAX (703) 481-9857, e-mail lbrown@tsf.state.va.us.

TREASURY BOARD

† **April 21, 2004 - 9 a.m.** -- Open Meeting
† **May 19, 2004 - 9 a.m.** -- Open Meeting
Department of the Treasury, 101 North 14th Street, 3rd Floor, Treasury Board Room, Richmond, Virginia. ♿

A regular meeting.

Contact: Melissa Mayes, Treasury Board Secretary, Department of the Treasury, 101 N. 14th St., 3rd Floor, Treasury Board Room, Richmond, VA 23219, telephone (804) 371-6011, FAX (804) 225-3187, e-mail melissa.mayes@trs.state.va.us.

VETERANS SERVICES FOUNDATION

† **May 12, 2004 - 11 a.m.** -- Open Meeting
Location to be announced. ♿

A regular meeting of the Board of Trustees. The location will be announced closer to the meeting date.

Contact: Geneva M. Claybrook, Executive Services Manager, P.O. Box 6129, Roanoke, VA 24017-0129, telephone (540) 857-6974, FAX (540) 857-6954, e-mail gclaybrook@vcc1.us.

BOARD OF VETERINARY MEDICINE

April 7, 2004 - 8 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia. 

A meeting of the Legislative/Regulatory Review Committee to consider possible changes to the current regulations. Public comment will be received at the beginning of the meeting.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Veterinary Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9915, FAX (804) 662-9504, (804) 662-7197/TTY , e-mail elizabeth.carter@dhp.state.va.us.

April 7, 2004 - 10 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. 

Informal hearings (disciplinary hearings). These are public meetings, but public comment will not be received.

Contact: Terri H. Behr, Administrative Specialist, Board of Veterinary Medicine, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9915, FAX (804) 662-7098, (804) 662-7197/TTY , e-mail terri.behr@dhp.state.va.us.

BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Board for Waste Management Facility Operators intends to amend regulations entitled **18 VAC 155-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007 and 54.1-2211 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

STATE WATER CONTROL BOARD

April 23, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to repeal regulations entitled **9 VAC 25-400, Policy for Waste Treatment and Water Quality Management for the Dulles Area Watershed**. The purpose of the proposed action is to eliminate 9 VAC 25-400 and concurrently adopt a reformatted **9 VAC 25-401, Sewage Treatment in the Dulles Area Watershed regulation**.

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

Contact: Thomas A. Faha, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3846 or e-mail tafaha@deq.state.va.us.

April 7, 2004 - 1 p.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

A meeting of the Virginia Wetlands Enhancement and Restoration Coordinating Committee. The committee will, among other things, be promoting voluntary wetlands creation and/or enhancement on public and private lands.

Contact: Ellen Gilinsky, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4375, FAX (804) 698-4347, e-mail egilinsky@deq.state.va.us.

April 13, 2004 - 10 a.m. -- Public Hearing
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

May 7, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to amend regulations entitled **9 VAC 25-590, Petroleum Underground Storage Tank Financial Responsibility Requirements**. The purpose of the proposed action is to propose administrative changes, incorporate ways to reduce the cost of compliance with the existing requirements and such other amendments necessary in response to public comment.

Statutory Authority: §§ 62.1-44.34:9 and 62.1-44.34:12 of the Code of Virginia.

Contact: Renee Hooper, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4018 or e-mail rthooper@deq.state.va.us.

April 22, 2004 - 1:30 p.m. -- Open Meeting
Department of Environmental Quality Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

May 3, 2004 - 10 a.m. -- Open Meeting
Department of Environmental Quality Valley Regional Office, 411 Early Road, Harrisonburg, Virginia. 

Calendar of Events

May 4, 2004 - 10 a.m. -- Open Meeting
Department of Environmental Quality Northern Regional Office, 13901 Crown Court, Woodbridge, Virginia. 

May 5, 2004 - 1:30 p.m. -- Open Meeting
Department of Environmental Quality West Central Regional Office, 3019 Peters Creek Road, Roanoke, Virginia. 

May 6, 2004 - 1:30 p.m. -- Open Meeting
Department of Environmental Quality Southwest Regional Office, 355 Deadmore Street, Abingdon, Virginia. 

A meeting to receive comments from the public on the State Water Control Board's intent to amend 9 VAC 25-720-50 B of the Potomac-Shenandoah Basin, 9 VAC 25-720-70 B of the Rappahannock Basin, 9 VAC 25-720-80 B of the Roanoke Basin, 9 VAC 25-720-90 B of the Tennessee-Big Sandy Basin, and 9 VAC 25-720-130 B of the New River Basin. These portions of the regulation (9 VAC 25-720) contain stream segment classifications, effluent limitations including water-quality-based effluent limitations, and waste load allocations that are not a component of total maximum daily loads. The proposed amendment is needed to establish a standard format for data presentation, update the data and information contained in these portions of the regulation to reflect the advances in technology, changing water quality conditions, and provide consistency with VPDES permits. Draft amendments have not been developed. The Notice of Intended Regulatory Actions appear in the Virginia Register on March 22, 2004, and the public comment period will close on May 14, 2004.

Contact: Charles Martin, State Water Control Board, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4462, FAX (804) 698-4522, e-mail chmartin@deq.state.va.us.

April 28, 2004 - 10 a.m. -- Open Meeting

May 26, 2004 - 10 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

A meeting of the ad hoc committee established to assist in the development of water quality standards to protect the Chesapeake Bay from nutrient enrichment and sedimentation.

Contact: Eleanore Daub, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111, FAX (804) 698-4116, toll-free 800-592-5482 or (804) 698-4021/TTY 

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

April 9, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Board for Waterworks and Wastewater Works Operators intends to amend regulations entitled **18 VAC 160-10, Public Participation Guidelines**. The purpose of the proposed action is to (i) allow requests to be placed on the board's public participation notification list to be sent via

electronic means; (ii) allow regulatory notifications to be sent to list members electronically; and (iii) add language specifying that when electronic notifications are returned as undeliverable over more than one day, the person or organization concerned will be deleted from the list.

Statutory Authority: §§ 2.2-4007 and 54.1-201 of the Code of Virginia.

Contact: Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

May 12, 2004 - 10 a.m. -- Public Hearing
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor Conference Room, Richmond, Virginia. 

May 25, 2004 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Board for Waterworks and Wastewater Works Operators intends to amend regulations entitled **18 VAC 160-20, Board for Waterworks and Wastewater Works Operators Regulations**. The purpose of the proposed action is to adjust fees as necessary in accordance with § 54.1-113 of the Code of Virginia (Callahan Act). Any other changes that may be necessary may also be considered.

Statutory Authority: §§ 54.1-113 and 54.1-201 of the Code of Virginia.

Contact: David E. Dick, Executive Director, Board for Waterworks and Wastewater Works Operators, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, or e-mail David.Dick@dpor.virginia.gov.

June 22, 2004 - 8:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting to conduct board business.

Contact: David E. Dick, Executive Director, Board for Waterworks and Wastewater Works Operators, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY , e-mail waterwasteoper@dpor.state.va.us.

THE COLLEGE OF WILLIAM AND MARY

† **April 7, 2004 - 2 p.m.** -- Open Meeting
Blow Memorial Hall Board Room, 262 Richmond Road, Williamsburg, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Committee on Financial Affairs. The meeting is open to the public but there will be no opportunity for public comment.

Contact: William T. Walker, Jr., Associate Vice President for Public Affairs, The College of William and Mary, 312 Jamestown Rd., Williamsburg, VA, telephone (757) 221-2624, FAX (757) 221-1021, e-mail wtwal2@wm.edu.

† **April 26, 2004 - 2 p.m.** -- Open Meeting
Verizon Communications, 1515 North Courthouse Road, Arlington, Virginia  (Interpreter for the deaf provided upon request)

The ad hoc committee will meet to continue their review of the Board of Visitors bylaws and meeting structure. The meeting is open to the public but there will be no opportunity for public comment.

Contact: William T. Walker, Jr., Associate Vice President for Public Affairs, The College of William and Mary, 312 Jamestown Rd., Williamsburg, VA 23185, telephone (757) 221-2624, FAX (757) 221-1021, e-mail wtwal2@wm.edu.

INDEPENDENT

STATE LOTTERY BOARD

April 28, 2004 - 9:30 a.m. -- Open Meeting
State Lottery Department, 900 East Main Street, 13th Floor, Richmond, Virginia 

A regular meeting. There will be an opportunity for public comment shortly after the meeting is convened.

Contact: Frank S. Ferguson, Director, Legislative and Regulatory Affairs, State Lottery Department, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7901, FAX (804) 692-7905, e-mail fferguson@valottery.state.va.us.

BOARD FOR PROTECTION AND ADVOCACY

† **April 27, 2004 - 9 a.m.** -- Open Meeting
Virginia Office for Protection and Advocacy, Byrd Building, 1910 Byrd Avenue, Suite 5, Richmond, Virginia  (Interpreter for the deaf provided upon request)

This is an open meeting and public comment is welcomed and will be accepted at the start of the meeting. If you wish to provide public comment via telephone, contact Lisa Shehi at 1-800-552-3962 or via e-mail at shehilm@vopa.state.va.us no later than April 20, 2004. If interpreter services or other accommodations are required, please contact Ms. Shehi no later than Tuesday, April 20.

Contact: Lisa Shehi, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Suite 5, Richmond, VA, telephone (804) 225-2042, FAX (804) 662-7431, toll-free (800) 552-3962, (804) 225-2042/TTY , e-mail shehilm@vopa.state.va.us.

VIRGINIA RETIREMENT SYSTEM

April 21, 2004 - 11 a.m. -- Open Meeting
May 19, 2004 - 11 a.m. -- Open Meeting
Bank of America Building, 1111 East Main Street, 4th Floor Conference Room, Richmond, Virginia.

The regular meeting of the Investment Advisory Committee of the VRS Board of Trustees. No public comment will be received at the meeting.

Contact: Phyllis Henderson, Investment Department Administrative Assistant, Virginia Retirement System, 1111 East Main Street, Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , e-mail phenderson@vrs.state.va.us.

† **May 4, 2004 - Noon** -- Open Meeting
Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia 

The regular meeting of the Optional Retirement Plan Advisory Committee. No public comment will be received at the meeting.

Contact: LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , e-mail lking@vrs.state.va.us.

May 19, 2004 - 2:30 p.m. -- Open Meeting
VRS Headquarters, 1200 East Main Street, Richmond, Virginia 

Meetings of the following committees:

- 2:30 p.m. - Benefits and Actuarial Committee
- 4 p.m. - Administration and Personnel Committee

No public comment will be received at the meeting.

Contact: LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main Street, Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , e-mail lking@vrs.state.va.us.

May 19, 2004 - 4 p.m. -- Open Meeting
VRS Headquarters, 1200 East Main Street, Richmond, Virginia 

A meeting of the Audit and Compliance Committee. No public comment will be received at the meeting.

Contact: LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main Street, Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , e-mail lking@vrs.state.va.us.

May 20, 2004 - 9 a.m. -- Open Meeting
Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia 

A regular meeting of the Board of Trustees. No public comment will be received at the meeting.

Calendar of Events

Contact: LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail lking@vrs.state.va.us.

June 1, 2004 - 8:30 a.m. -- Open Meeting
Location to be determined. ♿

Board of Trustees annual retreat.

Contact: LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail lking@vrs.state.va.us.

LEGISLATIVE

VIRGINIA CODE COMMISSION

† **May 19, 2004 - 10 a.m.** -- Open Meeting
General Assembly Building, 910 Capitol Street, 6th Floor, Speaker's Conference Room, Richmond, Virginia. ♿

A meeting to establish a workplan, hear from the RFP Subcommittee, and conduct any other business that may come before the commission. A brief public comment period is scheduled at the end of the meeting.

Contact: Jane Chaffin, Registrar of Regulations, Virginia Code Commission, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625, e-mail jchaffin@leg.state.va.us.

† **June 16, 2004 - 10 a.m.** -- Open Meeting
General Assembly Building, 910 Capitol Street, 6th Floor, Speaker's Conference Room, Richmond, Virginia. ♿

A meeting to continue with the revisions of Titles 1, 3.1 and 37.1 and to conduct any other business that may come before the commission. A brief public comment period is scheduled at the end of the meeting.

Contact: Jane Chaffin, Registrar of Regulations, Virginia Code Commission, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625, e-mail jchaffin@leg.state.va.us.

CHRONOLOGICAL LIST

OPEN MEETINGS

April 5

Alcoholic Beverage Control Board
† Small Business Advisory Board

April 6

† Conservation and Recreation, Department of Contractors, Board for
Medicine, Board of
Museum of Fine Arts, Virginia
† Social Work, Board of

April 7

† Information Technologies Agency, Virginia
- Information Technology Investment Board
Labor and Industry, Department of
- Virginia Migrant and Seasonal Farmworkers Board
† Sewage Handling and Disposal Appeal Review Board
Veterinary Medicine, Board of
Water Control Board, State
† William and Mary, The College of

April 8

† Auctioneers Board
† Child Day-Care Council
Dentistry, Board of
Nursing, Board of
Old Dominion University

April 9

† Counseling, Board of
Dentistry, Board of
Opticians, Board for

April 12

† Conservation and Recreation, Department of

April 13

Arts, Virginia Commission for the
Blind and Vision Impaired, Board for the
† Conservation and Recreation, Department of
Contractors, Board for
Medical Assistance Services, Board of
Nursing, Board of
† Pharmacy, Board of
Resources Authority, Virginia

April 14

† Agriculture and Consumer Services, Department of
- Virginia State Apple Board
Arts, Virginia Commission for the
† Conservation and Recreation, Department of
Medicine, Board of
† Mental Health, Mental Retardation and Substance Abuse
Services, Department of
† Mines, Minerals and Energy, Department of
- Coal Mine Safety Board
Motor Vehicles, Department of
- Medical Advisory Board
† Nursing Home Administrators, Board of
Social Services, State Board of
† Soil Scientists and Wetland Professionals, Board for
Professional

April 15

† Agriculture and Consumer Services, Department of
- Virginia Cattle Industry Board
- Virginia Pesticide Control Board
† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
Compensation Board
† Conservation and Recreation, Department of
Design-Build/Construction Management Review Board
† Health Professions, Board of
† Real Estate Board
Social Services, State Board of

April 16

Compensation Board
† Conservation and Recreation, Department of

† Environmental Quality, Department of
- Mercury Advisory Committee
Health Professions, Department of
- Intervention Program Committee
Housing and Community Development, Department of
- State Building Code Technical Review Board
Military Bases, Virginia Commission on

April 19

Alcoholic Beverage Control Board
† Conservation and Recreation, Department of
Education, Department of
- Advisory Board on Teacher Education and Licensure
Nursing, Board of

April 20

† Agriculture and Consumer Services, Department of
- Virginia Winegrowers Advisory Board
Arts, Virginia Commission for the
Conservation and Recreation, Department of
Contractors, Board for
Geology, Board for
Museum of Fine Arts, Virginia
Nursing, Board of
† Pharmacy, Board of
Tobacco Settlement Foundation, Virginia

April 21

Cemetery Board
Labor and Industry, Department of
- Safety and Health Codes Board
Medical Assistance Services, Department of
- Pharmacy and Therapeutics Committee
Nursing and Medicine, Joint Boards of
Retirement System, Virginia
† Small Business Financing Authority, Virginia
† Treasury Board

April 22

Arts, Virginia Commission for the
Conservation and Recreation, Department of
- Virginia Scenic River Board
Contractors, Board for
Medicine, Board of
Mental Health, Mental Retardation and Substance Abuse
Services, State Board
† Pharmacy, Board of
Water Control Board, State

April 23

Compensation Board
Correctional Education, Board of

April 26

Alzheimer's Disease and Related Disorders Commission
† Barbers and Cosmetology, Board for
† William and Mary, The College of

April 27

Arts, Virginia Commission for the
Contractors, Board for
Marine Resources Commission
† Protection and Advocacy, Board for
Psychology, Board of

April 28

Contractors, Board for
Education, Board of
Emergency Planning Committee, Local - Roanoke Valley
Lottery Board, State

Water Control Board, State

April 29

† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
Conservation and Recreation, Board of
Education, Board of
Employment Dispute Resolution, Department of
- Virginia Administrative Dispute Resolution Act Council
Health, Board of
Nursing, Board of

April 30

† Social Work, Board of

May 3

Alcoholic Beverage Control Board
† Branch Pilots, Board for
Water Control Board, State

May 4

† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
Arts, Virginia Commission for the
Museum of Fine Arts, Virginia
† Retirement System, Virginia
Water Control Board, State

May 5

Contractors, Board for
Jamestown-Yorktown Foundation
Water Control Board, State

May 6

Accountancy, Board of
† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
Arts, Virginia Commission for the
† Conservation and Recreation, Department of
Medical Assistance Services, Department of
- Drug Utilization Review Board
Water Control Board, State

May 7

Art and Architectural Review Board

May 11

† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
Arts, Virginia Commission for the
Contractors, Board for
Medical Assistance Services, Department of
- Pharmacy Liaison Committee

May 12

† Arts, Virginia Commission for the
† Conservation and Recreation, Department of
- Goose Creek Scenic River Advisory Committee
Fire Services Board, Virginia
† Information Technologies Agency, Virginia
- E-911 Wireless Board
† Veterans Service Foundation

May 13

† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
Arts, Virginia Commission for the

Calendar of Events

† Contractors, Board for
Criminal Justices Services Board
Jamestown-Yorktown Foundation

May 14
Child Fatality Review Team, State
Health, Department of
- State Emergency Medical Services Advisory Board
- Advisory Committee for the Virginia Early Hearing
Detection and Intervention Program
Jamestown-Yorktown Foundation
Medicine, Board of

May 17
Alcoholic Beverage Control Board
Nursing, Board of

May 18
Arts, Virginia Commission for the
Conservation and Recreation, Department of
† Contractors, Board for
Medicine, Board of
- Advisory Board on Acupuncture
- Advisory Board of Radiologic Technology
Nursing, Board of

May 19
Asbestos, Lead, and Home Inspectors, Virginia Board for
† Code Commission, Virginia
Community Colleges, State Board for
† Medical Assistance Services, Department of
- Medicaid Transportation Advisory Committee
Medicine, Board of
- Advisory Board of Occupational Therapy
- Advisory Board on Respiratory Care
Nursing, Board of
Retirement System, Virginia
† Sewage Handling and Disposal Appeal Review Board
† Treasury Board

May 20
† Accountancy, Board of
Community Colleges, State Board for
Design-Build/Construction Management Review Board
Medicine, Board of
- Advisory Board on Athletic Training
- Advisory Board on Physician Assistants
Nursing, Board of
Public Guardian and Conservator Advisory Board, Virginia
Retirement System, Virginia

May 21
† Accountancy, Board of

May 25
Contractors, Board for
Marine Resources Commission

May 26
Education, Board of
Water Control Board, State

May 27
Medicine, Board of

June 1
† Contractors, Board for
Retirement System, Virginia

June 2
Jamestown-Yorktown Foundation

June 3
Nursing, Board of

Polygraph Examiners Advisory Board

June 4
Art and Architectural Review Board

June 7
Alcoholic Beverage Control Board
Nursing, Board of
Professional and Occupational Regulation, Board for

June 8
Alzheimer's Disease and Related Disorders Commission
Charitable Gaming Board
† Contractors, Board for
Nursing, Board of

June 9
† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
Nursing, Board of

June 10
† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
Criminal Justice Services Board
Nursing, Board of

June 11
Health Professions, Department of
- Intervention Program Committee
Motor Vehicles, Department of
- Medical Advisory Board

June 14
Barbers and Cosmetology, Board for
Library Board, The

June 15
† Contractors, Board for
Nursing, Board of

June 16
† Code Commission, Virginia
Nursing, Board of
Rehabilitative Services, Department of
- Commonwealth Neurotrauma Initiative Advisory Board

June 17
Design-Build/Construction Management Review Board
Museum of Fine Arts, Virginia

June 21
Alcoholic Beverage Control Board

June 22
Conservation and Recreation, Department of
Marine Resources Commission
Waterworks and Wastewater Works Operators, Board for

June 23
† Education, Board of

June 24
† Medicine, Board of

PUBLIC HEARINGS

April 5
Air Pollution Control Board, State

April 13
Conservation and Recreation, Department of
- Virginia Soil and Water Conservation Board
Water Control Board, State

April 14

Conservation and Recreation, Department of
- Virginia Soil and Water Conservation Board
Soil Scientists, Board for Professional

April 21

† Environmental Quality, Department of
Labor and Industry, Department of
- Safety and Health Codes Board

May 11

Health, State Board of

May 12

Waterwork and Wastewater Works Operators, Board for

May 13

Criminal Justice Services Board

May 18

Health, State Board of

May 19

Health, State Board of

Calendar of Events
